

**DRAFT SUMMARY MINUTES OF A BUSINESS MEETING
OF THE CHAPEL HILL TOWN COUNCIL
MONDAY, JUNE 26, 2017, AT 7:00 PM**

Council Members Present: Mayor Pam Hemminger, Mayor pro tem Donna Bell, Council Member Jessica Anderson, Council Member George Cianciolo, Council Member Sally Greene, Council Member Ed Harrison, Council Member Nancy E. Oates, Council Member Maria T. Palmer, and Council Member Michael Parker.

Staff members present: Town Manager Roger L. Stancil, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Planning and Development Services Director Ben Hitchings, Planning Manager for Sustainability John Richardson, Senior Planner Corey Liles, Public Works Management Analyst Megan Dale, Planning and Development Manager Bill Webster, Assistant to the Town Attorney Carolyn Worsley, Senior Engineer Chris Jensen, Assistant Town Clerk - Advisory Board Support Beth Vazquez, Public Works Director Lance Norris, Police Officer Donald Bradley, Business Management Director Kenneth C. Pennoyer, Manager's Intern Toney Thompson, Fire Marshal Rob Pruitt, Communications Manager Catherine Lazorko, Battalion Chief Keith Porterfield, Deputy Fire Chief Matt Lawrence, and Deputy Town Clerk Amy T. Harvey.

[OPENING](#)

Mayor Hemminger opened the meeting at 7:00 p.m. and said that it was the last Council meeting until September, when the Council would begin meeting on Wednesdays. She then announced a July 4 fireworks celebration at Kenan Stadium.

[Proclamation: Cleft and Craniofacial Awareness and Prevention Month](#)

Council Member Cianciolo read the proclamation. He read that craniofacial birth defects affect one in seven hundred infants per year in the United States, and usually require surgery and years of special support. The proclamation recognized the efforts of those who were working to ensure a better life for those affected, he said. It proclaimed July as Cleft and Craniofacial Awareness and Prevention Month in Chapel Hill, and urged citizens to support families and organizations working for that cause.

Amelia Drake, president elect of the American Cleft Palate-Craniofacial Association, thanked the Town for the recognition, and pointed out that these were among the most common birth defects in the United States. The Chapel Hill team had been providing care for more than 50 years, she said. The American Cleft Palate Association's National headquarters were also located in Chapel Hill, Dr. Drake said, and expressed appreciation to the Town for leading the way in proclaiming the awareness month, and bringing attention to those born with facial differences.

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

1. [Petitions from the Public and Council Members.](#)
- b. [Council Member Oates Request to Adopt a Resolution Honoring James Williams, Jr.](#)

Council Member Oates read the resolution honoring James Williams Jr., a public defender, who was retiring after 27 years of working to make the Justice System more equitable for the people of Orange and Chatham Counties. She listed Mr. Williams's many efforts and accomplishments, and noted the ways in which he had challenged racial and economic disparities. The Town wanted to publicly recognize those contributions, Council Member Oates said.

Council Member Greene said that Mr. Williams was one of those who were the conscience of the community. She mentioned some of the changes he had achieved "tirelessly and with great heart", and said that she would miss him.

COUNCIL MEMBER NANCY E. OATES MOVED, SECONDED BY COUNCIL MEMBER SALLY GREENE, TO ADOPT R-0.1 HONORING JAMES WILLIAMS, JR.. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

[A RESOLUTION HONORING JAMES E. WILLIAMS JR., PUBLIC DEFENDER FROM JUDICIAL DISTRICT 1T5B \(ORANGE/CHATHAM COUNTIES\) \(2017-06-26/R-0.1\)](#)

- c. [Philip Szostak Regarding Request for Expedited Review for Columbia Street Annex.](#)

Mr. Szostak, an architect in Chapel Hill since 1980, petitioned the Council for an expedited review of a concept plan for the Columbia Street Annex, which had been delayed due to circumstances beyond the applicant's control. He provided background on how the process, which had begun in 2007, had been interrupted by the economic downturn, and then diminished by a Council request to DOT to study Columbia Street. Mr. Szostak said that he had pulled his SUP request in order to bring a concept plan before the Council, and receive comments regarding that intersection.

COUNCIL MEMBER GEORGE CIANCIOLO MOVED, SECONDED BY COUNCIL MEMBER MARIA T. PALMER, TO RECEIVE AND REFER TO TOWN MANAGER AND MAYOR. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

- a. [Council Members Parker and Greene Request Regarding Payments in Lieu for Rental Housing Projects.](#)

Council Member Parker explained a written petition from him and Council Member Greene regarding the need to define methodology for establishing payments in lieu for rental housing projects that come to the Town for rezoning. The petition asked that Town staff work with the Housing Advisory Board to develop a methodology that could be applied uniformly, establish a good result for the Town, and provide developers with predictability, he said.

Council Member Greene added that she thought the Housing Advisory Board would welcome

the idea, since that board had been struggling with the issue for a long time. It was time to create a formula that made sense, she said.

COUNCIL MEMBER MICHAEL PARKER MOVED, SECONDED BY COUNCIL MEMBER SALLY GREENE, TO RECEIVE AND REFER TO TOWN MANAGER AND MAYOR. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

Mayor Hemminger announced that the Town had been asked to consider "Free the Mimosas" legislation, which would allow alcoholic beverages to be served on Sundays starting at 10:00 a.m. If the General Assembly passed the bill, then the Council would address it at one of its first meetings in the fall, she said.

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

a. [Eugene Farrar Regarding Family Fun Day at Hargaves.](#)

Mr. Farrar spoke on behalf of Family Fun Day at the Hargraves Center, an event at which he had been the master of ceremonies for more than 10 years. He asked the Council to purchase an ice machine, and install an outside grill in order to create more of a family atmosphere for a back-to-school event on Aug 12.

Mayor Hemminger said that there had been some concerns about safety and regulations, but that the Council would refer the request to the Town Manager.

COUNCIL MEMBER SALLY GREENE MOVED, SECONDED BY COUNCIL MEMBER JESSICA ANDERSON, TO RECEIVE AND REFER TO THE TOWN MANAGER. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

[ANNOUNCEMENTS BY COUNCIL MEMBERS](#)

a. [Council Member Cianciolo Regarding New Farmers Market in Chapel Hill.](#)

Council Member Cianciolo announced a new farmers market at Cedar Falls Park that had been researched and organized by his 12-year-old neighbor. The market was supported by the Junior League of Durham and Orange Counties, and co-hosted by the Town Parks and Recreation Department, he said. It would begin on July 16, and be open on Sundays from 4:00 to 6:00 p.m. for five weeks, said Council Member Cianciolo.

b. [Mayor Hemminger Regarding Food for the Summer.](#)

Mayor Hemminger reminded everyone that the Food for Summer program was beginning its third week. Two more sites had been opened, and more children had been showing up for meals, she said. Mayor Hemminger said that citizens could volunteer for a two-hour shift for any weekday by contacting foodforthesummer.org.

