

**DRAFT SUMMARY MINUTES OF A BUSINESS MEETING  
OF THE CHAPEL HILL TOWN COUNCIL  
MONDAY, JUNE 12, 2017, AT 7:00 PM**

**Council Members Present:** Mayor Pam Hemminger, Council Member Jessica Anderson, Council Member George Cianciolo, Council Member Ed Harrison, Council Member Nancy E. Oates, Council Member Maria T. Palmer, and Council Member Michael Parker.

**Council Member(s) Absent:** Mayor pro tem Donna Bell, and Council Member Sally Greene.

**Staff members present:** Town Manager Roger L. Stancil, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Community Safety Communications Specialist Ran Northam, Planning Director Ben Hitchings, Executive Director of Housing and Community Loryn Clark, Planning Manager for Sustainability John Richardson, Business Management Director Ken Pennoyer, Assistant Business Management Director Amy Oland, Budget Manager Matt Brinkley, Library Director Susan Brown, Executive Director for Community Safety Chris Blue, Transit Director Brian Litchfield, Public Housing Director Faith Thompson, Parks and Recreation Director Jim Orr, Executive Director for Technology Scott Clark, Director of Human Resources Development Cliff Turner, Planner Jay Heikes, Senior Ombuds Jim Huegerich, Manager Intern Toney Thompson, Budget Analyst Alex Terry, Assistant to the Town Manager Ross Tompkins, Assistant Town Clerk Beth Vazquez, and Communications and Public Affairs Director and Town Clerk Sabrina Oliver.

[OPENING](#)

1. [Adopt a Resolution of Town Council Support of the Paris Agreement. \(no attachment\)](#)

Mayor Hemminger opened the meeting at 7:00 p.m. She said that Council Member Greene was out of the country and Mayor pro tem Bell had not been able to attend the meeting. She mentioned that the Food for Summer program had been launched earlier that day. Mayor Hemminger introduced a resolution in support of the Paris Climate Accord, noting that Orange County had already passed a similar resolution.

Council Member Anderson, liaison to the Environmental Sustainability Committee, read a resolution that addressed the effects of global warming and climate change, and the Town's and the University of North Carolina's carbon reduction pledge. Due to the absence of federal leadership and President Trump's withdrawal from the Paris Accord, state and local governments must commit to aggressive action, she read. Therefore, the Council was committing to proportionally upholding its commitment to reduce greenhouse gas emissions by 26 to 28 from 2005 levels by the year 2025, Council Member Anderson read.

COUNCIL MEMBER JESSICA ANDERSON MOVED, SECONDED BY COUNCIL MEMBER MICHAEL PARKER, TO ADOPT R-0.1. THE MOTION WAS ADOPTED UNANIMOUSLY (7-0) .

[A RESOLUTION TO PROPORTIONALLY UPHOLD THE COMMITMENT MADE BY THE UNITED STATES IN THE PARIS AGREEMENT TO REDUCE GREENHOUSE EMISSIONS \(2016-06-12/R-0.1\)](#)

1.1. [Proclamation: Immigrant Heritage Month.](#)

Mayor Hemminger gave tribute to the many wonderful immigrants who had helped the Town become what it was today.

Council Member Palmer read a proclamation regarding immigrants' contributions to the social and economic framework of North Carolina. Chapel Hill would remain true to its commitment to be a welcoming place, and was proclaiming June 2017 to be Immigrant Heritage Month in Chapel Hill, she read. The proclamation encouraged all Town citizens to recognize the accomplishments of immigrants, past and present, and to reflect upon the importance of diversity in the Town and across the country, she read. Council Member Palmer pointed out that June 20, 2017 was World Refugee Day.

Constanza Johnson, representing El Centro Hispano, said that it was an honor to receive the proclamation, and that she was grateful to be part of such a supportive and collaborative community.

Flicka Bateman, representing The Refugee Support Center, said that there were about 1,200 refugees in Orange County. Those people were primarily from Burma, but 32 of them were from Syria, and about 50 were from the Democratic Republic of Congo, she said. Ms. Bateman mentioned that the Support Center was always looking for funding, and for people who can speak those languages to help out. She thanked the Town for supporting refugees and immigrants.

Mayor Hemminger praised the proclamation's recipients for making the Town more inclusive, and for helping families succeed. She said that the Council would recognize groups that had not been able to attend the meeting at a later time. She pointed out it was National Refugee Awareness Week as well.

[PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS](#)

2. Petitions from the Public and Council Members.
  - a. Transportation and Connectivity Advisory Board Request to Reduce Speed Limit on Rosemary Street from 25 MPH to 20 MPH.

[PUBLIC COMMENT - ITEMS NOT ON PRINTED AGENDA](#)

- a. [Diane Willis Regarding New Ephesus Fordham Intersection.](#)

Diane Willis, a Chapel Hill resident, requested that the Town itemize the "so-called improvements" that would warrant an \$8 million expenditure at an Ephesus Fordham intersection. That had been wasteful, considering the bad result, and would become worse as development continued, she said. Ms. Willis described the problems that she had seen, and stated that such poor planning should be an election issue.

