



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, October 7, 2020

7:00 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_BfGkHbGoTjOGa-_yY9P4jg After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 861 4979 1964

View Council meetings live at <https://chapelhill.legistar.com/Calendar.aspx> – and on Chapel Hill Gov-TV (townofchapelhill.org/GovTV).

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, Parks and Recreation Director Phil Fleischmann, Public Works Director Lance Norris, Affordable Housing Manager Nate Broman-Fulks, Fire Chief Vencelin Harris, Emergency Management Coordinator Kelly Drayton, Planner II Becky McDonnell, Planner II Michael Sudol, Housing and Community Executive Director Loryn Clark, Senior Planner Jake Lowman, Police Chief and Executive Director for Community Safety Chris Blue, Assistant Town Manager Mary Jane Nirdlinger, Housing and Community Assistant Director Sarah Vinas, Manager of Engineering and Infrastructure Chris Roberts, Interim Planning Director Judy Johnson, Executive Director for Technology and CIO Scott Clark, Communications and Public Affairs Director/Town Clerk Sabrina Oliver, and Deputy Town Clerk Amy Harvey.

OPENING

Mayor Hemminger opened the virtual meeting at 7:00 p.m. and reviewed the agenda. She called the roll, and all Council Members replied that they were present.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.01 Proclamation: Skip Single Use Plastics Month. [\[20-0694\]](#)

Mayor Hemminger encouraged all residents to request "no utensils" when ordering take-out meals. She said that the Town had been encouraging businesses to reduce single-use plastics since October 2018.

0.02 Mayor Hemminger Regarding Public Information Meeting for West Rosemary Street Hotel. [\[20-0695\]](#)

Mayor Hemminger announced a public information meeting regarding a proposed hotel on West Rosemary Street. The meeting would be held virtually on Oct 15, 2020, from 5:15 to 6:00 p.m., she said.

0.03 Mayor Hemminger Regarding Upcoming Advisory Board Meetings. [\[20-0696\]](#)

Mayor Hemminger pointed out that the Library Board, Community Policing Advisory Committee, Historic District Commission, Environmental Stewardship Advisory Board, and Justice in Action Committee were all scheduled to meet the following week. Specifics were on the Town website, she said.

0.04 Mayor Hemminger Regarding Fall Safety during COVID. [\[20-0697\]](#)

Mayor Hemminger encouraged residents to observe the 3Ws (Wear a mask, Wash your hands, Wait a safe distance apart) when participating in fall activities during the current COVID-19 pandemic. She noted that state and county websites had posted guidance for creative ways to celebrate Halloween and that the Town's Parks and Recreation Department was holding 31 days of safe activities throughout October. She stressed the importance of wearing the right kind of mask and urged everyone to also get flu shots as well.

0.05 Council Member Ryan Regarding Election Deadlines. [\[20-0698\]](#)

Council Member Ryan encouraged all citizens to get out and vote in the upcoming national election. She reviewed voting information and stressed the importance of wearing a mask. Safety protocols would be in place at polling places, she said.

0.06 Council Member Anderson Regarding 2020 Census. [\[20-0699\]](#)

Council Member Anderson pointed out that the time for responding to the 2020 Census was running out. She said that people could fill out those forms online or by phone and that related information was available at my2020census.gov.

Mayor Hemminger commented that only about 70 percent of Chapel Hill's residents had responded to the Census. She explained that those numbers would affect how much federal funding the Town received over the next 10 years. Students who were living in Town on April 1, 2020 should also be counted, even if Chapel Hill was not their primary residences, she said.

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

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

0.07 Julie McClintock Request Regarding Rescheduling
October 26 Information Session on Aura Project to
Mid-November.

[\[20-0700\]](#)

Julie McClintock, a Chapel Hill resident, presented a petition from herself and three others that requested an October 26th public information session on the Aura Project be rescheduled to mid-November. She provided several reasons for the request and said that rescheduling would allow staff more time to inform a larger audience about possible changes on Estes Drive.

