



TOWN OF CHAPEL HILL

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

Town Council

Meeting Minutes - Final

Mayor Pam Hemminger
Mayor pro tem Michael Parker
Council Member Jessica Anderson
Council Member Allen Buansi

Council Member Hongbin Gu
Council Member Tai Huynh
Council Member Amy Ryan
Council Member Karen Stegman

Wednesday, May 12, 2021

6:30 PM

Virtual Meeting

Virtual Meeting Notification

Town Council members will attend and participate in this meeting remotely, through internet access, and will not physically attend. The Town will not provide a physical location for viewing the meeting.

The public is invited to attend the Zoom webinar directly online or by phone.

Register for this webinar:

https://us02web.zoom.us/webinar/register/WN_hdBLCbTLQQStEzBAeeA8ig After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 864 1862 3291

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Roll Call

Present: 8 - Mayor Pam Hemminger, Mayor pro tem Michael Parker, Council Member Jessica Anderson, Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Karen Stegman, Council Member Tai Huynh, and Council Member Amy Ryan

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ann Anderson, Assistant Planning Director Judy Johnson, Planning Director Colleen Willger, Traffic Engineering Manager Kumar Neppalli, Business Management Director Amy Oland, Assistant Business Management Director Matt Brinkley, Executive Director for Technology and CIO Scott Clark, Communications and Public Affairs Director/Town Clerk Sabrina Oliver, Deputy Town Clerk Amy Harvey.

OPENING

Mayor Hemminger called the meeting to order at 6:30 p.m. She called the roll, and all Council Members replied that they were present.

ANNOUNCEMENTS BY COUNCIL MEMBERS**0.01 Celebrating Successes Video: Transit Bus Wrap.**[\[21-0428\]](#)

The Council watched a Celebrating Successes video, narrated by Transit Director Brian Litchfield, about Town efforts to stay running during the COVID-19 pandemic. The video showed that photos of employees had been posted on the outside of a Town bus, which would rotate through the transit system. The purpose was to celebrate those who had kept the Town running, Mr. Litchfield said.

Mayor Hemminger thanked the Town's "heroes" on behalf of the entire Council. She said that putting their photos on a bus was a great way to show the Town's appreciation and gratitude.

0.02 Proclamation: Police Week and Peace Officer Memorial Day.[\[21-0429\]](#)

Mayor Hemminger proclaimed May 9-15, 2021 to be Police Week and May 15th to be Peace Officer Memorial Day in Chapel Hill. She expressed gratitude to the Chapel Hill Police Department (CHPD) for its work during the pandemic and its leadership during a time of reckoning over police and community relations. She asked Town residents to express appreciation to Police Chief Chris Blue and the entire CHPD for their service and personal sacrifices.

0.03 Mayor Hemminger Regarding Upcoming Public Information Meetings.[\[21-0430\]](#)

Mayor Hemminger said that two meetings regarding a proposed redevelopment of the CHPD site would be held virtually on May 17th and 24th at 6:30 p.m. The next Council meeting would be held virtually on Wednesday May 19th, she said, and she summarized the agenda. She recommended that residents check the Town calendar for other upcoming meetings.

0.04 Council Member Stegman Regarding Ramadan.[\[21-0431\]](#)

Council Member Stegman wished all Muslims who live in the community a peaceful and happy Eid.

BUDGET AGENDA ITEM**1. Discuss the Recommended Budget for FY 2021-22.**[\[21-0415\]](#)

Town Manager Maurice Jones said that the recommended budget for all Town funds for FY 2021-22 totaled \$117 million, with the General Fund accounting for about \$69 million of that. That would be a 5 percent increase from the current budget due to Orange County's property

revaluation and the need to replenish cuts made during the COVID-19 pandemic year, he explained.

Mr. Jones proposed a property tax rate of 52.4 cents, which would be 2 cents lower than the current rate and 3 cents higher than a post-revaluation revenue neutral rate would be. He said that the budget included a 3 percent of market pay increase for employees. It would continue to invest in critical community services and take important steps forward in some areas, such as climate action, he said.