CONSENT

2. Approve all Consent Agenda Items. (R-1)

COUNCIL MEMBER JESSICA ANDERSON MOVED, SECONDED BY COUNCIL MEMBER MICHAEL PARKER, TO ADOPT R-1 AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES (2017-06-26/R-1) as amended

3. Approve Miscellaneous Budget Ordinance Amendments to Adjust Various Fund Budgets for FY 2016-17. (O-1)(O-2)(O-3)(O-4)(O-5)(O-6)

AN ORDINANCE TO AMEND “THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2016” (2017-06-26/O-1)

AN ORDINANCE TO AMEND THE AFFORDABLE HOUSING FUND ORDINANCE (2017-06-26/O-2)

AN ORDINANCE TO AMEND A CAPITAL FUND PROGRAM (CFP) PROJECT ORDINANCE (2017-06-26/O-3)

AN ORDINANCE TO AMEND A TRANSIT CAPITAL PROJECT ORDINANCE (2017-06-26/O-4)

AN ORDINANCE TO AMEND THE CAPITAL PROJECTS ORDINANCE FOR VARIOUS CAPITAL PROJECTS (2017-06-26/O-5)

AN ORDINANCE TO AMEND THE 2015 STREETS AND SIDEWALKS BOND FUND FOR CAPITAL IMPROVEMENT PROJECTS (2017-06-26/O-6)

4. Approve \$411,500 in 2017-2018 Funding for Performance Agreements with Human Services Agencies as Recommended by the Human Services Advisory Board. (R-2)

A RESOLUTION APPROVING 2017-2018 FUNDING FOR PERFORMANCE AGREEMENTS WITH HUMAN SERVICE AGENCIES AS RECOMMENDED BY THE HUMAN SERVICES ADVISORY BOARD (2017-06-26/R-2)

5. Authorize the Town Manager to Negotiate and Execute a Sole Source Contract to Purchase Public Safety Radios and Related Equipment. (R-3)

[A RESOLUTION AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE A SOLE SOURCE CONTRACT TO PURCHASE PUBLIC SAFETY RADIOS AND RELATED EQUIPMENT \(2017-06-26/R-3\)](#)

6. Award a Bid for the Tanyard Branch Trail, Phase 3 Project. (R-4)(O-7)

[A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT WITH S&C CONSTRUCTION, LLC, IN AN AMOUNT NOT TO EXCEED \\$1,275,999.28 FOR CONSTRUCTION OF THE TANYARD BRANCH TRAIL, PHASE 3 \(2017-06-26/R-4\)](#)

[AN ORDINANCE TO AMEND THE 2015 TRAILS AND GREENWAYS BOND FUND FOR CAPITAL IMPROVEMENT PROJECTS \(2017-06-26/O-7\)](#)

7. *Removed*

8. Amend the 2017-2018 Community Development Block Grant Program Plan. (R-6)(O-8)

[A RESOLUTION AMENDING ACTIVITIES FOR THE 2017-2018 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM\(2017-06-26/R-6\)](#)

[AN ORDINANCE AMENDING THE 2017-2018 COMMUNITY DEVELOPMENT ENTITLEMENT GRANT PROJECT ORDINANCE\(2017-06-26/O-8\)](#)

9. Amend the Activities of the 2017-2018 HOME Investment Partnership Program. (R-7)

[A RESOLUTION TO AMEND THE ACTIVITIES OF THE 2017-2018 ORANGE COUNTY HOME PROGRAM\(2017-06-26/R-7\)](#)

10. Award an Audit Services Contract for Fiscal Year 2016-17. (R-8)

[A RESOLUTION AUTHORIZING THE SELECTION OF MARTIN STARNES & ASSOCIATES, CPAS, P.A. TO PERFORM THE TOWN OF CHAPEL HILL'S 2016-17 AUDIT \(2017-06-26/R-8\)](#)

11. Transfer Surplus Fire Apparatus to the Local School Systems. (R-9)

[A RESOLUTION TO APPROVE AND AUTHORIZE THE DONATION OF SURPLUS FIRE APPARATUS TO THE CHAPEL HILL-CARRBORO AND ORANGE COUNTY SCHOOL SYSTEMS \(2017-06-26/R-9\) with technical correction \(PDF\)](#)

12. Consider a Land Use Management Ordinance Text Amendment to Section 5.1.3 Related to the Public Works Engineering Design Manual. (R-10)(O-9)

[A RESOLUTION REGARDING A PROPOSED AMENDMENT TO SECTION 5.1.3 OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO AUTHORIZE THE TOWN MANAGER TO REVISE THE PUBLIC WORKS ENGINEERING DESIGN MANUAL AS](#)

[NEEDED AND PROVIDE CONSISTENCY WITH THE COMPREHENSIVE PLAN \(2017-06-26/R-10\)](#)

[AN ORDINANCE TO AMEND SECTION 5.1.3 OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE REGARDING THE PUBLIC WORKS ENGINEERING DESIGN MANUAL \(2017-06-26/O-9\)](#)

13. Establish a Mixed-Use Parking Permit Program in Southern Village Business District in Response to Request by Amending Chapter 21 of the Town Code of Ordinances. (O-10)

[AN ORDINANCE AMENDING CHAPTER 21 OF THE TOWN CODE OF ORDINANCES REGARDING PARKING REGULATIONS \(2017-06-26/O-10\)](#)

14. Approve Signage to Recognize Friends of Chapel Hill Parks and Recreation as Recommended by the Council's Naming Committee. (R-11)

[A RESOLUTION APPROVING SIGNAGE TO RECOGNIZE THE FRIENDS OF THE CHAPEL HILL PARKS AND RECREATION DEPARTMENT'S CONTRIBUTION TO THE BOLIN CREEK TRAIL STAIRWAY \(2017-06-26/R-11\)](#)

15. Adopt Minutes for the November 7, November 21 and December 5, 2016 Meetings. (R-12)

[A RESOLUTION TO ADOPT SUMMARY MINUTES OF COUNCIL MEETINGS \(2017-06-26/R-12\)](#)

INFORMATION

16. Receive Upcoming Public Hearing Items and Petition Status List.

All reports were received as presented.

[DISCUSSION](#)

17. [Reports from the Historic Town Hall Committee and Town Properties and American Legion Property Task Forces.](#)

Mayor Hemminger thanked community members, staff, and Council members who had served on the three task forces. All three had delved deep and come up with broad perspectives, and valuable information for the Council's deliberations, she said.

18. [Receive Final Report and Consider the Recommendations of the Historic Town Hall Committee. \(R-13\)](#)

Town Manager Roger Stancil gave a brief PowerPoint overview of reports from the Historic Town Hall (HTH) Committee, Town Properties Task Force, and American Legion Task Force. He said that the Council had appointed the three committees to recommend future land uses, and provide advice on the planning process. He reviewed the progress of each committee, and said that next steps would be to work with the chairs of the first two to review and identify connections for the future. The American Legion Task Force would be requesting an extension of their time-frame, Mr. Stancil said.