Mayor Hemminger acknowledged that the project had experienced complications, and was behind schedule. She asked staff to provide an update that could be widely distributed to the community.

b. [Ashley Thomas Thanks to Council for Funding and Support.](#)

Ashley Thomas, founder and executive director of Bridge 2 Sports, thanked the Council for having provided funding and support. She pointed out that Bridge 2 Sports had recently collaborated with organizations such as GoTriangle, which had helped transport people with disabilities during a recent event.

[ANNOUNCEMENTS BY COUNCIL MEMBERS](#)

a. [Council Member Parker Congratulations to Carrboro Women's Soccer Team for Championship Win.](#)

Council Michael Parker pointed out that the Carrboro Women's Soccer Team had become state champions for the third consecutive year. He congratulated the team, and noted that many Chapel Hill residents, including an assistant coach, had participated.

[CONSENT](#)

3. [Approve all Consent Agenda Items. \(R-1\)](#)

COUNCIL MEMBER MICHAEL PARKER MOVED, SECONDED BY COUNCIL MEMBER JESSICA ANDERSON, TO ADOPT R-1. THE MOTION WAS ADOPTED UNANIMOUSLY (7-0) .

[A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES \(2017-06-12/R-1\)](#)

4. Award a Bid for Street Patching, Milling, and Resurfacing on Town-Maintained Streets. (R-2)

[A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT WITH BARNHILL CONTRACTING IN AN AMOUNT OF \\$641,825.75 FOR STREET RESURFACING \(2017-06-12/R-2\)](#)

5. Grant a Permanent Easement to OWASA to Relocate Sanitary Sewer for the Booker Creek Road Culvert Replacement Project. (R-3)

[A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE ALL REQUIRED DOCUMENTS TO GRANT A PUBLIC SEWER EASEMENT TO OWASA ACROSS TOWN-OWNED PROPERTY LOCATED ALONG BOOKER CREEK ROAD \(2017-06-12/R-3\)](#)

6. Adopt Minutes for the April 11, June 20, June 27, September 12, September 19 and October 26, 2016 Meetings. (R-4)

[A RESOLUTION TO ADOPT SUMMARY MINUTES OF COUNCIL MEETINGS \(2017-06-12/R-4\)](#)

[INFORMATION](#)

7. [Receive Upcoming Public Hearing Items and Petition Status List.](#)

All reports were accepted as presented.

[DISCUSSION](#)

8. [Consider the Final 2017-18 Budget and Related Items. \(O-1\)](#)

Town Manager Roger Stancil gave a PowerPoint presentation regarding the FY 2017-18 recommended Town budget. He explained that Item 8 addressed a change in the process for adopting fees, and Item 9 would establish the recommended budget for the fiscal year beginning July 1st.

Mr. Stancil said that the budget was balanced and included a 2 percent increase in Human Service agencies funding. The budget also recommended increasing the Affordable Housing (AH) Development Reserve to \$1.1 million and the AH Opportunity Fund to \$1.2 million, he said. He connected the Council's strategic goals with the Town's resources and actions, and noted that 75 percent of the budget was directed toward people. He discussed funding for the downtown area and efforts toward leveraging Town assets.

Mr. Stancil provided details about the Town's investment in AH. He said that the recommended budget provided resources to begin a Connectivity and Mobility Plan, complete the Ephesus Fordham Design Guidelines, rewrite the Land Use Management Plan (LUMO), and plan for the future of Rogers Road. The budget included a \$6 stormwater rate increase that would support bond projects that voters had approved in a recent referendum, he said. The budget also addressed Lower Booker Creek sub-watershed projects, and would begin the purchase of new buses through a financing agreement with the Town's funding partners, he said.

Mr. Stancil explained that he would report on strategic priorities based on active entities on June 26th. He provided details on the budget's various components and noted that there was not a proposed reduction in service. The tax rate had been adjusted downward (from 52.4 cents to 50.8 cents) to a revenue neutral rate, he explained. He characterized the budget as a prudent way to address some unknowns regarding what the North Carolina General Assembly and the US Congress would decide to do.

Mayor Hemminger thanked the manager and Town department heads for listening and working with the Council. She said that Mr. Stancil had returned with a balanced budget that reflected those discussions.

Robert Dowling, executive director of the Community Home Trust, thanked the Town for its support of AH in general and the Community Home Trust, in particular. The Trust continued to add homes to its inventory of 255, he said. Mr. Dowling praised the Town Manager for coming up with a plan that would increase resources for AH in 2017-18 and beyond.

Council Member Cianciolo praised the AH plan, and agreed with Mr. Dowling about the benefits of having opportunity funds available. He encouraged the manager to compare Town employees' salaries and benefits package to nearby communities, and see if anything could be done to make the Town's more attractive. It was commendable that the Town had not raised its tax rate in recent years, but it would have to raise them at some point, and he would like to see that go toward supporting Town employees, Council Member Cianciolo said.

Council Member Oates thanked the manager and staff for their hard work, but objected to the proposed 2.5 percent across-the-board salary increase. That would perpetuate a system where the rich get richer and the poor get poorer, she said, also noting that women continued to make 79 cents to the male dollar. Council Member Oates challenged the manager to present a rationale for preserving that imbalance. She proposed that everyone making below \$100,000 get a 2.5 percent increase, and everyone above that receive a flat \$1,000 increase in pay.