Town Manager Maurice Jones replied that staff had already begun the process of rescheduling that meeting to after the national election.

0.08 Celeste Clamage Comments Regarding Budget.

[\[20-0701\]](#)

Celeste Clamage, a Chapel Hill resident, inquired about the Town's plans to follow through on the Mayor's June 24, 2020 commitment to address the Chapel Hill Police Department's budget in the fall. She recommended that the item be put on a near future agenda and that the public be allowed to provide input.

Mayor Hemminger replied that a task force would begin meeting soon and

that the Council would be sharing related information.

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

1. Approve all Consent Agenda Items. [\[20-0663\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
2. Temporarily Suspend Certain Ordinances and Authorize the Town Manager to Continue Temporary Measures to Aid Retail and Restaurant Use during the COVID-19 Pandemic State of Emergency. [\[20-0664\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
3. Approve an Affordable Housing Funding Request from the Compass Center. [\[20-0665\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
4. Call a Public Hearing for November 4, 2020 to Consider Annexing Property at 7000 Millhouse Road. [\[20-0666\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
5. Call a Public Hearing on November 4, 2020 for Land Use Management Ordinance Text Amendment to Section 5.9.2 Pertaining to Methods to Providing Required Parking and Loading. [\[20-0667\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.

INFORMATION

6. Receive Upcoming Public Hearing Items and Petition Status List. [\[20-0668\]](#)
This item was received as presented.
7. Receive Annual Compliance Reports for July 1, 2019 - June 30, [\[20-0669\]](#)

2020 for the Carolina North, Glen Lennox, and Obey Creek Development Agreements.

This item was received as presented.

DISCUSSION

8. Update on Town Efforts to Respond to the COVID 19 Crisis. (no attachment) [\[20-0670\]](#)

Emergency Management Coordinator Kelly Drayton gave an update on the Town's COVID-19 pandemic response. She discussed a new "Slow COVID NC" app for tracing the virus and noted cancellations of some Town-sponsored festivals and special events. She said that Orange County had posted a list of high, medium and low risk activities for Halloween through fall.

Ms. Drayton mentioned the launch of Neighborhood Support Circles, a collaborative effort with the Refugee Community Partnership, which would bring academic and childcare support to low-income families. She said that an Emergency Housing Assistance Program, which was a partnership among Orange County and local towns, had served more than 300 Chapel Hill residents with housing assistance since January.

Ms. Drayton said that information on where and when testing was available across Orange County could be found at: Townofchapelhill.org/coronavirus. She noted that October was Cyber Security Awareness Month and encouraged residents to go to staysafeonline.org for information on how to enhance cyber security.

Ms. Drayton stressed the importance of continuing to follow the 3Ws and said that October was the best month to get a flu shot since flu season typically peaks in February.

Ms. Drayton said that Orange County's rate of positive COVID-19 cases had been hovering at about 2 percent. Mayor Hemminger added that hospitalizations due to COVID-19 had been low and were holding steady.

This item was received as presented.

9. Receive the FY20 Affordable Housing Annual Report. [\[20-0671\]](#)

Assistant Director of Housing and Community Sara Viñas presented results from the Town's Affordable Housing Annual Report. She said that the Council had awarded \$6.1 million, which included \$5 million in bond funding to community partners to be used for affordable housing (AH) projects. The Town had developed an AH preservation strategy, had provided emergency housing assistance to 150 households, and had selected a potential development partner for a Town-owned AH project at

2200 Homestead Road, she said.

Ms. Viñas said that the Town's Affordable Housing Development Reserve had awarded \$11.1 million to support projects in the community over the last five years. The Town had already surpassed its five-year target to support by almost 400 percent, she pointed out.

Affordable Housing Manager Nate Broman-Fulks gave an update on key Town initiatives. He noted a dramatic increase in the need for rent, utility, and mortgage assistance due to COVID-19. Those impacts were ongoing and the number of households being assisted continued to rise, he said. He said that more than \$900,000 from federal funds had gone toward those needs through the Town's Emergency Housing Assistance Program.