Director of Business Management Amy Oland provided a further breakdown of proposed expenditures and gave examples of what the impact of a 52.4 cents tax rate would be on residential and commercial properties. She said that the average price of a home in Chapel Hill was about \$483,643. She presented information on how revaluation would affect properties ranging from \$200,000 to \$5 million in value. Ms. Oland presented a similar analysis of commercial properties. In both groups, some changes were significant, some were small, and some would see a reduction in their tax bills, she said.

Mr. Jones discussed how an expected \$10 million in American Rescue Plan (ARP) funding from the federal government would help the Town's overall recovery. He explained that half of those funds were anticipated within weeks and the other half would come in the spring of 2022. ARP funds could be used to cover pandemic-related gaps in the Town budget, such as the Parking Fund, he said. He noted that they could be used for micro grants for small businesses as well. In addition, ARP funds could be used to provide housing assistance to struggling low-income residential property owners, he said.

Mr. Jones discussed the Town's budget priorities and he proposed investing in Human Services, the Climate Action Plan, the Re-imagining Community Safety Task Force, an Employee Compensation Study, the Town's OPEB Contribution, Buildings and Maintenance, Vehicle Replacement, Street Resurfacing, the Pay-Go Capital Program, and the Employee Pay Adjustment. He said that the budget would help lay the groundwork for the Town's five-year budget strategy.

Mr. Jones said that next steps included a public hearing on May 19th, possible additional discussions on May 26th and June 1st, and passage of the Town budget on June 9, 2021. All budget information was available at townofchapelhill.org/budget, he said.

Council Member Stegman confirmed with Mr. Jones that a 1 cent tax increase equaled \$940,000. She proposed considering a 1.5 or 2 cent increase in the current year, while letting citizens know that the difference would need to be made up next year.

Other Council Members agreed and recommended finding ways to stretch

ARP money and to leverage outside sources. The Council expressed strong support for the employee pay increase and the Climate Action Plan. They proposed using ARP funds for targeted, one-time expenditures that would help the Town recover.

Mayor Hemminger pointed out that the Town's was not the only tax increase being considered. Orange County was proposing a 3 cent increase as well, and the school system's tax rate was still unknown, she said. Mayor pro tem Parker stressed the importance of being able to give residents a sense of what taxes would look like next year as well.

Council Member Ryan confirmed with Mr. Jones that \$1.3 million in Two-Thirds Bonds had been spent on street repaving and that \$200,000 had gone toward sidewalks. In addition, most of the funds being proposed for Parks & Recreation could be considered maintenance, Mr. Jones said. Council Member Ryan asked that future presentations include such information.

Mayor Hemminger said that it was incumbent upon the Council to find a way to ease back from the pandemic rather than just jumping back. She pointed out that ARP funds could be used to help people and businesses make investments. She said that the Town would see adjustments in its budget as recently developed large projects began to pay property taxes.

Mayor Hemminger mentioned potential ways to reduce the proposed tax rate, such as adjusting the OPEB contribution and replacing some vehicles with ARP funds. She agreed that the Town needed to address its crumbling infrastructure but said that some ARP funding could be used for that purpose as well.

Some members of Council expressed concern about the lack of a plan for addressing the Town's declining infrastructure. They stressed the importance of defining the goal and determining how to reach it.

Mr. Jones pointed out that the Town's five-year budget strategy discussions had been put on hold when the pandemic hit. The current goal was to resume that conversation in the fall, he said.

This item was received as presented.

CONCEPT PLAN REVIEW

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.

2. Concept Plan Review: Aspen Chapel Hill, 701 Martin Luther King Jr. Blvd.

[\[21-0408\]](#)

Assistant Planning Director Judy Johnson gave a PowerPoint overview of a concept plan for Aspen Chapel Hill, a proposed residential development at the corner of Martin Luther King Jr. Boulevard (MLK) and Longview Avenue. She described a proposed five-level development, with approximately 109 residential units of student housing, amenities, and a two-story parking structure.