Council Member Harrison praised the idea of amending the code to include stormwater fees. In the past, the Town had gone for 12 years without raising those, he pointed out. He said that the larger transit budget would lead to fairer pay for transit employees, and he stressed that the Chapel Hill transit budget was not about the Orange County Transit Plan. He was proud of the recommended budget, Council Member Harrison said, and he congratulated all who had worked on producing it.

Council Member Parker thanked the manager and staff and noted the difficulty of producing a budget when there were a number of competing priorities. The Council had wanted to do more for AH and it ultimately did, he said. He was glad to have a budget that would meet many of the Council's priorities without having to raise taxes, he said. In the end, it was the kind of budget that the Town ought to have - one in which everyone got something while no one got everything, said Council Member Parker.

Mayor Hemminger expressed gratitude for many of the budget's pieces pertaining to Human Services funding, AH, and the plan to develop more partnerships. She said that the Town needed

to have a plan, goals, and strategies before it could raise taxes. She pointed out that the Town was fortunate to have amassed a healthy fund balance that could be leveraged if something timely came along.

Mayor Hemminger pointed out that the Town needed to communicate with the county, the state and its local partners. She had recently had conversations with other elected officials who had not been aware of some of the Town's efforts, she said. She recommended that the Town broadcast its plans for Northside, the DHIC project, Homestead Road, and Public Housing a little more effectively. It had been a great year, and not one staff member was afraid of change, Mayor Hemminger said.

COUNCIL MEMBER JESSICA ANDERSON MOVED, SECONDED BY COUNCIL MEMBER ED HARRISON, TO ENACT O-0.1. THE MOTION WAS ADOPTED UNANIMOUSLY (7-0) .

[AN ORDINANCE AMENDING CHAPTER 23 OF THE CODE OF ORDINANCES REGARDING THE SCHEDULE OF STORMWATER FEES \(2017-06-12/O-0.1\)](#)

COUNCIL MEMBER MICHAEL PARKER MOVED, SECONDED BY COUNCIL MEMBER JESSICA ANDERSON, TO ENACT O-1. THE MOTION WAS ADOPTED BY A VOTE OF 6-1, WITH MAYOR PAM HEMMINGER, COUNCIL MEMBER JESSICA ANDERSON, COUNCIL MEMBER GEORGE CIANCIOLO, COUNCIL MEMBER ED HARRISON, COUNCIL MEMBER MARIA T. PALMER, AND COUNCIL MEMBER MICHAEL PARKER VOTING AYE AND WITH COUNCIL MEMBER NANCY E. OATES VOTING NAY .

9. [Consider Approval of Fee Waiver for Application for a Limited Special Use Permit for Proposed Chapel Hill Cooperative Preschool Special Use Permit Application to Increase Parking Area. \(R-5\)](#)

Town Attorney Ralph Karpinos addressed the Chapel Hill Cooperative Preschool's request that Council authorize the manager to accept a request for a limited Special Use Permit (SUP) to increase parking without charging an application fee. He explained that the Chapel Hill Cooperative Preschool had already received site plan approval from the Planning Commission (PC), and was proposing to add parking spaces beyond what that approval would require. The increase in spaces could reduce the risk of traffic backing up in the right-of-way at Mt. Carmel Church Road, and reduce related safety concerns, he said.

Mr. Karpinos pointed out that nothing in the request to waive fees was intended to indicate a recommendation to the Council regarding what evidence might show when/if such an application were submitted. In this particular case, staff believed that the potential public benefits warranted the Council considering waiving the application fee, he said.

Council Member Anderson confirmed with Planning Director Ben Hitchings that staff would need to see the applicant's exact proposal before being able to say what the expedited process would involve.

Mayor Hemminger noted that the regular SUP process would include two public hearings.

Mr. Hitchings stressed that the Town absolutely would have to follow that framework and all ordinance requirements. They would have to determine what "limited" meant, in practice, and see an actual application to understand it, he said.

Council Member Parker confirmed with Mr. Hitchings that the application would also go before Town advisory boards.

Mayor Hemminger clarified that the "limited" part pertained to the particulars of the SUP, not to the process.

Mr. Karpinos agreed that nothing about expediting the application would involve short-cutting required hearing procedures and review by advisory boards and commissions.

Council Member Anderson said she felt confused about whether the scope included traffic flow or just parking.

Mr. Karpinos replied that staff would need to see the application to determine that. The Council was currently only being asked to authorize the manager to waive the application fees, he said.

Mayor Hemminger said that the Council was also being asked to set up having the application come forward in the SUP process.

Council Member Anderson commented on the difficulty of authorizing an expedited process, and waiving fees without telling the public what was being allowed.

Mr. Karpinos replied that the Council would not be allowing anything other than a fee waiver and staff direction to move the project through the process. Whatever happened when the application eventually came before the Council would be based on the evidence, as with any other SUP application, he said.

Council Member Harrison confirmed with Mr. Karpinos that the applicant would ultimately have to meet the four findings of fact, as with any other SUP application.

