



# TOWN OF CHAPEL HILL

## Town Council

### Meeting Minutes - Draft

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

Mayor Pam Hemminger  
Mayor pro tem 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, April 22, 2020**                      **7:00 PM**                      **Virtual Meeting**

#### Virtual Meeting Notification

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. This provides better video quality than on the streaming service. Register for this webinar: <https://zoom.us/join/joinMeeting?jmtk=6D4XCtRRE6fMCIYW3x3iQ> After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592 Meeting ID: 985 3749 6257

Members of the public may also continue to live stream the meeting and view it over the Town's cable television channel access at <https://chapelhill.legistar.com/Calendar.aspx> – and on Chapel Hill Gov-TV ([townofchapelhill.org/GovTV](http://townofchapelhill.org/GovTV)).

#### Virtual Board Meeting Procedures

##### Order of Proceedings for Agenda Items

1. Staff/Applicant Presentation
2. Clarifying Questions from Board
3. Public Comments
4. Board Discussion

##### Public Comment

- Verbal Comments: Members of the public may sign up to speak when they register for the meeting. Please do so at least three-hours in advance, so we can compile the information in time for the meeting.

At the appropriate time, the Chair will provide attendees the option to use the raise the hand function or \*9 via phone to indicate your desire to speak on the topic. Individuals who have pre-registered, followed by those with a 'raised hand' will then be brought into the public portion of the meeting one at a time.

- Written Comments: Public comment may be submitted prior to the meetings, provided to the board members and posted with the meeting materials.

#### After the Meeting

- To view recordings, visit: <https://chapelhill.legistar.com/Calendar.aspx>
- For additional comments, email: [mayorandcouncil@townofchapelhill.org](mailto:mayorandcouncil@townofchapelhill.org)

#### 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 Ralph Karpinos, Interim Planning Director Judy Johnson, Communications Manager Catherine Lazorko, Emergency Management Director Kelly Drayton, Fire Chief Vence Harris, Planner II Michael Sudol, Police Chief and Executive Director for Community Safety Chris Blue, Transit Director Brian Litchfield, Deputy Town Clerk Amy Harvey, and Communications and Public Affairs Director/Town Clerk Sabrina Oliver.

#### OPENING

Mayor Hemminger opened the virtual meeting at 7:00 p.m. and explained that it was being held remotely because of the COVID-19 pandemic and its resulting Stay-at-Home Order. Viewers could apply to provide input via the virtual setting, she said.

#### ANNOUNCEMENTS BY COUNCIL MEMBERS

0.01 Mayor Hemminger Regarding Earth Day and Climate Action Plan. [\[20-0267\]](#)

Mayor Hemminger pointed out that it was the 50th anniversary of Earth Day and noted that celebrations were being held virtually and in open air. She said that the Town was committed to reducing its carbon footprint and that staff had been soliciting public input for a Climate Action Plan. That survey was available on the Town's website, she said.

0.02 Town of Chapel Hill Response to COVID-19 Update. [\[20-0268\]](#)

Emergency Management Coordinator Kelly Drayton provided an update on the Town's response to the COVID-19 crisis. She said that a countywide

donation drive had collected more than 3,000 items of food. She described a staff effort to provide information in five different languages. She said that staff had updated the Town's COVID-19 resource documents and webpage and was maintaining an active presence on social media.

Ms. Drayton mentioned efforts by the Chapel Hill-Carrboro City Schools and the Food Bank of Central and Eastern North Carolina to provide meals to thousands of people per day. The Town had also changed rental fees for Public Housing residents, she said. Ms. Drayton said that Town staff had been working with community partners to provide important messages and resources to numerous community groups, agencies and faith communities.

Town Manager Maurice Jones reported that the Town's Emergency Operations Center (EOC) was continuing to coordinate with local, regional and state partners. He said that the governor had announced a framework for gradually reopening the economy. That plan would hinge on the availability of widespread testing, extensive contact tracing, and a downward trend in the number of positive cases and hospital rates, he said. He stated that Chapel Hill's government would need to see significant progress in order to rescind its Stay-at-Home Order and reopen the Town.

Mr. Jones pointed out that the U.S. Congress was expected to approve an additional \$500 billion relief package that could help replenish the Small Business Loan Program and provide additional money for hospitals and virus testing. He explained how the Town would continue to address the health emergency and said that any reopening of Chapel Hill would be based on health and safety and would include community-wide planning.