Ms. Johnson pointed out that the site was located along the Town's future bus rapid transit (BRT) route in Subarea E of the Town's Future Land Use Map. If the Aspen Chapel Hill plan were to move forward, the applicant could consider either a Special Use Permit, Conditional Zoning, or a Development Agreement, she said.

Ms. Johnson said that the CDC had reviewed the concept plan and had made several points about stream protection, the project's relationship with nearby Columbia Place, and activation of street frontages. The Housing Advisory Board had commented favorably about the affordable housing proposal and was encouraging the applicant to accept housing vouchers, she said.

Mayor Hemminger confirmed with Ms. Johnson that multi-family was one of three potential uses for the site.

Applicant Tom Burr, of Aspen Heights Partners, described his interactions with Town staff and advisory boards and said that there had been initial discussions with neighboring Columbia Place. He provided more information about the two-parcel assemblage, which was located on approximately 1.85 acres along a future BRT that would serve students going to the University of North Carolina at Chapel Hill (UNC-CH).

Mr. Burr outlined a plan for 300-310 beds in 109 multi-family units. There would be 125-130 parking spaces, he said. He noted that existing conditions included a 40-foot slope toward MLK and drainage into the Resource Conservation District (RCD). These features informed the site's

usable acreage, design, and footprint, he pointed out.

Michael Tripodi, with BSB Design, provided more details on the site plan and the proposed building program. He showed the entrance location and a proposed internal courtyard and said that parking would blend into the topography and not be a major feature of the building's facade.

Mr. Burr said that the Housing Advisory Board had responded favorably to the plan's affordable housing (AH) proposal, which was similar to one that the Town had approved for Union Chapel Hill. He described that proposal, in which two units would be master leased to the Town for \$1.00 per month over a 25-year period. He said that the estimated monthly subsidy of that was a little more than \$4,500 for two apartments, approximately \$54,000 annually and \$1.36 million over the 25-yr program.

Mayor Hemminger told Council Members that her last discussion with UNC-CH about student housing had been prior to the pandemic but that she and Mr. Jones planned to meet with the Chancellor soon. UNC intended to add 4,000 to 6,000 students over time due to its new data science program, she said. She noted that the University had not built any new housing on campus for a long time.

Council Members requested more information on how many new UNC students had been recently added and how many had been projected and/or approved for the shorter term. They determined that the distance between the proposed building and the duplexes behind it would be 41.5 feet. They confirmed that the applicant had received input from the Town's urban designer. They determined that Aspen Heights Partners had initially thought about rezoning to OI-3 and was still determining its options.

Council Members confirmed with Mr. Jones that the number of units at Union Chapel Hill had been reduced by one while the number of bedrooms had increased. Mr. Jones agreed to find out if there had been any other modifications to that program. The Council verified that the applicant did not anticipate double occupancy, although Aspen Heights Partners had doubled up in some of its other developments.

The Council determined from Mr. Burr that the cost of parking would be separate from the apartment rental fee. They confirmed that a proposed two-level parking deck underneath the five-story building would have an entrance on Longview Avenue. They asked for a more detailed rendering of what the parking lot would look like from the outside.

Chris Berndt, representing the Community Design Commission (CDC), said that CDC members were concerned about the RCD area in front of the site, and they wanted to know how Aspen Chapel Hill would relate to nearby

Columbia Place. She said that compatibility of design would be a very important aspect of the project and that the CDC was interested in how the project could engage with the community at the street.

Ms. Berndt said that the CDC was concerned about the appearance of the parking deck. She encouraged the applicant to work with the existing topography as much as possible and to minimize cutting into the slopes. The property would be a Brownfields remediation site due to its existing use, she pointed out.

Some Council Members commented on the opportunity cost to the Town of having student housing at a prime location. They said that having RCD in front prevented normal street activation and that they were glad the applicant had consulted with the Town's urban designer regarding that and other aspects of the plan.

Council Members said that there needed to be a significant reduction in parking. Some felt that having an exposed parking structure would be jarring. They suggested finding a way to screen the parking area. The Council asked for more focus on bicycling and walking and less on parking. Council Member Gu said that the Town should have a specific use or zone for student housing that specified an expected parking ratio.