Council Member Oates asked if it was the case that the Council would only be able to comment on parking during the SUP process, and would not be able to make any conditions, such as hours.

Mr. Karpinos replied that the application would propose adding parking to the site, and the Council would have the authority to put reasonable conditions on the SUP. He pointed out that the applicant already had an approval. If the applicant did not like the conditions that the Council put on any approval, it could decline that permit, and build what it already had approval to build, he said.

Council Member Oates asked if the NC Department of Transportation (DOT) would step in if the

applicant went ahead and built what it had been approved for, without any extra spaces, and traffic became a nightmare.

Mr. Karpinos replied that the applicant already had approval from the PC that required a certain number of parking spaces, and also a requirement to monitor traffic impacts and provide an annual traffic management report. Therefore, staff would be monitoring those issues, he said.

Council Member Oates asked if there was any recourse to enforce, rather than just monitor, if traffic was determined to be a significant hazard.

Mr. Karpinos replied that the DOT certainly had authority to police and control its highways. If it determined that some additional work needed to be done, it could put improvements in, he said. He added, however, that he did not know that the DOT could require the applicant to do any more than had already been authorized and directed.

Council Member Oates asked if anyone could do anything to correct the situation if it turned out to be a mistake, and a serious traffic problem developed.

Mr. Karpinos replied that he was not sure there was anything the Town could do when it approves a development, and then traffic increases and becomes an issue.

Mayor Hemminger explained that the Town's goal was to get a better outcome from a flawed process. The applicant currently had approval to build, and was required to include only 31 parking spaces. For safety and traffic reasons, the Town had offered them a limited SUP process to add up to 47 spaces, which would help alleviate future problems that might or might not arise, she explained. Mayor Hemminger said that the offer had opened the process up to hear concerns from the public, and to possibly address those as the application goes through the SUP process. The Council was currently only being asked to waive the fee, she said.

Monte Brown, a Chapel Hill resident, said that the Council's "real problem" was that the PC had approved the application based on a misrepresentation by the applicant. He gave a PowerPoint presentation that showed traffic backed up at the site, and said that a recent traffic impact analysis (TIA) had not been done because no one had requested one. Mr. Brown requested that the Town go back and do it right. Giving the applicant more parking spaces would enable them to grow larger, he said.

Karyn Traut, a Chapel Hill resident, showed photos of backed-up traffic, and said she supported a petition from Mr. Brown and others that asked the Town to have a TIA done, and reopen the discussion. Ms. Traut asked the Council to resolve the problem before someone got killed at that dangerous location.

Richard Andrews, a Chapel Hill resident, said that he and his wife had witnessed accidents in the area, and were grateful for the roundabout that would be built there. However, they had serious concerns about the preschool proposal, he said, and stated that misinformation regarding the proposed number of staff had allowed the applicant to avoid getting a TIA, and the SUP process. Mr. Andrews read sections of the neighborhood petition.



Terry Vance, a Chapel Hill resident, said that the petition showed how the process had been corrupted, "maybe by good will on the Town's part." The Town had wanted to enable a good school, but the Chapel Hill Cooperative Preschool had misrepresented the facts in order to get approvals, she said. Dr. Vance argued that the best scenario would be for the Town to delay the parking approval, and ask the Town Attorney to see if inaccurate representation during the approval process would warrant reconsideration of the site plan approval. Because Town staff had not caught inaccuracies upon which approvals were based, the Town should pay for a new public SUP process based on actual facts, she said.

Richard Lawrence, a Chapel Hill resident, played an audio recording from a PC meeting, and asked Council to reconsider everything that had taken place, and revisit the application.

Janet McCauley, a Chapel Hill native who spends half of her time in Virginia, said that citizens had been speaking from the heart, and providing good and truthful information. She asked the Council to listen to those who feel that they have not been represented.

Council Member Anderson asked Mr. Karpinos if the applicant not providing accurate information would be grounds for undoing the PC's approval. She also asked what would happen if the applicant went above the 80 student/20 staff limit.

Mr. Karpinos explained that the PC's decision had been appealed to the Board of Adjustment (BOA), and had then been taken to court, where the parties would have an opportunity to raise issues about whether the data was correct, and if the PC had acted correctly. He encouraged Council members to read the PC's approval, which had addressed certain parking concerns. He said that the PC's adopted resolution had addressed issues regarding monitoring of parking and traffic, and had required certain annual updates (with adjustments if necessary). He said that and the SUP would be required to increase the size of the building.

Mr. Karpinos explained that the Council did not review decisions by the PC or the BOA. If someone wanted to take some independent legal action and review that on behalf of the neighbors or Council, then the Council could direct hiring an attorney and taking some legal action, he said, but he added that he had never seen that happen. Mr. Karpinos explained that the process was PC to BOA to court, and the Council had no role in that other than some outside independent approach that he had never seen, and about which he could not provide advice.

Council Member Anderson expressed concern about the capacity in the current, approved plan.

Mr. Karpinos pointed out that the BOA had limited the number to 80/20 but that was being challenged, and could be eliminated by the superior court. However, the PC's approval remained in place, and it included provisions that gave the Town a role in monitoring traffic, enrollment, and parking, he said. Mr. Karpinos explained that the PC's resolution also required an annual update, and required that the applicant take steps to adjust conditions if there were traffic and/or parking problems in the future.