Mr. Broman-Fulks highlighted nine new townhomes in the Chandler Woods neighborhood and said that those would be made permanently affordable through the Community Home Trust. He discussed four new homes in the Southgrove neighborhood and mentioned a family that had transitioned there from public housing. He said that the first \$5 million in AH bond funds would go to five projects and that a total of 275 projects would be developed with partners through that allocation.

With regard to redevelopment, Mr. Broman-Fulks said that significant progress was being made on Town-owned land at 2200 Homestead Road and that staff expected a development application to be submitted in a few weeks. He said that a memo of understanding would be executed with a partner for a Jay Street project soon and that the community visioning plan for the Bennett Road site would move forward when in-person community engagement could resume.

Mr. Broman-Fulks said that staff anticipated approximately 15 new and 400 preserved homes in the current year, with the majority of those preserved units coming through the Emergency Housing Assistance Program. In the coming year, staff expected to make progress on the Town-owned land, to increase the inventory of transitional housing, and to continue providing emergency assistance, he said.

The Council confirmed with Mr. Broman-Fulks that AH projects were being designed to serve a variety of income levels, from extremely low to moderate. The Mayor and Council praised staff for their work and for going beyond the norm during the recent pandemic.

Mayor Hemminger encouraged residents to continue contributing to the Emergency Housing Fund, and she confirmed with Ms. Viñas that the Finance Department had been looking into enabling donations online. Mayor Hemminger proposed that staff get information out to let people

know how they could donate.

This item was received as presented.

10. Orange County Food Council Update.

[\[20-0672\]](#)

Ms. Viñas reminded Council Members that a 2019 memo of understanding (MOU) among Orange County and local governments in support of the Orange County Food Council was set to expire in March 2021.

Food Council Coordinator Ashley Hager gave a PowerPoint update on the Food Council's work in FY 2019-2020 and its scope of work for the coming two years. She said that activities since 2019 included developing a regional collaborative, facilitating partnerships, developing a Farmer Food Share Program, assembling a community food resource guide, making presentations, and designing information that illustrates the relationship between food security, AH, and systemic racism.

Ms. Hager said that the Food Council had partnered with local schools and Orange County Solid Waste to start a composting pilot program. It had organized a report regarding food security and had hosted social justice and racial equity workshops, she said. She said that the Food Council had made progress in all identified areas and that its primary scope of work over the next year would be to develop a food policy agenda, recruit new members, and create a racial equity community data index.

Ms. Hager described the Food Council's philosophic basis and said that "racial equity" referred to its work on systemic issues that cause barriers to access. She said that the purpose of a food policy agenda was to provide recommendations on practices and policies for improving the food system. Accountability and transparency were key to that process, she said.

Council Member Buansi noted that only 3 percent of Carrboro Farmers' Market farmers were people of color, and he asked about the process for participating there. Ms. Hager explained that farmers' market board members process applications and determine who becomes a permanent vendor and that this reflected a history of racism and increased barriers for non-white farmers. The Food Council had begun collaborating with the Health Equity Council and the Human Rights Commission to explore what a comprehensive racial equity community data index would look like, she said. She offered to follow up by providing examples of what the Food Council had been looking at.

Council Member Anderson asked how barriers to food access would be removed. She was having difficulty understanding what actual outcomes the Food Council was targeting and what it had achieved, she said.

Ms. Hager explained that the primary outcome had been to build trust and relationships with agencies that had been on the front lines and with community members who were experiencing food insecurity. The Food Council had been working with agencies to understand how they were delivering food in order to ensure that it was being delivered where it was wanted and being used effectively, she said. Ms. Hager pointed out that building relationships took time. The Food Council wanted to understand the purpose and practices across agencies and would then move into looking at solutions to end hunger, she said.

Council Member Anderson asked what the Food Council had done to help get food out to marginalized communities during COVID-19. Ms. Hager replied that a number of Food Council Members had volunteered to connect local farmers and cooperatives in order to increase access to fresh, nutritious food.