Council Members expressed concern about a proposed 40-foot space between the 5-story building and the duplexes behind it. Some said that the Aspen building would dominate the street. They proposed possibly stepping that building back or allowing more space.

With regard to AH, the Council pointed out that Union Chapel Hill had provided its affordable units at a separate location. Several said that they would prefer offsite AH, since integrating student and non-student housing in a building was difficult. They also wanted a higher percentage of AH, Council Members said.

The Council stressed the importance of minimizing slope disturbance and having strong stormwater plans. They agreed that having RCD in front on MLK created a design challenge but said that they wanted that area to be activated, interesting, and walkable.

Mayor pro tem Parker said that he would not want to see private van services proliferating throughout Town since that would subtract from BRT ridership and clog roads.

Mayor Hemminger said that she understood the developer's desire to put student housing on the site given its proximity to UNC campus and the fact that the area is mostly student housing. However, the Council needed to look at the public benefits as well, she pointed out, adding that

the Union Chapel Hill plan was not the direction the Town had been taking in recent years. She suggested that the applicant talk with the AH Coalition about the Town's need for AH at 65 percent and below area median income (AMI). The Council would be looking for 15 of the 100 units to be in the affordable range, she said.

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, that R-1 be adopted. The motion carried by a unanimous vote.

DISCUSSION

3. Open the Public Hearing: Application for Conditional Zoning - Aura Development, 1000 Martin Luther King Jr. Blvd. (Project 20-074)

[\[21-0416\]](#)

Mayor Hemminger pointed out that this was the first of two public hearings on the Aura development, with the second scheduled for May 26, 2021. She said that the Council had not yet seen the application.

Ms. Johnson presented the Conditional Zoning (CZ) application for the Aura development. She explained that the applicant, Trinsic Residential Group, was proposing to rezone the property from Residential-1 to Office Institutional-3-CZ District. She summarized the proposal to construct approximately 418 residential units and about 15,000 square feet of commercial space on the 16.2-acre site, which was located at the northeast corner of MLK and Estes Drive. She said that there had been five public information meetings since November 2020 regarding the proposed project.

Ms. Johnson said that the site had been deforested in 2018 with a state permit. She described surrounding properties and reviewed existing conditions, which included an intermittent stream that the applicant would preserve. She said that the applicant was proposing a right in/right out only entrance on MLK and a full access entrance on Estes Drive.

Ms. Johnson reminded the Council that the Town had adopted a Central West Small Area Plan in 2013 that had included proposed building heights and uses for the property. She said that the Town was in the process of evaluating bids for a project to improve Estes Drive, and she described the bicycle, pedestrian and traffic improvements that doing so would entail. Staff expected to come before Council to award that bid later in the month, she said.

Ms. Johnson noted a request by the applicant to modify regulations regarding foundation landscaping standards and perimeter buffers. She said that five advisory boards had reviewed the project and that the Housing Advisory Board had seen it twice. The CDC had recommended approval with conditions. The Transportation and Connectivity Board had recommended denial, and the Environmental Stewardship Board and

Planning Commission had both recommended approval with conditions, she said.

Ms. Johnson recommended that the Council open the public hearing, receive comments, and continue the public hearing to its May 26th meeting, with action tentatively scheduled for June 16, 2021.

Dan Jewell, of Coulter Jewell Thames, gave a PowerPoint presentation on the plan. He said that the project goals were to ensure community compatibility, create social connections, minimize traffic impacts, enhance pedestrian and bike experience, improve the transit system, encourage a diverse mix of uses, include a diverse population, respect existing surrounding neighborhoods, and employ environmentally sound practices.

Mr. Jewell explained how Trinsic Residential Group expected Aura to function. He described lively ground floor environments and spaces for people to gather and showed what the intersection would look like. He showed renderings of an urban plaza at the western end, a series of connected community gathering spaces throughout, and a woodland area on the eastern end. He discussed the Estes Drive frontage and described how the Town's urban designer had recommended breaking up the building mass there.