Council Member Cianciolo asked what the penalty would be if the applicant exceeded the

plan. He pointed out that there had been a similar plan with Saint Thomas Moore, but nothing in the resolution had stated what would happen if the plan did not work.

Mr. Karpinos noted that traffic was already backing up on Mt. Carmel Church Road. At some point, the state and Town would have to decide if there was a need for additional public improvements, he said.

Council Member Anderson remarked that exacerbating traffic and coming back later and saying that taxpayers have to fix the problem would not be a great solution. She asked why the Town was using 2013 data.

Mr. Karpinos replied that he did not have any information about that. He suggested that the Council discuss it with the Town's traffic engineer.

Mayor Hemminger said that such information could be prepared for the limited SUP process, if the Council decided to go in that direction.

Council Member Anderson said she felt "a little stuck", and that she understood why the neighbors were not pleased.

Council Member Parker asked what remedies, if any, there would be if the applicant did not adhere to the transportation management plan (TMP) that was required in the PC's resolution.

Mr. Karpinos replied that the enforcement authority and remedies would be the same as with any other Land Use Management Ordinance (LUMO) violation. It would seek compliance, and if it did not get that voluntarily, then it would seek a court order to require it, he said.

Council Member Oates asked if that could be done regardless of whether the Town approved the SUP for extra parking spaces. It sounded as though there would be recourse if the Council took no action, and then a problem arose, she said.

Mr. Karpinos replied that there might be, depending on what the problem was, and the remedies that the Town would seek. At the current time, the applicant had authority to build the school, was required to build 31 parking spaces on site, and was required to provide a TMP, he said. Mr. Karpinos explained that the court was being asked to either strike all of the BOA's conditions by determining that the petitioners did not have standing to come to the BOA, or, if it determines that they did have standing, it was being asked to strike the 80/20 limits from the conditions. He said he did not know what action the court would take on the standing, but if it got to the merits of the 80/20 condition, he thought the Town's position would be that the 80/20 conditions should be imposed. However, if the court threw it out on the basis of standing, the Town might be left with the PC's decision, Mr. Karpinos said.

Council Member Oates said that she was inclined to say that the Town should not do a limited SUP. If the preschool's plan turned out to not be a good one, then it would be up to them to fix it, she said. She expressed hesitancy about getting involved by approving extra parking spaces. Council Member Oates said she trusted that the applicant would not put children at

risk. It was their responsibility to fix problems if there were ever an incident, she said.

Mayor Hemminger said that she held the opposite view. If the school were built with only 31 parking spaces, there would be a problem out into the road, and safety issues, and this resolution was the Town's opportunity to alleviate part of that problem by adding parking spaces, she said. She pointed out that the intersection was already failing, and said that approving Resolution 5 would give the Town time to try and find solutions to the flow issue and other concerns. If the Council did not like where the process led, then it had the authority to deny the SUP, Mayor Hemminger pointed out.

Council Member Oates commented that the applicant would still build what it had planned from the beginning.

Mayor Hemminger replied that the Town would at least have made an attempt to improve the situation. The applicant already had the right to build and NC law, as currently written, gave the court the right to say that the neighbors do not have standing, she pointed out. The Council did have an opportunity to create a better income, however, said Mayor Hemminger.

Council Member Cianciolo pointed out that the resolution the PC approved called for a number of things, including that the TMP must be reviewed and approved by the Town Manager. He asked if anything would prevent the Council from giving direction to the Manager regarding what it would consider an acceptable TMP.

COUNCIL MEMBER MICHAEL PARKER MOVED, SECONDED BY COUNCIL MEMBER MARIA T. PALMER, TO ADOPT R-5 AS AMENDED. THE MOTION WAS ADOPTED BY A VOTE OF 6-1, WITH MAYOR PAM HEMMINGER, COUNCIL MEMBER JESSICA ANDERSON, COUNCIL MEMBER GEORGE CIANCIOLO, COUNCIL MEMBER ED HARRISON, COUNCIL MEMBER MARIA T. PALMER, AND COUNCIL MEMBER MICHAEL PARKER VOTING AYE AND WITH COUNCIL MEMBER NANCY E. OATES VOTING NAY .

[A RESOLUTION WAIVING APPLICATION FEES FOR A LIMITED SPECIAL USE PERMIT APPLICATION FOR CHAPEL HILL COOPERATIVE PRESCHOOL \(2017-06-12/R-5\) as Amended \(PDF\)](#)

10. [Report: 2017-22 Orange County Master Aging Plan \(MAP\).](#)

Loryn Clark, executive director for the Office of Housing and Community, began the presentation on the Orange County Master Aging Plan (MAP). She said that the MAP had been developed with a high level of community and Town staff engagement, and she mentioned the Town departments that had participated. Town staff had provided input for the action plan, she said, adding that activities in the plan were consistent with work that the Town already had underway. Ms. Clark presented a list of Town programs that support its aging population, and said she did not anticipate needing an increase in resources.