Mayor Hemminger asked what the Food Council could do to become more of a partner in that effort, and Ms. Hager said that it had recently begun discussing that with local social service and health agencies. She pointed out that the Food Council was not a direct service provider. The Food Council wanted to help facilitate types of food and how services are delivered but was entirely open to how it could be more supportive, she said.

Mayor Hemminger proposed that the Food Council consider helping agencies with grant writing, and Ms. Hager agreed to raise the issue during the next food system coordination conference call.

Council Member Anderson recalled that non-profit food suppliers had wanted a Food Council that could help them with sharing resources, writing grant proposals, and making other broader connections. It was not clear to her how effective the Food Council had been after two years, she said. She commented on how the Food Council's agenda for the next couple of years seemed to be developing a food policy agenda when the current need was for immediate help during a pandemic.

Ms. Hager replied that the Food Council had been participating in the long-term recovery process and was trying to be a bridge to food access providers. Acting out of urgency and not out of a commitment to equity values, might mean missing a time to work on a deeper level, she said. She said that the Food Council was available for immediate planning at the same time that it was moving forward with its food policy agenda.

Council Member Stegman remarked that she had understood from the start that the Food Council would be intentionally focused on a model that differed from that of direct service food providers. The idea was to get to the root causes of barriers to equity in order to inform and advise others

on how to address those over the long term, she said. She characterized the amount of Food Council engagement with work groups in the community as impressive.

Council Member Huynh left the meeting.

This item was received as presented.

**11. Presentation: University of North Carolina at Chapel Hill
Semi-Annual Campus Development Report.**

[\[20-0673\]](#)

Evan Yassky, executive director of Facilities Planning and Design at the University of North Carolina at Chapel Hill (UNC-CH), provided a semi-annual update on UNC-CH's Capital Projects Program.

Mr. Yassky pointed that he had sent information to the Town regarding projects that had been put on hold due to COVID-19. He said that HVAC and other improvements had been completed at three residence halls and that the completion date for a surgical tower for UNC Healthcare had been pushed to late 2023 or early 2024.

Mr. Yassky reported that a Central Generation Plant being built on behalf of UNC-CH Healthcare was still early in construction. He noted that Berry Hall had been demolished and would be replaced by a UNC Medical Education Building and that the Curtis Media Center was being constructed as part of the School of Journalism and Media.

Mr. Yaasky said that Porthole Alley remained highly important but that design had been slowed due to the COVID-19 pandemic. He said that UNC-CH had moved to a new method for The Horace Williams Solar and Energy Storage Project and hoped to complete construction on that by next spring.

This item was received as presented.

**12. Open a Public Hearing to Consider a Request to Close a
Portion of an Unmaintained and Unimproved Public
Right-of-Way on Monroe Street.**

[\[20-0674\]](#)

Manager of Engineering and Infrastructure Chris Roberts presented a request to close a portion of a currently unmaintained and unpaved street. He reviewed the state statute regarding public street and alleyway closings and noted that it provided an appeal process if the Council were to adopt the resolution.

Mr. Roberts showed the area on a map and indicated where the closing would isolate part of a right-of-way (ROW) on Monroe Street. He explained how the closure would isolate one property, which was currently accessed by a private driveway. He said that the developer had proposed

a full public access easement to provide reasonable legal access to that parcel, but the property owner, Zalman Joffe, had argued that the plan would not provide reasonable vehicular access to his property.

Mr. Roberts said that staff would work on the next legal steps to protect the current Monroe Street ROW and stop the closure process if an associated project, Columbia Street Annex, were to fail. He said that the developer understood and agreed to that. He recommended that the Council open the public hearing, allow public comment for 24 hours, and consider taking action on October 28, 2020.

At Mayor Hemminger's request, Mr. Roberts showed Mr. Joffe's property on the map. She confirmed with him that the ROW off South Columbia included steep slopes and crossed a perennial stream that was unused and in poor condition. The Mayor also confirmed that the easement was not currently being walked along or used in any way.