Mayor Hemminger discussed regional and state collaboration efforts. She said that area mayors had met online with a Small Business Administration group and were continuing to discuss how to open some retail businesses. The Merchants Association had been trying to navigate a path forward, she said, but she pointed out that the protective equipment that was necessary to practice good safety protocols had been difficult to obtain.

Mayor Hemminger said that local non-profits needed food, monetary donations and volunteers. She said that residents could connect with Porch, Table, the Interfaith Council, and other groups. People could also reach out to the Town via its hotline or email the Mayor's Office, she said.

Mayor Hemminger praised Town residents for voluntarily wearing masks and respecting health information. She said that her greatest fear was that the Town would open too quickly and have a second, more deadly, wave of the virus. Schools would remain closed until May 15th, at least, and there would soon be an announcement regarding the Stay-at-Home Order, she said.

Mayor Hemminger expressed gratitude to essential Town employees and staff, especially the Town Manager and his team, for working non-stop to do everything possible to ensure community safety. It was a very challenging time but the Town would get through it, she said. She asked that everyone be patient, kind, and supportive of Town crews. Those in Town government were working as hard as they could through uncharted territory, Mayor Hemminger pointed out.

Mayor Hemminger gave special recognition and thanks to the Chapel Hill Service League, which was celebrating its 80th year. More about that anniversary would be posted on social media, and citizens could call 919-969-5005 for information as well, she said.

#### 0.03 Mayor Hemminger Regarding Census. [\[20-0270\]](#)

Mayor Hemminger pointed out that only 57 percent of Town residents had turned in their 2020 Census forms. She explained that community funding for the next 10 years would depend on that information, which was more important than ever because the Town had grown.

#### 0.04 Mayor Hemminger Regarding Removing Item #5 from Consent Agenda. [\[20-0271\]](#)

Mayor Hemminger explained that Item 5 had been removed from the Consent Agenda while more information was being obtained.

#### 0.05 Mayor Hemminger Regarding Advisory Board and Committee Meetings. [\[20-0272\]](#)

Mayor Hemminger said that the Criminal Justice Debt Program Advisory Committee and several other advisory boards would hold virtual meetings the following day. In addition, the Community Design Commission would meet on April 27 at 6:30 p.m. and the Public Transit Partners Committee would meet at 11:00 a.m. on April 28, she said. Those agendas had been posted on the Town's calendar and the public was welcome to attend meetings via Zoom and/or send comments through email or phone, she said.

#### 0.06 Council Member Stegman Regarding Playmakers Repertory Costume Shops Making Face Coverings. [\[20-0275\]](#)

Council Member Stegman said that Playmakers Repertory's costume shop was currently making face masks. She commented on the many ways in which community members had been helping one another during the COVID-19 pandemic.

#### 0.07 Council Member Gu Regarding Orange County Stay at Home Order. [\[20-0276\]](#)

Council Member Gu asked if the Town would follow state recommendations for reopening or make its own decision.

Mayor Hemminger replied that the Orange County Commissioners chair and the three local mayors had been working together and with the Orange County health director and were waiting to hear the governor's weekly announcement. The Town's Stay-at-Home Order was scheduled to last a day longer than the state's and the Town probably would extend that if the state did so, she said. Ultimately, the Town would do what is best for the community and make decisions based on science, Mayor Hemminger said.

0.08 Council Member Gu Regarding Face Coverings. [\[20-0277\]](#)

Council Member Gu asked if face masks would be made mandatory, and Mayor Hemminger replied that other mayors had advised against that due to push-back and disparities among groups. The Town had been experiencing great compliance, and she did not feel the need to amend the order at the current time, she said.

PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS [\[20-0273\]](#)

A person indicated interest during registration, but was not on the call during this part of the meeting.

### 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.

5. Extend Advisory Board Member Terms Ending in June 2020 and Defer Spring Appointments to the Fall. [\[20-0249\]](#)

This item was deferred to another meeting.

### *Approval of the Consent Agenda*

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

1. Approve all Consent Agenda Items. [\[20-0245\]](#)

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

2. Approve the Miscellaneous Budget Ordinance Amendment and Project Ordinance Amendments to Adjust Various Fund Budgets for FY 2019-20. [\[20-0246\]](#)

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

3. Name the Elliott Road Flood Storage Project "Booker Creek Basin Park." [\[20-0247\]](#)

Mayor Hemminger said that the Elliott Road Storage Facility was a top priority and that work would begin on it soon. The project would allow water to release slowly downstream thereby reducing flooding at the Eastgate/West Franklin Street area, she explained. She also mentioned that an associated park, trail and overlook would benefit the community.