Council Member Greene, Committee liaison, said that reusing the Old Town Hall as a combination museum/history-cultural center/visitors center made sense. However, many questions needed to be addressed before going forward, she said.

Megan Dale, a management analyst in the Public Works Department, gave a PowerPoint presentation on a process to consider possible future use of approximately 7,534 usable square feet in the HTH. She discussed the Committee's charge to consider using the building as a Visitors and/or History Center. She noted the need for complete interior renovation regardless of the chosen use. Ms. Dale also mentioned the importance of identifying a sustainable funding source, and of understanding how the building would benefit downtown businesses.

Ms. Dale said that the Committee had delved into what the community would want in a museum, and had discussed how museums had changed over time to focus on connections to the present as well as the past, and on meeting the needs of the changing community. She said that a public input meeting had revealed much interest in having a space for various cultural activities and other uses. She reviewed the report's findings, proposed next steps, and recommended that the Council adopt R-13 to accept the report, dissolve the committee, and authorize the Manager and Committee chairs to determine next steps. The Manager would bring a report to the Council in the fall, said Ms. Dale.

Council Member Palmer confirmed with staff that the Old Chapel Hill Museum contained 5,000 usable square feet, and the current Visitors Bureau contained 3,000.

Council Member Cianciolo confirmed with Mr. Stancil that both the Town and Orange County had reviewed what it would take to bring the HTH up to code and could make that part of the staff's report in the fall.

Council Member Greene said that the Committee had realized early on that the Town would want to gut the HTH building and start over. Staff probably could estimate the cost of doing that, but the cost of putting it back together in a way that made sense would depend on the plan for the inside, she pointed out. With respect to Council Member Palmer's question, Council Member Green said that it was not certain that the Visitors Center or the Old Museum would require the same amount of square footage that they currently had.

Council Member Palmer replied that she had merely wanted a point of reference. The idea of a museum that evolves through past, present, and future was very exciting, she said. She recommended that the Town consider how much programming would cost, and pointed out that the venue could bring a lot of people downtown.

Rachel Schaevitz, speaking on behalf of Carolina Public Humanities (CPH) at UNC's College of Arts and Sciences, said that CPH had been working since 1979 to link the University and community through public events and workshops across the state. She said that many people hoped to see HTH used as a gathering space where public events and exhibitions could find a home. Such free events would reach many who tend to be excluded, she said, adding that using UNC's resources in an off-campus location could benefit all.

Al Rimer, HTH Committee chair, thanked the Manager, Mayor, and Council - and Council Member Greene, in particular - for pursuing the petition that he and others had filed the previous year. He said that a number of issues had been identified, and that the conversation about what might be done with the space needed to be expanded in the fall.

County Commissioner and HTH Committee Member Penny Rich also thanked Council Member Greene, and commented on how exciting and active the Committee had been. At its May meeting, the important thing learned was that there continued to be passion for some creative space in Town, she said. The HTH seemed like a good space for that, but the discussion should remain open, said Commissioner Rich.

Council Member Greene thanked all who had participated in the discussions, and said that the idea was consistent with the West Rosemary Street Guidelines, which included a cultural center in that part of Town. It was also consistent with the Arts Master Plan, which called for more culturally-used space, she said. She explained that the Town had not made a foregone conclusion about how it would use the HTH, or about whether the building would remain a non-profit civic use. The Committee's charge was to explore the idea, knowing that the Council would make the final decision, said Council Member Greene.

Mayor Hemminger agreed that the Committee's charge was to see if the idea was even viable. They had replied that it was, and the Council would have to decide how to move forward, she said.

COUNCIL MEMBER SALLY GREENE MOVED, SECONDED BY COUNCIL MEMBER JESSICA ANDERSON, TO ADOPT R-13. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

[A RESOLUTION TO ACCEPT THE REPORT OF THE HISTORIC TOWN HALL COMMITTEE, AUTHORIZE THE TOWN MANAGER TO WORK WITH COMMITTEE CHAIRS TO DISCUSS NEXT STEPS, AND DISSOLVE THE COMMITTEE \(2017-06-26/R-13\)](#)

19. [Receive Final Report and Consider the Recommendations of the Town Properties Task Force. \(R-14\)](#)

Council Member Parker, liaison to the Task Force, thanked those who had participated, and pointed out that the Task Force had decided early on to focus on potential uses, not specific organizations or people who might want to use the space.

Assistant to the Town Attorney Carolyn Worsley said that the Council had charged the Task Force to strategically evaluate Town properties and recommend guidelines for considering proposals. In a PowerPoint presentation, she reviewed the Task Force's membership and meeting schedule, and said that members had discussed 22 properties. They had developed recommendations for each property and presented those to the public in June 2017, she said. Ms. Worsley discussed guiding principles, as well as a list of priority uses that were consistent with Council goals and the Town's 2020 Comprehensive Plan.

Planning and Development Manager for Parks and Recreation Bill Webster continued the PowerPoint presentation, and summarized the Task Force's recommendations. He said that affordable housing had been a major theme and the Task Force had identified three properties that might be available for that: 2200 Homestead Road; three lots on Jay Street; and 200 Plant Road. He discussed the advantages of each property. Mr. Webster said that keeping green space and greenways had been viewed as important uses by themselves, and he noted the following relevant green properties: a 7.3-acre tract on Jay Street; 66 acres at Dry Creek; and 7.3 acres of donated property on Mt. Carmel Church Road.

Mr. Webster said that the Task Force had spent the major part of its time discussing downtown properties and the future of downtown. They had discussed the redevelopment potential at Parking Lot 2, and a half-acre lot at 415 West Franklin Street. The Task Force recommended that reuse focus on cultural/performing arts space, or affordable housing, or an office incubator space, he said. Mr. Webster stressed the need to resolve parking issues, and said that the Task Force had recommended continuing to explore expanding the Wallace Deck. A parking solution needed to be holistic and comprehensive, and finding one was a fundamental part of the recommendations, he said.

Mr. Webster noted an opportunity for creating community space at the Old Post Office, but pointed out that a post office, courthouse, and teen center were currently located there. The Task Force had seen a potential treasure for creating a community space, if that building could be renovated at some point, he said. He said that the Task Force recommended looking at properties that address existing Town needs (such as fire stations that needed to be replaced) in a creative way, and he gave some examples. There was strong interest in having whatever replaced Fire Station 4 be an attractive gateway project, he said.

Mr. Webster said that the Task Force had recommended holding onto a 10-acre site at 6900 Millhouse Road until the Council determined if it was needed for Town purposes. He mentioned an opportunity for economic development at 6850 Millhouse Road, and noted a number of other properties that the Task Force had recommended holding onto for land-banking, open space, and other purposes.

Ms. Worsley concluded the presentation. She pointed out that some properties were being recommended for re-use, and some required additional planning. There was a need for a consistent process for considering unsolicited proposals, she said. She recommended that the Council adopt Resolution 14, which would accept the report, dissolve the Task Force, and authorize the Manager to meet with Task Force chairs to discuss potential next steps. The

Manager would bring a report to Council in the fall, Ms. Worsley said.