Janice Tyler, director at the Orange County Department of Aging, gave a PowerPoint

presentation regarding citizens age 60 and over. She pointed out that that demographic was expected to represent 26 percent of Orange County's population by 2035. The MAP had been created in 2000, and was updated every five years, she said. She provided background on the sources of MAP's framework, and expressed hope that Chapel Hill would be the second city in North Carolina to join the plan. Ms. Tyler reviewed MAP's data collection and needs assessment processes. The MAP was an integrated county-wide plan that shared the responsibility for caring for the aging with other agencies, counties, and Town departments, she said.

Ms. Tyler presented a broad view of how the MAP's content had been developed. She said that groups had focused on the following areas: outdoor spaces and buildings; safe, accessible and affordable travel within the community; improved housing choices and quality AH; opportunities for social participation; respect and social inclusion; civic participation and employment; community support and health services; and communication and information. She discussed the objectives of each focus area, and outlined next steps. Ms. Tyler expressed gratitude to the Town for supporting many of the initiatives.

Mayor Hemminger thanked Ms. Tyler for leading the effort, and said the Town was looking forward to good outcomes for its older citizens.

Council Member Anderson praised the amount of thought that had gone into the process, the evaluation metrics, the number of people involved, and the way that the MAP had been rolled out. She encouraged everyone to support the group and the amazing work they were doing.

Council Member Oates added her thanks for the work done, particularly the attention paid to transportation and housing, and to the needs of low-income seniors.

Council Member Harrison said that he had talked with Ms. Tyler during the process, and was carefully watching the outdoor spaces and building aspect of the MAP. He mentioned that the Town Managers had asked to be able to revise the Town's Design Manual without having to come to the Council. Much of that was related to the Town's low vision standard, Council Member Harrison said.

Ms. Tyler encouraged the Council to consider having the Town join the network. Chapel Hill would be the second Town in North Carolina to be an "age-friendly" community, she said.

Mayor Hemminger said that Ms. Clark would bring something back to the Council regarding that.

11. [Presentation: Progress Report on the Chapel Hill Station Area Planning Project for the Durham-Orange Light Rail Transit Initiative. \(R-6\)](#)

Director of Planning and Development Services Ben Hitchings introduced the update on station area planning related to the Light Rail Transit (LRT) Initiative. If the Town decided to invest in Durham-Orange LRT, it would want to maximize benefits to the community by having a strong plan for development around the stations, he pointed out. Mr. Hitchings explained that Resolution 6 would endorse the general direction of the work being done, and approve working

with six advisory boards over the summer.

Scott Polikov, a principal with Gateway Planning, gave a PowerPoint overview of what planners had done since his last meeting with the Council. He pointed out that the policy and plans were being driven by Council goals. He noted some of the comments and concerns that had been expressed at recent community meetings, and said that planners had taken those to heart.

Council Member Harrison asked for a definition of "character zone." It sounded like a better version of form based code, which he had voted against for the Ephesus/Fordham Focus Area because he felt it was not ready to be adopted, he said. He asked if "character zone" was a more precise term than "urban" and if examples were available.

Mr. Polikov explained that different character zones would enable more intensity, a more significant mix of uses, and more shared parking opportunities than others that were more single-family oriented. He provided details on how a character zone would align the design and the regulatory tools with the desired development character outcome.

Council Member Harrison asked if Durham would become involved in that approach during its sub-area planning late in the summer.

Patrick McDonough, of GoTriangle, replied that he would ask Durham staff about that in the morning.

Mr. Polikov continued his presentation. He discussed his meetings with Town boards and commissions, and said that discussions with UNC regarding the tax base were needed. He showed a summary of identified interests, and said he had worked with staff regarding themes that needed to be carried through the process. He also summarized his meetings with stakeholders in the development community.

Mr. Polikov asked the Council to consider enabling Gateway Planning to move forward with an approach that would break stations into three groups: Suburban Reinvention, Neighborhood Destinations, and University Villages. He recommended essential policy elements for each. Gateway Planning had discussed this in general terms with boards and commissions, and he was bringing the policy framework for Council consideration, he said.

Mr. Polikov discussed AH, including density bonuses. He noted the need to create and test a model to make sure that the policies and mechanisms can work. He said that Gateway would work with Ms. Clark to develop a tool to measure whether or not the Town's zoning calibration was sufficient to achieve some AH without needing additional subsidies. Planners were also looking at non-traditional, creative sources, Mr. Polikov said, and pointed out the need for a discussion with all of the major universities regarding housing assistance.

Mr. Polikov said that Resolution 6 approval would allow Gateway Planning to develop greater detail and get additional feedback from Town boards and commissions over the summer. They would initiate a more formal process for the Gateway Station, and continue conversations with UNC, and perhaps take that to the next level, he said.

Council Member Parker asked if ways were being built in that would let the Town make use of the planning work even if LRT did not happen. For example, he said, generating good neighborhoods with ordinary buses in those areas of Town. He asked if there were ways, regardless of LRT, to connect between station areas, rather than having a series of isolated islands. In addition, if LRT happened in 2028, would there be opportunities for the Town to engage in land banking before prices increased, Council Member Parker asked.