Mr. Jewell spoke at length about the plan and provided many details. He explained how the site design would create connected outdoor rooms that would be like "a string of pearls" throughout 3.5 acres of parks and open space. He said that 23 percent of the land area would be for passive and active recreation and that 3-story and 4-story buildings would create an urban village feel. There would be approximately 12,500 square feet of ground floor, neighborhood-scale, restaurant and service areas along MLK, he said.

Mr. Jewell discussed how the current plan addressed much of what Council Members had said they wanted when they viewed the concept plan. There would be 361 rental apartments, up to 56 for sale townhouses, 47 affordable on-site apartments, and the applicant would fund five homes at Habitat for Humanity's project on Sunrise Road, he said. He said that half of the on-site affordable apartments would be for 80 percent AMI, and the other half would be for 65 percent. Those apartments would be scattered throughout the Aura neighborhood, he said.

Mr. Jewell told the Council that the applicant had striven to make sure that traffic would not be made worse by Aura. He described roadway improvements that Trinsic would make. In conjunction with state financed plans, the plan would reduce the queue, relieve congestion, and improve bike and pedestrian connectivity, he said. He stressed that the Town and the developer were in complete alignment with regard to solving the traffic impacts.

Traffic Consultant Craig Scheffler of HNTB discussed a traffic scenario test related to Aura that he and Town staff had done, based on a Townwide traffic model that staff had been using for several months. He said that the test, which was not a formal traffic impact analysis, had found that building Aura would not create any major changes to the area's failing intersections and that the recommended improvements would lead to marginal improvements.

Council Members confirmed with staff that Mr. Scheffler's traffic analysis was part of a larger study and not specifically attached to the Aura application. They also confirmed that the Franklin Street/Estes Drive intersection would be rated "F" in 2024 regardless of whether or not Aura was built. Council Member Gu commented that traffic volume being low when a street is completely jammed does not mean that traffic can move smoothly.

In response to a question from the Council, Ms. Johnson explained that TIAs were typically only done for approved projects but that the one Mr. Scheffler had just presented included undeveloped areas in the Central West Plan.

Traffic Engineering Manager Kumar Neppalli provided historical background on traffic analyses of the area. He said that a relatively recent Town-wide study, which had looked at what would happen if all of the areas around Aura were developed by 2024, had found that the intersection would be the same as it was, but the queue lengths would be reduced. However, he believed that the mitigation measures the applicant was proposing -- coupled with other Town improvements in the area -- would definitely help, he said.

Mr. Neppalli pointed out that the Estes Drive/Franklin Street intersection would be improved if the NC Department of Transportation (DOT) were to step in and address it. He hoped that DOT would present information on that at the next Council meeting, he said. He added that information about turning lanes would be presented to the Council on May 26, 2021.

The Council asked staff to bring back more information on safety measures for people crossing MLK to get to the BRT stop. They asked for more clarity on the potential for a traffic signal or a roundabout at Somerset Drive and how that would be financed. Mr. Neppalli replied that the Town had historically collected from each development and put that money into an account for future improvements.

The Council verified that the applicant was comfortable with the Planning Commission's proposed conditions regarding more commercial and no new residential space. In response to a question about why the applicant did not think that including ownership units was possible, Mr. Jewell explained that doing so would change the dynamic regarding affordability of townhouses that have ground floor convertible space. However, he was

willing to discuss that further if the Council felt it was important, he said.

Council Members asked why the applicant did not want to provide for sale AH on site, and Mr. Jewell replied that his outreach to Habitat had revealed a need at Weavers Grove. Mayor Hemminger confirmed that the applicant would bring back a response regarding having for sale AH on site. The Council asked about housing vouchers for rentals, and he agreed to discuss that with his team. The Council confirmed with Mr. Jewell that the applicant intended to provide affordable units throughout the phasing process.

In response to Council questioning, Mr. Jewell said that Trinsic had been looking at ways to add more impervious surface, even though it had already met or exceeded the Town's water quality and quantity requirements. The Council confirmed with him that the ground level portion of parking might be converted to public space over time.

Council Members asked about the cost of adding more stormwater retention capacity after the project was built, and Mr. Jewell agreed to return with a response to that. With regard to a question about possibly combining stormwater mitigation efforts with the adjacent property next door, he said that doing so could be challenging due to timing and maintenance responsibilities.