Council Member Oates asked about the feasibility of actually wrapping the Wallace Parking Deck with businesses, as the Task force had recommended.

Mr. Stancil replied that it would only be feasible on the Rosemary Street side, and was not something that the Town was actively considering.

Council Member Cianciolo confirmed with Mr. Webster that there were many other parcels in Town that were even smaller than the one on Jay Street.

Because the Task Force had had limited time, it had agreed to focus on those with the highest potential for redevelop, Mr. Webster explained.

Council Member Cianciolo commented that those areas might make attractive pocket parks, and Council Member Palmer clarified with staff that the Council would have an opportunity to share concerns and ideas about specific parcels in the future.

Mayor Hemminger said that the Council had been hearing about the need for cultural arts centers, public gathering spaces, and even splash pads. She asked if the Task Force had talked about Lot 2 as an opportunity for cultural arts.

Council Member Parker replied that they had not wanted to get too specific. However, Lot 2 had been viewed as a destination, that would draw people downtown, and there had been discussions about how to make that entire intersection a destination, he said. It was highly likely that cultural arts would have a very important place there, said Council Member Parker.

Lue Simopoulos, representing Community Youth Project, pointed out that there were 5,000 high school age students living in the area, and only one small teen center under the post office, which held a maximum of 137 at one time. That second-rate space was an embarrassment, he said, and pointed out that it primarily served youth of color. Even if renovated, the space would not be acceptable, he said.

Elaine Jerome, Community Youth Project founder, said that teens were the most under-served citizens in Chapel Hill. She read a letter from Robert Seymore, a renowned Chapel Hill resident, in support of doing more for teens than just renovating the post office basement. Ms. Jerome recommended that the Town take those teens "out of the darkness and bring them into the light where they can be appreciated and recognized by the community." The Town had "kept them in that basement far too long," she said.

Tom McQuiston shared his personal experience regarding the tragic death of his son, and said that the Town had not provided the resources that his son needed to succeed. Mr. McQuiston said that he had been working with the Reintegration Network to help other youth in similar circumstances. The Town did not meet the needs of troubled youth, who could recover and become good citizens, he said. He argued against the Task Force's assessment that renovating the existing space could make it appropriate for youth, and shared his vision for a teen center,

noting the need for a better space to make that vision a reality. Mr. McQuiston mentioned the kinds of task forces that could come together and make a plan that was worthy of the Town.

Mayor Hemminger thanked the speakers for advocating for teens. The Council had heard their message and would take it into consideration, she said.

Council Member Anderson praised the Task Force's work, and expressed appreciation to the speakers who had addressed the current teen center, which she characterized as "not okay". She expressed support for studying that, and said that there was a need for activities for younger children in the community as well. Council Member Anderson said that such centers would not necessarily have to be in the same space, and that some groups could address how to serve youth of different ages.

Council Member Parker expressed appreciation to the youth advocates for coming to meetings. The Task Force had heard them, and did not view renovating the post office basement as *the* solution, but as making an improvement while a longer-term solution was being worked out. The speakers were correct in saying that the space would never be the best place for a teen center, and he hoped the Town would work with others to do what was needed, he said.

Council Member Palmer volunteered to be on a teen center task force. She said that it was difficult for young people to even find volunteer positions in Town in the summer, and there was little for children to do once they pass the fifth grade. She implored the Council to not commit the Plant Road property for anything at the current time. She mentioned a probable increase in population, and said that a teen center at that location would be the envy of any community. That property deserved additional study, Council Member Palmer said, and she asked that it not be committed at the current time for public housing.

Council Member Palmer said that she would also like the Town to explore partnering with Habitat for Humanity, EmPOWERment Inc., and the Home Builders Association to create affordable housing at the Jay Street property next summer, and to employ young people to build it. She proposed perhaps offering credit through the Central Carolina Community College Homebuilding program. Council Member Palmer said that she had shared the idea with those three organizations, and they had thought it was feasible.

Council Member Greene said she supported asking the Manager to go forward, but disagreed with Council Member Palmer's comments about the Plant Road property. She thought that location was a prime site for affordable housing, and strongly supported that use, she said. Council Member Green added that she was pleased to see that affordable housing had risen to such a high priority in the Task Force's work.

Council Member Cianciolo agreed that the Town needed to serve teens as well as younger children. The Food for Summer program showed that there were a lot of at-risk youth who might become at-risk teens, he said. He said that the community needed to get involved and take responsibility for the situation.

Mayor Hemminger spoke in support of bringing partners together over the summer that could

return with one or two of the Task Force's ideas. She requested that someone from Habitat for Humanity go out and walk Jay street to see if the bigger parcel could be accessed for more housing there than just one home. She said that the Council was being asked to let staff continue over the summer, but that nothing was currently being decided about particular properties. Mayor Hemminger noted that a splash pad was on the Parks and Recreation Department's radar, and that they would look at possible opportunities.

COUNCIL MEMBER MICHAEL PARKER MOVED, SECONDED BY COUNCIL MEMBER JESSICA ANDERSON, TO ADOPT R-14. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

[A RESOLUTION TO ACCEPT THE REPORT OF THE COUNCIL TASK FORCE ON STRATEGIC USES OF TOWN PROPERTIES, AUTHORIZE THE TOWN MANAGER TO PREPARE A REPORT DESCRIBING HOW TO IMPLEMENT THE REPORT'S SPECIFIC RECOMMENDATIONS, AND DISSOLVE THE TASK FORCE \(2017-06-26/R-14\)](#)

20. [Receive the American Legion Task Force Report and Consider the Recommendations and Authorize the Additional Scope of Work. \(R-15\)\(R-16\)](#)

Senior Planner Corey Liles, liaison to the American Legion Task Force, gave a PowerPoint update on the planning process for the 36-acre property, and provided background on the Town's March 30, 2017 purchase of it. The Council had appointed a Task Force and endorsed a facilitated public process to discuss possibilities for the site, he said. Mr. Liles reported that a community charrette had been held on April 8, 2017, and the task force was now presenting its report and recommendations to the Council. The staff's recommendation was that the Council receive the presentation and report (R-15) and approve the Task Force's requested additional scope of work (R-16).

Dan Jewell, of Coulter Jewell Thames, discussed his role in facilitating the design charrette, which had included at least 125 people. In a PowerPoint presentation, he recounted the process and reviewed some of the resulting principles and ideas. He said that charrette participants had reviewed opportunities and property constraints, and had arrived at seven separate plans.