Mr. Polikov replied that there was no downside to creating great neighborhoods in the remaining special places that could be developed. He said that the Town would not want to be unready for LRT when it happens. In addition, good, walkable mixed-use neighborhoods were always to the Town's advantage, he said. Mr. Polikov added that Gateway's services included specifically working on and identifying actions and policies for those connections.

Council Member Parker clarified that he was asking about physical connections beyond transportation. He wanted to know what could be planned that would transport people between stations in a more seamless field, so that riders would not feel like they were just taking a bus from point A to point B. What might happen between stations that would create the feeling of a bigger, more connected place, he asked.

Mr. Polikov replied that if zoning policies encouraged housing types that were mixed in with small inviting public spaces and properly designed streets, and with appropriately scaled transitions and street types, then the edges of developments would be ready to connect to the thing next to it. That idea would be contrary to buffers and would involve educating neighborhoods to understand the advantages, he said.

Council Member Palmer shared her experience of living in Louisville, Kentucky, where a 100-year-old plan for parks still provided the connective tissue for the city. The Town needed to be proactive, she said, adding that it would be worth thinking ahead, and buying property between stations that could be developed into interesting destinations.

Mr. Polikov agreed that Louisville was a great example. The original architect had designed the streets to be civic links rather than mere places for cars to drive, he said. Through zoning policies and planning, streets can crescendo into the next space and the next neighborhood, and that was something that planners could encourage and work on for sure, he said.

Council Member Palmer asked that planning recommendations also include things that the Town not allow -- such as a concrete wall that had been erected in one neighborhood to prevent passersbys from seeing in residents' windows.

Council Member Harrison commented on the benefits of having "environmental complexity," but cautioned against creating too much intensity between the nodes where high density is concentrated.

Council Member Anderson asked that the detailed notes from the advisory board meetings,

which Mr. Polikov had mentioned, be sent to her. She asked Mr. Hitchings how he saw station area planning being folded into the LUMO rewrite and the future land use map process.

Mr. Hitchings replied that many of the six station areas already aligned with the future focus areas on the land use map, and were places where the Town had encouraged mixed use and more activity. There would be an opportunity to get input on that when updating the map, and current discussions would be reflected in that work, he said. Mr. Hitchings said that the Town was also poised to have special zoning districts that match the various station area character types that Mr. Polikov had described. The Town was poised to fold those into an updated suite of zoning districts in a revised LUMO document, he said.

Council Member Anderson mentioned a June 9th article in The Washington Post about some cities not getting the infrastructure funding they had expected. She asked if there had been conversations with the FTA about where funding for the project stood.

Mr. McDonough replied that the Washington Post article was about President Trump's budget, which did not have formal standing because it was Congress that would make the budget for the coming fiscal year. He believed that the FTA, which reports to the president, was trying to not upset Mr. Trump while continuing to work with Congress, which had recently appropriated funds contrary to the president's wishes, he said. Mr. McDonough discussed a couple of bellwether projects that might indicate future decisions. He pointed out that the administration's "Infrastructure Week" ended up being about other things.

Council Member Anderson said that some citizens had commented about the short notice prior to the station area planning workshops.

Mr. Polikov replied that that was a valid comment. However, planners had made up for that by making themselves available afterward, and holding subsequent meetings, he said. There had been no recent complaints about accessibility, Mr. Polikov pointed out.

Council Member Oates and Mr. Polikov compared their recollections about workshop discussions regarding rezoning. She had heard a strong desire to not rezone ahead of time, but he did not remember hearing such a discussion. There were a lot of tables, Mr. Polikov pointed out, and said that the meeting minutes might reflect such a discussion. He did recall one man cautioning against up-zoning too quickly, he said.

Mr. Polikov said that there was no simple answer to rewriting the code, and that the Town would need to look at it station by station. On the other hand, there might be stations where the Town would not want to do anything until after the code rewrite was finished, he said.

Council Member Anderson asked Mr. Polikov if he was recommending rezoning before any projects were proposed.

Mr. Polikov replied that he would strongly encourage that with Gateway because there were multiple owners there, and the Town would want to encourage a master developer context. Zoning behaves as the master developer when there is not likely to be someone

assembling the property, and the zoning tool can bind property owners together with a common infrastructure, he said. Mr. Polikov gave examples of how property owners could then each decide how to work together over time regarding phasing.

Council Member Oates confirmed with Mr. Polikov that landowners seemed amenable to cooperating and calibrating a common zoning tool. She asked about costs, mentioning a request to move a station 400 feet, and stating that she had no idea if that was worth doing.

Mr. McDonough replied that he hoped to have an answer to that later in the week. He introduced Matthew Clark, GoTriangle's new government affairs manager, and Mr. Clark said that he, too, was strongly committed to bringing back an answer.

Council Member Oates and Mr. McDonough discussed various federal and state deadlines. She inquired about Resolution 6, and Mr. Hitchings explained that it contained three elements: endorsing the general direction related to station area planning; asking for Council permission to continue working with the six development-related advisory boards; and, continuing to work with the Town's institutional partners. Mr. Hitchings elaborated on each of those, and stressed that they were about planning for land use around stations, and did not pertain to the system investment.