Council Members clarified that a multi-modal path and sidewalk along Estes Drive would be about 12 feet wide. They asked if it was correct that some buildings on Estes Drive would be 25 feet from the curb, and Mr. Jewell offered to verify that. Mayor Hemminger posed the idea of increasing the apartment building's height to five stories and stepping it back from Estes Drive.

The Council confirmed with Mr. Jewell that there would likely be seven or eight retailers at the site, and that Aura's design would allow conversion from residential to commercial. Mr. Jewell said that the apartment building roof would be solar ready and that Trinsic planned to pursue a National Green Building Society bronze (possibly silver) rating for sustainability and energy.

Chris Berndt, representing the Community Design Commission (CDC), said that there had been a diversity of opinion in the CDC's March 29, 2021 (3-2) vote for approval, with conditions. She pointed out that CDC members had requested additional wording that would allow them to review and approve plans for building elevations and lighting. The CDC was also requesting a stipulation that would give it an opportunity to review the northern buffer, she said.

Ms. Berndt told the Council that she had been one of the two opposing CDC votes. She could not support an application that had a level of

service F from the very beginning, she said. She said that the other CDC member who had voted against the project was concerned about the high number of parking spaces, parking deck access, and access in general.

Chapel Hill residents Brandon Morande, Wamig Chowdhury, Lexi Grove, Wayan Vota, Dara Morgenstern, Martin Johnson, Aazlti Coria, Ian Morris, and Eric Chen all expressed support for the Aura Development because of its walkability, bikeability, BRT access, income diversity, rental opportunities, and accessibility to neighborhood shops. Mr. Chen said that Aura was the type of smart development that the Town should embrace now that it had declared a climate emergency. Mr. Johnson expressed concern that the Estes Drive area would miss its chance for connectivity if Aura did not build its section.

However, Mr. Morande, Mr. Chowdhury, Ms. Morgenstern, Mr. Coria, and Mr. Chen said that Aura's AH plan should target 65 percent AMI, and below. Mr. Morris supported the development, provided that it included onsite home ownership opportunities, he said.

Aaron Nelson, president of the Chapel Hill-Carrboro Chamber of Commerce, commented on the developer's interest in the community and its flexibility. He said that Aura would provide needed housing, now and in the future, and would bring enough density to support that transit corridor. Aura was environmentally responsible and would provide permanent affordable rentals, he said. Mr. Nelson said that he hoped the traffic situation would improve once people who now drive move to Aura and use BRT instead.

George Barrett, speaking on behalf of the Orange County Affordable Housing Coalition, said that the Coalition supported Aura as long as it made changes to its most recent AH plan. They supported offering 15 percent of the apartments to those earning 65 and 80 percent AMI, and they urged the Council to insist upon for sale affordable units on site, he said.

Mr. Barrett said the Coalition preferred to see a deeper income target for the affordable rentals, even if that meant fewer units. It also wanted Section 8 and other rental vouchers to be accepted and wanted long-term covenants or other enforcement mechanisms, he said. He emphasized that the Coalition's support for Aura was contingent upon the Town and developer executing such an agreement. The agreement should also state that the affordable units would not be rented or sold to full-time student households, he said.

Chapel Hill residents Julie McClintock, Linda Brown, Molly McConnell, Sandy Turberville, Claire Judkins, Fred Lampe, Bob Nau, Scott Buck, Roger Shumate, Joan Bettman, RL Juliano, Ian Jackson, Jill Blackwell, Steve

Fleck and Kelly Gregory all expressed opposition to the proposed project, primarily due to traffic, scale, and stormwater concerns.

Ms. McClintock said that Aura would violate the Central West Small Area Plan by proposing to develop 2.5 times its share of capacity. It was time to apply the plan, not discard it, she said. Ms. Brown argued that Aura was not affordable and would not create the type of housing stock needed for the missing middle. Ms. McConnell said that Aura was too big and that its AH needed to be at 65 percent AMI and include a mix of rentals and for sale units. Ms. Turberville and Ms. Judkins raised concerns about traffic congestion, and Ms. Turberville objected to construction beginning in the summer and making Estes Drive a single lane for 1.5 years.