Mr. Jewell reviewed a "consensus use area map" that charrette participants had felt they should present to the Council. He noted five plans on that map, and listed the following common elements: a passive conservation zone in the south and east corner of the site; active recreation; community facilities in the middle of the site, but still part of the park. Some of the groups thought it was appropriate to set aside three to five acres on Legion Road for some sort of public or public/private development, but they all felt it was important to not take up the entire Legion road frontage with that, he said. They had emphasized the need to see green space along Legion Road, and to show that the park was there, he explained. Mr. Jewell mentioned other strong comments that pertained to realigning the driveway and cross-coordinating programming uses with the nearby school. He commented on the number of diverse opinions among Task Force members, and said that the chair had done an able job of trying to build consensus

Rachel Schaevitz, American Legion Task Force chair, gave a PowerPoint overview of the

process. She said that the Task Force had agreed upon 10 development principles. The overall theme was that the site should be a gathering space for everyone, regardless of physical ability and/or ability to pay, she said. She added that there should be a focus on walkable paths and bike/pedestrian-friendly transit. It should be friendly to families and children walking to school, address healthy lifestyles, and have a positive impact on neighbors, she said. She pointed out that the pond needed a lot of work, and recommended investigating options for that.

Ms. Schaevitz said that there had been much talk about parking, and about how neighbors should not be negatively affected by it. She stressed the importance of green building standards for all construction. She discussed future considerations for the site, and asked that the Task Force be allowed to reconvene in the fall, and have at least one more public input session. Ms. Schaevitz explained that they wanted time to develop a process that might help the Council evaluate potential partners.

Mr. Liles noted, with respect to the cost of additional Task Force work, and continuing to have a facilitator, that there would still be \$4.3 million in future installment payments, according to the Town's contract. Allocating funds for whatever eventually happened on the site would be an additional step, he pointed out. Mr. Liles said that revenue-generating opportunities could include the sale of some portion of the land, as well as, what might be realized through public/private partnerships. He recommended that the Council adopt Resolutions 15 and 16.

Council Member Palmer asked if there had been any evaluation of tourism potential.

Laurie Paolicelli, executive director of the Orange County/Chapel Hill Visitors Bureau, discussed how access to fields for tournament play had decreased over the last 20 years while tourism was growing in the sports sector. She had been recommending dual use of indoor fields for volleyball or tennis or pickle ball, she said. This made sense if there could be a solution that was self-supporting through its own contributions, said Ms. Paolicelli.

Council Member Cianciolo asked if adopting both resolutions would mean committing to not entertaining the sale of any portion of the property for the next two to three years.

Mayor Hemminger replied that it did not. The recommendation was to let the Task Force continue meeting. If something came up in the meantime, the Council could work with staff to figure out if it made sense, she said. Mayor Hemminger pointed out that the property was being leased for three more years. Nothing other than a plan could move forward during that time, she said.

Town Attorney Ralph Karpinos noted that only the building site was being leased, and that other areas were not limited.

Council Member Parker asked if the Task Force believed that selling a portion for office or retail use would be inappropriate.

Mr. Liles replied that he thought the Task Force was trying to temper thinking about highest and best use, and the highest return with the compatibility of a public community space taking up a

big portion of the nearby property. The Task Force had not specifically disqualified any uses, but he thought there would be a lot to think about with things like office and retail, he said.

Mayor Hemminger commented that the Task Force had talked about compatible use of parking in that scenario, and had not precluded anything. If there was an office mixed type of use then there could be some synergy with respect to parking, she said. It would not be industrial, but something that had use for the Town and was compatible with the nature of that site, she said.

Council Member Oates mentioned that Fleet Feet moving to that site from Carrboro might be something the Town would consider. They would want the business to fit in, she said.

Council Member Cianciolo confirmed with Mayor Hemminger that Google would fit in as well. The Town was not excluding uses, just being conscious of what the uses were, he said.

Lynne Kane, a 20-year resident of the American Legion area, pointed out that large sports events would need parking for vans and buses as well as cars. Moreover, the parking area would remain dark from 10 p.m. to 7 a.m., she said. She reminded the Council that her neighbor had requested a satellite police station at that location. Ms. Kane also proposed selling some of the land to Liberty Nursing Home.

Mayor pro tem Bell said that Task Force members understood that the Council was responsible for making their recommendations and guidelines work for the community. She expressed concern about the statement that members would participate in the evaluation process by reviewing proposals, noting that that had not been part of any prior conversation. Mayor pro tem Bell said that a lot of uses had been mapped onto the property, and she was not sure that the Task Force had had time to narrow them down. She suggested that the chair meet with the Town Manager, and the chairs of the other two task forces to develop a holistic view of the Town's priority needs, and the properties that could meet those needs.

Council Member Harrison expressed enthusiastic support for the Task Force continuing. He pointed out that there was much more than stormwater retention to discuss. Water resources included more than just the pond, he said.

Council Member Anderson agreed that the Task Force should continue, and also with Mayor pro tem Bell's recommendation that Ms. Schaevitz participate with the other two chairs so that all would be thinking together about some of the same things. With regard to the Task Force evaluating particular projects, it seemed like it would be helpful for them to look at potential uses that have come forward without making any promises to anyone in particular, she said.

Mayor Hemminger said that the Council needed to get basic information from each of the groups coming forward. She thought that maybe the Task Force could hear those, and chart them with data points, but not rate them.

Council Member Anderson said that it seemed as though staff would provide such basic information, and the Task Force could be more valuable saying whether it fit in with what they had reached consensus on. She thought it would be helpful for the Task Force to line the options

up with what they thought was the best course of action, she said. She was not sure it would be a great use of their analytical skills to just have them charting information, said Council Member Anderson.

Council Member Oates noted that the word "evaluate" was somewhat loaded. She explained the types of information that the Task Force had been able to gather, and said it would not be evaluating or ranking uses as much as finding out things that the Council might want to consider going forward.

Council Member Parker pointed out that there was a timing mismatch, since no decisions would be made for three years, but the Task Force would be finished in six to eight months. It seemed to him that most of the work was a staff function, and that it would be a better use of the Task Force's time for them to refine evaluation criteria, and leave behind a process and criteria by which others should evaluate, he said.

Ms. Schaevitz said that Council Member Parker's comment addressed why the Task Force wanted to extend its time. They had heard from many groups that had received advanced notice, and were able to put together flashy publications, and so forth, she said. However, there were other groups in Town who would love to propose an idea, but do not have the resources, she said. That equity issue was why the Task Force wanted more time, Ms. Schaevitz explained, adding that they had specifically used the term "key criteria" because they did not know who might come in the door over the next three years. Task Force members were not interested in ranking, and would rather develop a list of things by which potential future partners would be evaluated, she said.

Council Member Palmer recommended that there be a very specific timeline for community groups to bring presentations, if the Task Force's timeline were extended. After they gather information and determine the criteria, Parks Greenways and Recreation, other Town advisory boards, and the community would weigh in, she said. Council Member Palmer stressed that the Legion Road parcel should be different, and not contain another UNC Healthcare satellite, or a tax-exempt entity. She said she did not see how a nursing home would be compatible with youth and tournaments, and tourist activity. With regard to the pond, she did not think a rural corner was compatible with other suggested uses, but would like to see some water facility there, Council Member Palmer said.