Mayor pro tem Parker verified with Mr. Roberts that the entire section of Monroe Street being shown on the map was not being used. He raised the possibility of waiting to address the closure along with the Columbia Street Annex project, which might or might not be approved.

Mr. Roberts replied that the applicant had wanted to see if the ROW would be approved as a first step to the larger project.

Mayor pro tem Parker proposed having a provision in the resolution that would automatically have the closure go away if the Columbia Street Annex were not approved, and Mr. Roberts agreed to discuss that with the Town Attorney.

Council Members raised questions about making a decision without a traffic impact analysis or information about the larger development and without knowing what the NC Department of Transportation's (NC-DOT) planned to do in the area.

Architect Wendi Ramsden, representing Coulter Jewell Thames, argued that the closure would not deprive Mr. Joffe of reasonable access to his property. She said that her firm had offered Mr. Joffe an option for connecting to Columbia Street, and she provided background on negotiations with NC-DOT.

Council Member Gu verified with Ms. Ramsden that the Transportation and Connectivity Advisory Board had not commented on the closure but had not been supportive of the larger development.

Zalman Joffe stated that the proposed closure would completely block him from using two or three of his four lots. Proceeding with the closure would

lead to changing the RCD, which would mean that he would be able to expand his property as well, he said.

Mayor Hemminger asked staff if Mr. Joffe's comment about the RCD was accurate, and Mr. Roberts said that he would need to refer that to the Planning Department.

Ms. Ramsden emphasized that her firm had no plans to remove or change the RCD, and Mayor Hemminger confirmed with her that the requested variance was only for managed and upper zones on the east side of the stream.

Mayor pro tem Parker asked about the size of the encroachment in feet, but Ms. Ramsden did not know off hand. She pointed out that the Town's planning and stormwater departments had seen fit to move the request forward.

Mayor Hemminger asked if it was accurate that Mr. Joffe's would be able to develop more units, but Planning staff replied that they had not done an in-depth evaluation because a ROW closure was not a Planning process. Planner Jake Lowman speculated that an unimproved ROW would not allow for a subdivision without much being improved. He said that the RCD would still be in place and that the distance from stream rule would still apply. He noted several constraints and hurdles that Mr. Joffe would need to overcome in order to gain more lots.

Mayor Hemminger said that several Council Members wanted the item to come in conjunction with the overall project, and Council Members requested more information on items such as where the RCD was in relation to the properties, how traffic would be affected, and what Mr. Joffe's redevelopment options would be if the request for closure were approved.

Ms. Ramsden proposed also exploring what the applicant would need to do to undo the process if the development did not go forward.

Council Member Anderson recommended that staff provide more holistic views that include input from traffic engineering and planning in the future.

Mayor Hemminger said that Council Member Huynh had left the meeting due to illness but wanted to be recorded as voting in favor.

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, to continue the Public Hearing to November 4. The motion carried by a unanimous vote. Council Member Huynh did not vote.

SPECIAL USE PERMIT(S)

Special Use Permit: The Application for a Special Use Permit is Quasi-Judicial. Persons wishing to speak are required to take an oath before providing factual evidence relevant to the proposed application.

Witnesses wishing to provide an opinion about technical or other specialized subjects should first establish that at the beginning of their testimony.

- 13.** Consider an Application for Special Use Permit -Christ Community Church, 141 Erwin Road.

[\[20-0675\]](#)

Planner Becky McDonnell presented a special use permit (SUP) application for Christ Community Church, a proposed 11,000 square-foot place of worship on approximately three acres at the corner of Erwin and Old Oxford Roads. She said that the area was zoned Residential 2, and she pointed out that places of worship were permitted uses in residential zoning districts.

Ms. McDonnell said that 117 parking spaces would be included and that stormwater controls would be located under the parking lot. There would be two entrances and bike lanes and that sidewalks would be improved, she said. She summarized recently included information about a proposed stormwater discharge point on the adjacent property to the south. She recommended that the Council consider enacting Resolution A, to approve the SUP.