Mr. Lampe provided information on dangerous vehicle interactions at the area where the Estes/Aura entrance would be. He said that the area would become even more dangerous when pedestrians and cyclists were added to the mix, and he recommended ways to address that. Mr. Nau said that a traffic model recently presented to the Town had not used the correct simulation, without which staff could not understand what would happen at the Aura entrance on Estes Drive.

Mr. Buck said that applicant had recently raised its proposed impervious surface from 66.1 percent to 72 percent and that massive amounts of stormwater run off from Aura would turn into someone else's problem. Mr. Shumate said that many of his fellow church members at neighboring Amity United Methodist Church shared his concern regarding traffic, safety, density, and stormwater runoff. He asked the Council to put off any decision until more independent and complete research and studies could be completed.

Ms. Bettman described two separate instances where she had been the victim of stormwater runoff after a developer had promised there would be no problem. Mr. Juliano said that allowing the highest density zoning for a project that would be 97 percent residential would make a mockery of Town zoning standards.

Mr. Jackson said that the Council needed to finish the studies and address the traffic situation before considering any kind of development along MLK or Estes Drive. Ms. Blackwell and Mr. Fleck questioned several aspects of Aura's proposal. Ms. Blackwell told Council Members to take their time and get it right, and Mr. Fleck expressed additional concerns about the effects of blasting during construction.

Ms. Gregory, Community Home Trust (CHT) board president, and Kimberly Sanchez, executive director at CHT, both commented on how Aura's proposal to donate offsite housing to a single non-profit of its choice departed from the Council's longstanding precedent of providing equal

opportunity for all AH providers. They also pointed out that the Town's ordinance required the developer to build onsite home-ownership units at 15 percent.

The Mayor and Council generally agreed that Aura was the right type of transit-oriented development for the location and was the direction the Town should take. They asked the applicant to look at further reducing impervious surface, parking and stormwater runoff. They stressed their desire for as much retail space as possible and expressed concern about the Estes Drive frontage being too close to the road. They wanted affordable home-ownership options on site, more rental units at 65 percent and lower AMI, and acceptance of housing vouchers, they said. Council Member Ryan proposed that rentals be age restricted in order to guard against student rentals.

Council Members asked for more bike spaces and stressed the need to obtain more information about a traffic signal or roundabout at Somerset Drive. They raised concerns about accessibility and safety and asked for more greenspace. Council Member Gu said she was open to the idea of higher elevations in exchange for a greater setback along Estes Drive and the buffer.

Council Member Ryan said she supported a Planning Commission recommendation to not put a ceiling on commercial and to allow administrative approval of that. She expressed concern about full access and proposed stipulating that there be access through Somerset Drive when the adjacent property is developed and that Aura then revert to right in/right out.

Mayor pro tem Parker proposed eliminating one of the lanes of parking around the "central park" area, and he asked for more clarity on the applicant's commitment regarding a bus stop in front of Aura.

Mayor Hemminger pointed out that a multi-modal path and a left-turn lane expansion were among Town improvements that had already been approved and were out for bids. Those projects would make Estes Drive difficult while they were under construction, but the road would be much better afterward, she pointed out. She commented on the many possibilities for a transit-oriented development at the Aura location. It was the perfect spot for welcoming people to the community and for fighting climate change, she said.

Mayor Hemminger said that the Council liked Aura's gathering places, retail, walkability, and proximity to the BRT but was concerned about the safety issues. The Town needed to ensure that cyclists and pedestrians would be protected by having a traffic signal at Somerset Drive, she said. She expressed agreement with Council comments regarding AH and

impervious surface and said she thought the applicant could be more creative regarding stormwater. She was willing to consider a taller building if that would allow more frontage and greenspace, she said, noting that the point of permitting density was to get more greenspace.

This matter was continued to the May 26, 2021 Council Meeting by consensus.

ADJOURNMENT

The meeting was adjourned at 11:51 p.m.