Mayor Hemminger said that the pond had to be studied, and the dam had to be repaired, and the Town needed technical help and more time to look into those things.

Mayor pro tem Bell expressed concern about "mission drift," since the scope had moved toward hearing what everyone had to say, rather than creating criteria and design guidelines that the Town could use when developing a master plan for the property. Rather than first hearing from entities wanting space, the Town should create a master plan, and then go out and find partners, she said. Mayor pro tem Bell proposed that the Task Force help the Council figure out what things it should consider when thinking about a master plan, and maybe have that completed before the new Council convenes in 2018.

Council Member Anderson confirmed with Mayor Hemminger that continuing the Task Force had not meant that people would come in with more presentations. She said she did not think anyone wanted it to be a three-year process. She too, saw the value in having the Task Force report to the current Council, which had approved the purchase, and had a good idea of where things stood, she said.

Mayor Hemminger said that the Council seemed clear that it wanted the Task Force to focus on providing criteria for things that the Council would assess. The Council would also like the Task Force chair to meet with the chairs of the other two Task Forces, and be included in their thinking. The Council needed more information about the pond, and feedback from the manager on how much that would cost, and whether it would be part of the budgeting process, she said. Mayor Hemminger pointed out that the only decision currently before the Council was whether, and for how long, to extend the Task Force.

Council Member Parker advocated for having the Task Force refrain from trying to identify potential partners, and focus on refining the best mix of uses and the criteria that should be applied. It would be helpful to harmonize and develop common processes as much as possible with the other two committees, he said. Council Member Parker proposed making November the deadline for the Task Force's report to Council, noting that it could always request an extension.

Council Member Greene confirmed that the Council was not accepting the Task Force's recommendation that it participate in the evaluation process by reviewing proposals.

Council Member Palmer said that the Task Force could not do the "mix of uses for the site" without hearing from the public, but Council Member Parker replied that they had already heard from the public, and other Council members agreed.

Mayor Hemminger pointed out that the Task Force was proposing to have a public forum. She said that groups who would like to use the land themselves could come for the public process, but would no longer bring proposals to the Task Force.

Council Member Oates explained that reasons for the Task Force's request to extend to April included the second payment having been made by then, and staff having had enough time to learn about the pond.

Council Member Palmer proposed changing "assist the Council in establishing an evaluation process for potential partners" to "assist...an evaluation criteria for uses."

Mayor pro tem Bell said that the Town did not necessarily have to do anything with the pond. It could be part of the use that is there, so having a discussion about what uses can be there was not necessary for the Council to make a decision, she said.

Mayor Hemminger noted that the dam had to be fixed, but Mayor pro tem Bell pointed out that the Town would not have to do that if someone were to buy the property, and address the pond themselves.

The Council agreed to put a period after the word "uses."

COUNCIL MEMBER MICHAEL PARKER MOVED, SECONDED BY COUNCIL MEMBER MARIA T. PALMER, TO ADOPT R-15 AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

[A RESOLUTION TO ACCEPT THE AMERICAN LEGION TASK FORCE REPORT AND RECOMMENDATIONS \(2017-06-26/R-15\) as Amended](#)

COUNCIL MEMBER JESSICA ANDERSON MOVED, SECONDED BY COUNCIL MEMBER SALLY GREENE, TO ADOPT R-16 AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

[A RESOLUTION TO APPROVE AN ADDITIONAL SCOPE OF WORK FOR THE AMERICAN LEGION TASK FORCE \(2017-06-26/R-16\) as Amended](#)

21. [Presentation: Update on Petitions Regarding Reinstatement of the Resource Conservation District in the Ephesus/Fordham Form District.](#)

Interim Operations Manager for Long Range Planning and Sustainability John Richardson gave a PowerPoint overview of the Chapel Hill Alliance for a Livable Town (CHALT) petition, which had advocated for reinstatement of the Resource Conservation District (RCD). He read some related questions and concerns from the Environmental Stewardship Board as well, and provided background on the Ephesus/Fordham District (E/F). Mr. Richardson displayed a map, which showed the 74-acre RCD covering a significant portion of E/F. He indicated parcels and projects that would be impacted, from a regulatory standpoint, if the RCD were reinstated.

Mr. Richardson explained that the Council had chosen not to apply the RCD in 2014, but had implemented the Town's most stringent water quality treatment standards instead. These required water quantity and flow requirements consistent with Town standards, and prioritized the Lower Booker Creek sub-watershed study, he said. He presented a summary of interests that CHALT and the Board had outlined, and said that Town staff had looked at all of them. Mr. Richardson then reviewed the petitioning process.

Senior Public Works Engineer Chris Jensen discussed the staff's observations and findings. He reviewed the stated purposes of the RCD and noted a wide range of goals that had been considered during E/F deliberations. Mr. Jensen discussed stream overlay requirements for perennial and intermittent streams. He said that E/F contained three different buffer zones, and showed a table of uses and activities that the Town's land use ordinance permitted within those zones. He noted that buildings were not listed as a permitted use in any of the three zones, and said that either a modification through the SUP process, or a variance through the Board of Adjustment would be required before construction.

Mayor Hemminger pointed out that Town staff did not give variances, which go through a different process.

Council Member Harrison verified with staff that much of the E/F RCD was three feet above the floodplain. He asked if the three zones existed there, and Mr. Jensen replied that under the RCD the area next to Booker Creek, for example, was still a 150-foot stream-side managed use, but the upland zone stretched farther.

Mr. Jensen showed a series of area maps and explained staff observations and findings. He showed new stormwater treatment areas and noted that those involved more stringent standards than the rest of Town. He said that reinstating the RCD would likely reduce the potential for new development, or redevelopment, because modifications and variances could not be given under the E/F form based code (FBC). Reinstating the RCD would also reduce the potential for improving water quality in the district through the higher FBC standard, he said. It could protect limited amounts of green space but would negate the goal of creating walkable redevelopment, he said.

Mayor Hemminger clarified with staff that Days Inn, which had already submitted an application, would have a choice of abiding by current rules or following different rules if the Council were to pass different legislation. She confirmed that parcels already developed would not be affected, however.

Council Member Anderson asked which parcels would be impacted and what the differences would be with and without the RCD.

Mr. Jensen replied that Holiday Inn, for example, was within the RCD. If it were to try to redevelop under the RCD, it would have to submit an SUP and FBC would not be an option for that site, he said.

Council Member Anderson asked how many and which parcels would be impacted if the RCD were reinstated.

Mr. Jensen showed vast areas on the E/F map and said that any of them could still be developed, but perhaps not without a variance under FBC if the RCD were reinstated.

Council Member Harrison pointed out that the parcels would not be prevented from redeveloping if the RCD were reinstated, but the process for doing so would change.

Council Member Anderson confirmed with Mr. Jensen that Greenfields was the only parcel that was completely undeveloped, as far as he was aware.

Council Member Palmer confirmed with Mr. Jensen that all of the colored area on the map would fall under the RCD and would not have FBC to guide development if the RCD were reinstated.