Developer Phil Post, representing the applicant, pointed out that the Town Manager and five advisory boards had agreed that the application met the four findings of fact for approval. He asked the Council to adopt Resolution A.

Council Member Ryan pointed out that the Planning Commission had requested a 20-foot buffer on either side of the property boundary, but Mr. Post replied that the ordinance allowed those 20 feet to be shared with 10 feet on each side. Sharing the buffer would preserve hardwoods and facilitate the discharge of stormwater from Church property, he said. He pointed out that the adjacent property would not be required to cooperate regarding stormwater otherwise.

Harvey Krasny, a neighboring resident, expressed opposition to having any house of worship or institutional structure at the site. His objections were based on traffic concerns and building height, he said, adding that the church would tower over the surrounding 578 residential homes. He said that the proposed church would not maintain or enhance the value of contiguous properties and would not conform to general plans for the physical development of the area as low density residential use only.

Rebecca Smith, Michael Hoppa, and Emily Johnson outlined some of the concerns listed in a petition from 49 of their neighbors who had requested that the Council deny the SUP. These concerns related to character and value of surrounding neighborhoods, setting a precedent for encroachment, building height, increasing traffic, and worsening stormwater runoff.

Margo Ginsberg, Erwin Village Homeowners Association vice president, predicted worsening traffic hazards at McGregor Drive and said that the project would set a dangerous precedent for her neighborhood. Thirty-nine Erwin Village residents had signed a petition imploring the Council to deny the SUP, she said.

Scott Radway, representing Summit Properties, said that Summit had agreed to be fully responsible for the stormwater discharge in accordance with Town rules. The proposed buffer alignment would provide a better way to save trees on the southwest corner of the applicant's property, and Summit supported the application as drawn, he said.

Council Members pointed out that Chapel Hill had traditionally considered houses of worship to be congruent with the character of single-family neighborhoods. They noted that Town ordinances required stormwater to be managed. Church traffic would not have a great impact since it would occur mostly on Sundays, they said.

The Council verified that the applicant was willing to accept a Planning Commission stipulation that a shed be taken out of the buffer, if moved at all. They noted that no rezoning was being considered, so approval would not lead to other projects. Council Member Gu said that reducing impervious surface would improve the project. Mayor Hemminger said that the proposal was much better than others the Council had seen for the site.

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, to close the public hearing. The motion carried by a unanimous vote. Council Member Huynh did not vote.

A motion was made by Mayor pro tem Parker, seconded by Council Member Ryan, that R-5 be adopted as amended. The motion carried by a unanimous vote. Council Member Huynh did not vote.

- 14.** Consider an Application for Special Use Permit Minor Modification - Charterwood, 1701 Martin Luther King Jr. Blvd.

[\[20-0676\]](#)

Planner Michael Sudol presented a request to extend the construction completion date for Charterwood from June 25, 2020 to June 25, 2022. He said that the SUP had been granted in September 2012 and the Town Manager had already allowed a one-year administrative extension. The

requested modification would extend that for an additional year, he said.

Mr. Sudol showed an aerial view of the site, which was located at the intersection of Martin Luther King Jr. Boulevard and Weaver Dairy Road. He explained that the request pertained only to the southern portion.

Mayor Hemminger commented that the Council should, at some point, discuss authorizing the Town Manager to approve such items as well. She raised the possibility of reducing impervious surface and other issues, and Mr. Sudol replied that the applicant was open to having that discussion.

The Mayor and Council discussed whether or not to continue the item until the applicant could be present and ultimately decided to ask the applicant to share his thoughts before or at the October 28, 2020 Council meeting.

A motion was made by Council Member Ryan, seconded by Council Member Anderson, to continue the Public Hearing to October 28, 2020. The motion carried by a unanimous vote. Council Member Huynh did not vote.