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

4. Approve the Council Committee's Interview Rubric for Semi-Autonomous Board Applicants. [\[20-0248\]](#)

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

6. Refer the Conditional Zoning Atlas Amendment Application for Property at 7516 Sunrise Road to the Stormwater Management Utility Advisory Board for Review. [\[20-0250\]](#)

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

### INFORMATION

7. Receive Upcoming Public Hearing Items and Petition Status List. [\[20-0251\]](#)

Mayor Hemminger commented on how the petitions list had not been getting much attention during the current health emergency. She said that the Council did take it seriously, and she asked petitioners to be patient. Some items were being worked on and others were being reviewed to see which ones could not wait, she said. An update was expected the following week, said Mayor Hemminger.

This item was received as presented.

### DISCUSSION

8. Adopt a Revised Meeting Schedule to Hold Special Meetings in a Virtual Environment through May 31, 2020 or Until the Orange County Stay At Home Order is Lifted. [\[20-0252\]](#)

Mr. Jones proposed the following schedule for remote Council meetings through May, 2020: virtual special meetings on April 29, May 6 and May 20; and virtual work sessions on May 13 and 27; if situations were to return to normal by June, the Council would hold regular business meetings on June 10 and 24 and regular work sessions on June 3 and 17, he said. He recommended that the Council adopt the revised schedule through May 31 or until the Stay-at-Home Order was lifted.

Mayor Hemminger reminded Council Members that there would also be virtual closed sessions related to the Town Attorney appointment process.

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, that R-7 be adopted. 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.

#### 9. Concept Plan Review: 125 E Rosemary St Parking Deck

[\[20-0253\]](#)

Mayor Hemminger pointed out that the Council would merely be viewing a concept plan and sharing comments with the applicant. They would address the economic development agreement and traffic issues at a later date, she said. She noted that the parking deck, if it were to move forward, would belong to the Town and the Town would be paying for it. The project was coming forward, despite the current COVID-19 emergency, because being located in an Opportunity Zone meant that it would need to be entitled by the end of June, she explained.

Planner Michael Sudol gave a brief PowerPoint introduction regarding the concept plan for a parking deck at 125 East Rosemary Street. The applicant would apply for Conditional Zoning if they decided to move ahead with a formal submission, he said.

Mr. Sudol described the current site, which was located in the Town Center zoning district and adjacent to the Franklin Rosemary Historic District and the Northside Neighborhood Conservation District. He outlined the proposal to demolish an existing parking deck and an adjacent lot and then build a 1,100-space parking deck across both properties. He said that the applicant would present a revised design, which the Community Design Commission (CDC) had already reviewed. Mr. Sudol recommended that the Council adopt Resolution 8, transmitting comments to the applicant.

Michael Stevenson, an urban designer with Perkins and Will, explained that a sewer easement had led to changes in design that included a 2/3-level height increase in order to maintain the minimum 1,100-car parking count. There had also been a Town request to include a Parking Management office and storage, a Police Department substation, and public restrooms in the deck, all of which would have costs implications, he pointed out. Additionally, the Council needed to decide whether the building should step down on the East Rosemary Street side or the North Street side, he said.

Mr. Stevenson provided details about the 30-foot easement and resulting need to reduce deck length and the number of parking spaces from 1,100 to about 1,000. However, if the plan were changed to a long-ramp design, then the deck would hold about 1,150 cars, he said, and showed drawings of the long-ramp design.

Mr. Stevenson said that the amount of square footage needed for Parking Management offices, Police Department substation, and public restrooms would be about 1,500, 2,000, and 400, respectively. Adding office space would be a more complex construction type and would result in increased costs, he explained.

Mr. Stevenson discussed other design elements, such as living walls, green screening, options for stepping down, and a possible large art installation. He described an option to have the retail porch extend to the end and wrap around the corner. He presented views of the deck from different directions on Rosemary Street and compared having the step-down on Rosemary Street to having it on North Street.

Council Member Anderson confirmed with Mr. Jones that cost estimates regarding additional office space would be available before the Council Committee on Economic Sustainability (CCES) meeting the following week. She also confirmed with the applicant that there would be two exits onto Rosemary Street even though only one was being shown on the plan. Mr. Stevenson said the applicant agreed that a third access point to Columbia or North Streets would be desirable. However, they did not yet know if it would be possible to gain control through neighboring properties, he said.