Council Member Oates asked how the change would affect walkability, and Mr. Richardson explained that "walkability" in the FBC sense meant more walkable and connected under future redevelopment. He said that walkability was defined from the standpoint of shorter block lengths

and added infrastructure.

Mayor Hemminger said that Days Inn, for example, had proposed a concrete path next to its stormwater amenity green area. The parcel next to it would not be allowed to continue that path under redevelopment, if the RCD were reinstated, she explained. Mayor Hemminger noted that a similar situation existed behind Eastgate, which would have to get a variance in order to build an impervious path.

Council Member Oates verified with Mr. Richardson that a development that included a concrete path would have to tear the path up and replace it with pervious surface, if it wanted to redevelop under the RCD.

Mr. Jensen explained that the purpose of not having the RCD in the E/F district was to encourage redevelopment. The RCD had been replaced with higher stormwater treatment standards, he said. He pointed out that elements within the FBC -- such as cut-throughs and block length requirements -- help with walkability, and would not exist without redevelopment based on FBC.

Council Member Greene said that she understood staff to mean a new urban walkability -- which included block size and pass-throughs and the length between the two. It was intended to create a dynamic, human scale, interesting place to walk through, she said.

David Schwartz, a Chapel Hill resident, said that retaining the RCD, at least in some parcels, could have helped with flood mitigation, if the Town had done that work before adopting the FBC. He said that it could have made a difference with the Days Inn property, for example, but now it was too late. Mr. Schwartz advised the Council to do watershed and flood mitigation studies before undertaking something like that again.

Mr. Schwartz said he recalled one of the goals of FBC being to increase the non-residential tax base in order to take the burden off residential tax payers. He said that that did not seem to be what the Town was getting. Mr. Schwartz said that 97 percent of redevelopment was housing, which was not as revenue positive as offices and retail would be. If the Council did not want the entire district to become more high-end housing, then it should think about how to modify the FBC, and set aside at least some of E/F for non-housing related development, he said.

Lynne Kane commented that a certain amount of residential density was needed to support businesses, and said that the Town had lost businesses due a lack of it. With regard to walkability, the cut-throughs between Eastgate and Elliott Road were important, and would enhance the viability of businesses there, she said. Ms. Kane said that the effects of FBC overall had been beneficial.

Council Member Cianciolo said that the staff analysis had addressed many of the issues that had been raised. The Council had known when it created E/F that more water could not run from developments than had previously flowed and that there would be an increase in impervious surface, he said. However, Council members also believed that stormwater facilities would be superior to those in any other area of Town, he pointed out.

Council Member Cianciolo said he would like to see more office space built in E/F but that the housing being built tracked more as commercial than residential in that it was revenue positive. He agreed with Ms. Kane's comment about higher population density leading to more businesses considering the area and noted the number of new businesses moving into Eastgate Crossings. Council Member Cianciolo said that Ram Development's proposal for new apartments and for refurbishing Village Plaza would have a positive impact as well. Perhaps E/F was not working as quickly as had been hoped, but he thought the Town would see continued growth, Council Member Cianciolo said.

Council Member Palmer said she was proud of what had been accomplished at E/F and was looking forward to Greenfields being completed. She told of families she knew who were moving into the Berkshire Apartments. She said that E/F may be providing alternatives for seniors who can no longer maintain their homes themselves and that she was excited about that.

Council Member Oates said she appreciated Mr. Schwartz pointing out that the Council's decisions really do impact development and the vision for the Town. Council members needed to look at whether what they incentivize really is the direction they want to go, she said.

Council Member Anderson stated that the issue of who lived in E/F was irrelevant to the conversation and that the bigger issue was whether FBC was the best way to achieve certain goals in terms of environmental stewardship and responsibility. The places where reinstating the RCD could have been beneficial had already submitted applications, so she was struggling with whether this would attain the goal, she said. Council Member Anderson expressed hope that the Council would think about other ways to have as much environmental stewardship in the district as possible while balancing the idea of getting a larger commercial tax base. She wondered if the Town was doing the most it could to meet standards, or if there was something else it could do, she said.

Mayor Hemminger pointed out that beginning a term in the middle of a process could be confusing for new Council members. The Council was where it was, and E/F projects had been developed and were in the pipeline, she said. Staff was not recommending that the Council reinstate the RCD, and to do so would be very complicated, she pointed out. Mayor Hemminger said that there were other ways to meet some of the environmental protection goals. She mentioned that the applicant for Days Inn intended to improve stormwater retention by keeping it greener and making it an amenity. She would like to know what other things could be done in the district to achieve environmental protection goals while understanding that walkability and redevelopment were goals as well, Mayor Hemminger said.

Mayor pro tem Bell said that the conversation was revealing the lack of environmental protections in the current process. She noted, however, that some E/F regulations were more stringent than in other parts of Town. The RCD still existed in E/F, but was not how the Town protected the environment in that area, she said. Mayor pro tem Bell spoke in favor of determining whether something had been missed that should be added to the process. She agreed with Mayor Hemminger's request for additional information, if available, but said she did not

want anyone to think that there were not existing environmental protections.

Mayor Hemminger agreed, but pointed out that Days Inn could have put in a stormwater feature that was just a big concrete basin under FBC. The Town had met with the developer and had arrived at an agreement for a green stormwater amenity instead, she said. She proposed finding ways to have stormwater be more of a green component, and to create amenities that people want to look at and be in. Mayor Hemminger said she wanted to know if there was a way to make that work with redevelopment.

Mayor pro tem Bell said that the Town could not go back in time but that the Mayor was asking if there were ways to incentivize more aesthetically pleasing development.

Council Member Harrison said that he and three other Council members had been part of the original FBC decision. He explained that the stormwater program that had first been proposed was not allowable under state law, and stormwater specialists had devised provisions that are the best in the state. There was so much not in the code that one barely noticed that the RCD was not in there, and so much was floodplain that one almost thought it was somewhat superfluous, he said. Council Member Harrison said that staff had now gotten the message that they should look for environmental enhancements, and ways to incentivize environmental protection in the future. He thanked the public for pointing out the low number of water quality provisions in the code.

22. [Amity Station Development Review Process. \(R-17\)](#)

Director of Planning and Development Services Ben Hitchings gave a PowerPoint presentation regarding the Council's request for a development process for the Amity Station project at 322 W. Rosemary Street. He provided background from a May 2017 concept plan presentation to the applicant's recent request for a development agreement (DA) process. He showed the site on an aerial map.

Mr. Hitchings outlined the Council's three different development review options: a special use permit (SUP); submission of multiple site plans; or a development agreement (DA). He discussed the pros and cons of each and pointed out that the applicant had already submitted multiple site plans and had requested a DA process. Mr. Hitchings recommended that the Council adopt Resolution 17, which would authorize the Town Manager to develop a framework for conducting a DA process for the Council to consider in the fall.

Council Member Oates asked why staff was reversing its previous recommendation that DAs be used only for large scale projects.