Aye: 4 - Mayor Hemminger, Council Member Anderson, Council Member Gu, and Council Member Ryan

Nay: 3 - Mayor pro tem Parker, Council Member Buansi, and Council Member Stegman

Excused: 1 - Council Member Huynh

15. Open the Public Hearing: Land Use Management Ordinance Text Amendment - Table 3.7-1: Use Matrix - Self-Storage Facility, Conditioned.

[\[20-0677\]](#)

Development Planner Jake Lowman presented a Land Use Management Ordinance text amendment (TA) that responded to a request from Adam Golden, on behalf of NR Edge Property Owner LLC. He explained that the applicant was seeking to modify an existing SUP for Carraway Village in order to allow a self-storage facility as a special use in a Planned Mixed Use development. That use had not been allowed at the time of the applicant's original SUP and was currently only allowed in Office Institutional 2 and Conditional Zoning districts, he explained.

Mr. Lowman said that the proposed change would add an "S" under Planned Development Mixed Use in the Town's Land Use Management Ordinance use table. He recommended that the Council open the public hearing, receive comments for 24 hours, and schedule action for November 4, 2020.

Mayor pro tem Parker confirmed that any Council decision would not affect a separate request for conditioned self storage.

Chad Love, Ramsley subdivision HOA president, commented on the difference between the applicant's original drawings for Carraway Village and what was being proposed. He pointed out that Carraway Village was at a gateway location and said that proposals for a gas station, self storage, go-carts, and so forth was short-sighted and seemed to be grasping at what could be gotten at the moment. Mr. Love encouraged the Council to think about the long-term effect on those who live at the north side of Town.

Adam Golden, representing NR Edge and Northwood Ravin, emphasized that the requested change would pertain only to Block G, which was at the most northwestern edge of the parcel, 900 feet away from Eubanks Road.

Council Member Gu confirmed with Mr. Lowman that Council approval of the text amendment would not automatically approve self-storage for Carraway Village or automatically grant conditional self-storage use to others in the future.

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, to close the public hearing and receive comment for an additional 24-hours. The motion carried by a unanimous vote. Council Member Huynh did not vote.

16. Open the Public Hearing: Limited Scope Special Use Permit Modification - Carraway Village, 3000 Eubanks Road.

[\[20-0678\]](#)

Mr. Lowman presented a SUP modification request for Carraway Village. He reminded Council Members that they had resolved in early March 2020 to limit the request's scope to the following five changes: adjust permitted uses to allow conditioned storage on Block G only, allow service stations in blocks A, B, and C as a primary use, adjust regulations for commercial signs, and consider terminating Public Street A off Eubanks Road at the edge of Block G.

Mr. Lowman provided additional details on each of the requested changes and indicated on a map what each would entail. He said that staff had evaluated the application and had reported to the Community Design Commission and Planning Commission. He recommended that the Council open the public hearing, receive comments, and continue the public hearing to November 4, 2020.

Council Member Ryan confirmed with Mr. Golden that Council approval would merely modify the number of tenant panels allowed on the gateway sign and would not allow additional signs. Council Member Gu confirmed with him that gas stations were currently allowed as an accessory use anywhere on the project but that he was proposing to add it as a primary

stand-alone use. If the Council were to approve the request, a gas station and convenience store would be put on only one of those three locations, he said.

Council Members pointed out the 4- to 5-acre area where storage was being proposed was large enough to allow more than one facility. They verified with Mr. Lowman that the applicant would not be limited to only one facility unless the Council made that a specific part of approval.

Mr. Golden gave a presentation on how the SUP modification would help to further the project's economic development goals and set the project up for success. He said that self storage was one of only a few possible viable uses for Block G, and he pointed out that it would generate less traffic than would other uses.

Mr. Golden noted that the current SUP allowed a gas station as a secondary use anywhere on the project. The current proposal was to make it a primary use but only on Block A, B or C, he said.

With regard to Public Street A, Mr. Golden explained that a large Resource Conservation District (RCD) and floodplain was very close to where the road would connect to the adjacent property. Making that connection would be extremely expensive, require extensive permitting, and did not seem viable, he said.