Council Member Oates asked if anyone had "any sway" with UNC regarding a commitment to build workforce housing for its employees.

Mr. Polikov replied that such conversations had begun. The University had said it could not be relied upon to solve the general AH challenge in Town, but there had been talk about staff-focused housing assistance, he said. The University understood that AH needed to be part of the discussion and did not take it off the table, he pointed out. Mr. Polikov noted that UNC's master planning process had just begun, and said that there might be an opportunity before March to at least set a protocol that housing assistance be considered. That would be a big step, he said.

Mayor Hemminger said she was pleased that Gateway Planning had listened to the Town, and had helped design a better Gateway Station. She congratulated Mr. Polikov for reaching out to UNC, and said she was very supportive of that communication. Mayor Hemminger asked Mr. Polikov to provide the Council with best practice tools for the character zones.

Mr. Polikov replied that Gateway Planning had about 25 adopted codes, and that not one of them was the same as another. The Town had an opportunity to build on what it had already done, and tailor that to what it needed, he said.

COUNCIL MEMBER JESSICA ANDERSON MOVED, SECONDED BY COUNCIL MEMBER MICHAEL PARKER, TO ADOPT R-6. THE MOTION WAS ADOPTED BY A VOTE OF 6-1, WITH MAYOR PAM HEMMINGER, COUNCIL MEMBER JESSICA ANDERSON, COUNCIL MEMBER GEORGE CIANCIOLO, COUNCIL MEMBER ED HARRISON, COUNCIL MEMBER MARIA T. PALMER, AND COUNCIL MEMBER MICHAEL PARKER VOTING AYE AND WITH COUNCIL MEMBER NANCY E. OATES VOTING NAY .



[A RESOLUTION TO PROVIDE POLICY DIRECTION FOR THE DURHAM-ORANGE TRANSIT STATION AREA PLANNING PROJECT \(2017-06-12/R-6\)](#)

ANNOUNCEMENTS BY COUNCIL MEMBERS

a. [Mayor Hemminger Regarding Smart Cities Conference at NC State.](#)

Mayor Hemminger said that she had been on a panel with other elected officials at a Smart Cities conference, and would update the Council on technology issues in the fall.

b. [Mayor Hemminger Regarding Inter-City Hillsborough Visit.](#)

Mayor Hemminger said that Hillsborough would be coming to Chapel Hill on the following day for an inter-city visit. She would participate in a panel about revitalizing the downtown, she said

c. [Mayor Hemminger Regarding UNC Communicators Gathering on Wednesday.](#)

Mayor Hemminger noted that she would be speaking at a UNC Communicators gathering, and would encourage UNC to use the Orange County Visitors Bureau, Town hotels, and other resources when scheduling conferences and other events.

d. [Mayor Hemminger Regarding Ackland Strategic Planning Committee.](#)

Mayor Hemminger said that the Ackland Strategic Planning Committee would meet on Thursday.

e. [Mayor Hemminger Regarding Advisory Board Breakfast Friday.](#)

Mayor Hemminger pointed out that the Advisory Board Breakfast would be held on Friday. She encouraged the Council to attend, noting that it would be an opportunity to thank volunteers for their service.

f. [Council Member Palmer Regarding Washington DC Men's Chorus at Binkley Baptist Church on Thursday.](#)

Council Member Palmer said that a Washington DC Men's Chorus performance at the Binkley Baptist Church at noon on Thursday would be free and open to the public.

APPOINTMENTS

12. [Appointments to the Chapel Hill Cultural Arts Commission.](#)

The Council appointed Sabine Gruffat, Justin Haslett, Andrew Kornylak, Rachel Schaevitz and Laura Williams to the Chapel Hill Cultural Arts Commission.

[Master Ballot](#)

13. [Appointment to the Chapel Hill Downtown Partnership.](#)

The Council appointed Mark Sherburne to the Chapel Hill Downtown Partnership.

[Master Ballot](#)

16. [Appointments to the Parks, Greenways, and Recreation Commission. \(R-7\)](#)

COUNCIL MEMBER MICHAEL PARKER MOVED, SECONDED BY COUNCIL MEMBER MARIA T. PALMER, TO ADOPT R-7 AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (7-0) .

[A RESOLUTION MAKING A RECOMMENDATION TO THE ORANGE COUNTY BOARD OF COMMISSIONERS REGARDING THE ORANGE COUNTY RESIDENT SEAT ON THE CHAPEL HILL PARKS, GREENWAYS, AND RECREATION COMMISSION \(2017-06-12/R-7\) as Amended](#)

The Council appointed Nicholas Dominkovics, Kokou Nayo and Emma Armstrong-Carter to the Parks, Greenways, and Recreation Commission.

[Master Ballot](#)

15. [Appointments to the Historic District Commission.](#)

The Council appointed Alan Rimer and James White to the Historic District Commission.

[Master Ballot](#)

14. [Appointments to the Community Policing Advisory Committee.](#)

The Council appointed Calvin Deutschbein, Caleb Harrison, Malcolm "Tye" Hunter and Elizabeth Wayne to the Community Policing Advisory Committee.

[Master Ballot](#)

The meeting was adjourned at 10:36 p.m.