Joe Dye, representing Grubb Properties, said that the traffic impact analysis (TIA) that would be presented to the Council at the CCES meeting would address whether one or more additional exits would be necessary to the functioning of the deck. He said that adding such an access would not cause a major redesign of the deck.

With regard to the step-down, Council Member Anderson asked about the possible "canyon effect" of having two tall structures across from each other on Rosemary Street (if the building stepped down on the North Street side).

Town Urban Designer Brian Petersen replied that having very lively massing that included ins and outs in the first 20 or so feet would address that. In addition, articulating with different materials could refine and break the building down even more, he said, and he pointed out that having the porch area wrap around would slice massing from the corner.

With regard to including offices on the deck, Mr. Petersen commented that those would not be the most pedestrian friendly places and thought would need to be given to how they were designed. To include offices would diminish the idea of having the porch stretch across the entire length, he pointed out. He said that there would be a trade-off between having those offices and the pedestrian friendliness of the facade.

Council Member Stegman raised the issue of Rosemary Street bike lanes, and Mayor Hemminger replied that those discussions were ongoing and would not be affected by the parking deck because it would not impact the road. Council Member Stegman confirmed with the applicant that restrooms could get by with space heaters but including offices would mean adding HVAC.

Council Member Ryan confirmed with Mr. Jones that Grubb Properties had expressed willingness to consider affordable office space in the 136/137 Franklin Street building, but the office space currently being discussed was not part of that. She also confirmed that having Parking Management located on the deck made sense but it could be located somewhere else.

Council Members raised questions regarding the location of bike racks, traffic flow, alternative uses for the porch, other possible locations for the offices, and options for improving the appearance of a large, solid wall. In response to questions from Council Member Gu, Mr. Stevenson agreed to provide model views of the long ramp from inside. Mayor pro tem Parker confirmed that not having an atrium probably would reduce cost and asked the applicant to return with views of what the deck would look like from North Street and Columbia Street.

Mayor Hemminger asked the applicant to bring back renderings of a full or partial solar canopy on the top level. She confirmed that sidewalk widening was not part of the design. However, the porch would expand back and create a kind of alcove that would make the sidewalk feel much more expansive, Mr. Stevenson said.

Susanna Dancy, Community Design Commission (CDC) chair, said that the revised design addressed many of the CDC members' concerns about massing, height, and articulation. Stepping down on the north side was a nice improvement and the porch had been integrated into the plan as well, she said. Ms. Dancy said that CDC suggestions included incorporating public art, putting solar panels on the top, adding more greenery at the street level, and planting for shade on the plaza.

David Schwartz, representing CHALT (Chapel Hill Alliance for a Livable Town), pointed out that the Town would be taking on significant financial liability and debt at a time when the economy seemed headed into a recession. The public should be given an opportunity to assess whether the cost and revenue assumptions being presented were sound, he said.

Mr. Schwartz expressed concern about repercussions if parking revenue did not cover bond payments. He said that increment tax financing was generally undesirable because it relied on future revenues that might not materialize. He urged the Council to examine the TIA results before committing to a project design, and said that more than 1,000 cars entering and exiting a parking structure during rush hour along Rosemary Street would create dangerous turning movements and serious traffic congestion. In general, redevelopment should conform to the West Rosemary Street Guidelines, which recommend that buildings along the north side be no more than four stories tall, he said.

Mayor Hemminger noted that Chapel Hill resident John Reese had submitted comments about including the biking community when designing bike storage areas. The comments and examples he provided would be included in the public record, she said.

Council Members expressed support for the additional 2/3-story, long-ramp design, and stepping the building down on the North Street side. Most were in favor of including restrooms on the deck, but there were differences of opinion over whether it was the right location for the Police Department. Some Council Members asked to see options and cost projections before making a commitment about office space, and all wanted more information about possible exits and traffic flow. The Council asked for additional ideas on ways to break up massing through design as well.

The Mayor and Council praised the design improvements, and Mayor Hemminger said that the easement situation had been handled well. They discussed green walls, solar panels on the roof, sidewalk width, a possible public art installation, bicycle parking, and visibility inside the deck. Most liked the retail porch but wanted more information regarding management and operational costs and possible alternate uses. Mayor Hemminger asked staff to provide the locations of two or three local parking decks that were similar in size so that people could go and look at them.

Mr. Stevenson expressed appreciation for the feedback. He said that he was interested in seeing Mr. Reese's comments regarding bicycle facilities.

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, that R-8 be adopted. The motion carried by a unanimous vote.

**ADJOURNMENT**

The meeting was adjourned at 9:40 p.m.