Council Member Huynh returned to the meeting.

Mr. Love commented that neighbors were willing to accept changes that were done in the right way. He characterized how Carraway Village was developing as not reflecting Chapel Hill and not what the first impression of the Town should be. Neighbors wanted to support development but did not feel that Carraway Village was becoming what had been promised and thought the Town should require better, he said.

Mayor Hemminger said that she had remaining concerns about the gas station being visible from the highway and being near the RCD. She pointed out that the Council had approved several self storage units that had never been built.

A motion was made by Council Member Ryan, seconded by Council Member Stegman, to continue the Public Hearing to November 4, 2020. The motion carried by a unanimous vote.

17. Open the Public Hearing: Land Use Management Ordinance
Text Amendment - Proposed Changes to Section 5.14.4
(Campaign Signs).

[\[20-0679\]](#)

Planner Becky McDonnell opened the public hearing for a text amendment to update the Town's campaign sign regulations. She said that state law required a 30-day period after an election until political signs could be removed without penalty. That differed from the Town's 40-day period, so staff had developed language to update the Town's ordinance to comply, she said.

Ms. McDonnell recommended that the Council open the public hearing, receive comments for 24 hours and continue the item for possible action on November 4, 2020.

A motion was made by Council Member Anderson, seconded by Council Member Buansi, to close the public hearing and receive comment for an additional 24-hours. The motion carried by a unanimous vote.

CONCEPT PLAN REVIEW(S)

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

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

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

- 18.** Concept Plan Review: Municipal Services Center, 101 Weaver Dairy Road Extension. [\[20-0680\]](#)

This matter was deferred to the October 28, 2020 Council meeting.

- 19.** Council Vacancy Update. (no attachment) [\[20-0681\]](#)

Mayor Hemminger explained that this process had been put on hold due to COVID-19 and the national elections. The Council wanted to wait until the public could be more involved because filling a Council seat and discussions about whether or not to reduce the number of Council Members deserved broad public input, she said.

This item was received as presented.

APPOINTMENTS

20. Appointments to the Community Design Commission. [\[20-0682\]](#)

The Council reappointed Ted Hoskins to the Community Design Commission.

appointed.

21. Appointments to the Housing Advisory Board. [\[20-0683\]](#)

The Council appointed Dustin Mills to the For-Profit Developer seat; Susan Hunter to the Homeowner or Tenant seat; Mark Shelburne to the Housing, Planning or Public Policy Expert seat; and reappointed Anne Hoole to the Real Estate Broker seat on the Housing Advisory Board.

appointed.

22. Appointments to the Planning Commission. [\[20-0684\]](#)

The Council appointed Elizabeth Losos in the Community Design Commission Champion seat and John Rees in the Transportation and Connectivity Advisory Board Champion seat.

23. Appointments to the Reimagining Community Safety Task Force. [\[20-0685\]](#)

The Council appointed Delores Bailey, Robert Campbell, Jemesha Cannon-Phillips, Marcus Farrow, Emma Ferriola-Bruckenstein, Desmond Frierson, Paris Miller, Heather Nash, Eliazar Posada, Ehm Ra, Jeremy Roberson, Matthew Sullivan, and Shugong Wang to the Reimagining Community Safety Task Force.

The Council appointed Jaclyn Gilstrap and Malcom Hunter as alternates to the Reimagining Community Safety Task Force.

Mayor Hemminger read a list of appointments to the Reimagining Community Safety Task Force and said that the liaisons would be Council Members Stegman and Huynh, with Council Member Buansi as the alternate. The item would return to Council at its October 28, 2020 meeting, she said.

24. Appointments to the Transportation and Connectivity Advisory Board. [\[20-0686\]](#)

The Council appointed Katherine Huge and Denise Matthews to a Chapel Hill seat on the Transportation and Connectivity Advisory Board.

ADJOURNMENT

The meeting was adjourned at 11:03 p.m.