Mr. Hitchings replied that large projects were where one commonly sees DAs but there had been some recent experience with them for projects, such as Fire Station 2, that were being built out more quickly. In addition, the NC General Assembly had made statutory changes, such as no minimum site size or time period for DAs. As a result, the tool was available and there were some key issues with Amity Station that would appear to benefit from negotiation, he said.

Council Member Oates asked what could be built on the site by right.

Mr. Hitchings replied that staff did not know the exact size of structures or number of lots in the applicant's proposal for a five-site by right development. The applicant had not yet designed it, but the plan would have significantly less activity than what had been proposed in the concept plan, he said.

Council Member Harrison asked what issues seemed appropriate for DA negotiation.

Mr. Hitchings replied that issues such as height, mass, occupants, and affordable housing would likely be the main focus of any negotiation, but there could be other issues as well.

Council Member Greene asked if the Town could define a timeline for a DA.

Mr. Hitchings said that staff would propose a framework for Council consideration, and Council Member Greene confirmed that the schedule would keep the process from being open-ended.

Council Member Anderson asked if a process would need to be recommended by staff every time the Council wanted to do a DA.

Mr. Hitchings replied that staff had discussed having more standardized options for DAs. However, the process probably should vary somewhat depending on the kind of project, he said. He pointed out that Resolution 17 would authorize the Manager to develop a framework for this type of project (a single project with no public investment but some key issues and neighborhood concerns that would benefit from having discussions with the Town).

Mayor Hemminger confirmed that the framework would be designed around Amity Station but could be applied to other projects as well.

P. H. Craig, a Chapel Hill resident, reminded the Council to not forget the things that he had said in the past. An alley in the area should be 27 feet wide to correct a 100-year layout, he said. He mentioned the depth at a warehouse as well, and stressed that he did not want his previous request regarding that to be lost. Mr. Craig said that a nice promenade could be built in the area, and that the facade on one side should be made attractive rather than being just a slab. West Rosemary and Franklin Streets were the future of the Town, and they should be made as attractive as possible, said Mr. Craig.

Council Member Palmer said she admired an applicant asking for everything to be negotiated. She thought that having templates for DAs was a good idea and that Amity Station had the potential for being a great project, she said. Council Member Palmer expressed enthusiasm for having the opportunity with a DA to ask about age restrictions and other things that would benefit the community.

Council Member Anderson said she had no problem with using a DA, but did have concerns about what issues it would address. She pointed out that the concept plan the Council had seen several times had not been acceptable or different from itself, and that she did not want to begin

with that plan and just modify it. Unless the Council and staff had a vision before initiating the process, the applicant would be setting the negotiating standards, she pointed out. Council Member Anderson said that the Rosemary Street Guide stated the community's vision and seemed like the place to start. She also suggested setting goals through a work session with others in the community.

Council Member Oates said that Council Member Anderson's comments reflected some of her own thoughts. Doing a DA had raised her concerns about doing an end run around the Rosemary Street Guidelines and community input, she said. She pointed out that the Council had seen essentially the same plan three times, despite having been clear about why aspects of it did not work. Council Member Oates said that any DA should be a public process where all the conversations are held at open meetings.

Council Member Parker said he agreed in principle with Council Member Anderson's comments regarding the developer setting the terms. In general, he was an advocate for DAs, and thought there was a good case for one for Amity Station, he said. With respect to Council Member Oates's comments, he said he thought it was the Council's responsibility to determine what community involvement looked like, and agreed that it should be a robust public process.

Council Member Greene said that the quality and quantity of community input was a concern, but that Council Member Parker was correct that it was the Council's responsibility to ensure that. She referred to Council Member Anderson's comment about setting parameters before negotiations begin, and said that the Obey Creek DA had been a model for that. She confirmed with Council Member Harrison that the Obey Creek DA had begun to go straight into negotiations until he and others requested a Phase 1 that allowed community input. So that was a precedent, but it would need to be scaled way down, said Council Member Greene.

Mayor Hemminger expressed enthusiasm for having a general framework, with steps, for a DA for a parcel. More requests for similar projects would come along, and she did not want to recreate the wheel every time, she said. Mayor Hemminger said that the manager had heard the public input and would be able to draft a process that the Council could then comment on. She agreed that the Rosemary Street Guidelines should be a starting point.

COUNCIL MEMBER GEORGE CIANCIOLO MOVED, SECONDED BY COUNCIL MEMBER MICHAEL PARKER, TO ADOPT R-17. THE MOTION WAS ADOPTED BY A VOTE OF 8-1, WITH MAYOR PAM HEMMINGER, MAYOR PRO TEM DONNA BELL, COUNCIL MEMBER JESSICA ANDERSON, COUNCIL MEMBER GEORGE CIANCIOLO, COUNCIL MEMBER SALLY GREENE, 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 AUTHORIZE THE TOWN MANAGER TO PREPARE A PROPOSED DEVELOPMENT AGREEMENT PROCESS FOR THE AMITY STATION MIXED-USE DEVELOPMENT AT 322 WEST ROSEMARY STREET FOR COUNCIL CONSIDERATION \(2017-06-26/R-17\)](#)

APPOINTMENTS

28. [Recommend a Chapel Hill Representative to the Orange County Human Relations Commission to the Orange County Board of Commissioners. \(R-18\)](#)

MAYOR PRO TEM DONNA BELL MOVED, SECONDED BY COUNCIL MEMBER MARIA T. PALMER, TO ADOPT R-18 AS AMENDED. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0) .

[A RESOLUTION RECOMMENDING A CHAPEL HILL REPRESENTATIVE TO FILL A SEAT ON THE ORANGE COUNTY HUMAN RELATIONS COMMISSION \(2017-06-26/R-18\) as Amended](#)

Master Ballot

23. [Appointment to the Cemeteries Advisory Board.](#)

The Council appointed Jim Merritt to the Cemeteries Advisory Board.

Master Ballot

Following the vote, staff determined that Ms. Baldwin was a Carrboro resident. Therefore, she was not eligible for the Cemeteries Advisory Board, which was reserved for 10 Town residents.

24. [Appointments to the Grievance Hearing Board.](#)

The Council appointed Stanley Peele and Jennifer Vuillermet to the Grievance Hearing Board.

Master Ballot

25. [Appointments to the Justice in Action Committee.](#)

The Council appointed Raymundo Garcia and Iris Schwintzer to the Justice in Action Committee.

Master Ballot

27. [Appointments to the Stormwater Management Utility Advisory Board.](#)

The Council appointed Stephan Hearn and Pamela Schultz and Sally Hoyt to the Stormwater Management Utility Advisory Board.

Master Ballot

26. [Appointments to the Planning Commission.](#)

The Council appointed Whit Rummel to the Planning Commission.

[Master Ballot](#)

29. Appoint a Council Member to the Chatham/Orange Joint Planning Task Force. (R-19)

The Council did not make appointments to the Chatham/Orange Joint Planning Task Force.

The meeting was adjourned at 11:33 p.m.