



# 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 Karen Stegman  
Council Member Jessica Anderson  
Council Member Camille Berry  
Council Member Tai Huynh

Council Member Paris Miller-Foushee  
Council Member Michael Parker  
Council Member Amy Ryan  
Council Member Adam Searing

**Wednesday, October 19, 2022 7:00 PM RM 110 | Council Chamber**

#### Language Access Statement

For interpretation or translation services, call 919-969-5105.

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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#### In-Person Meeting Notification

The Chapel Hill Town Council will meet in person for the meeting. Where possible, the Council requests that members of the public 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)) so that we can provide an opportunity for physical distance within the building. The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings. Please participate in a voluntary demographic survey <https://www.townofchapelhill.org/demosurvey> before viewing online or in person.

#### Parking

- Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and COVID-19 Protocols

- Entrance on the ground floor.
- Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain
- Attendees are encouraged to wear masks in the building and may sit physically distanced. Please do not sit in blocked chairs.
- Hand sanitizer is located near the main doors.

#### ROLL CALL

**Present:** 9 - Mayor Pam Hemminger, Mayor pro tem Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing

#### OTHER ATTENDEES

Town Manager Maurice Jones, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Planning Director Colleen Willger, Assistant Planning Director Judy Johnson, Affordable Housing and Community Connections Director Sarah Viñas, Parks and Recreation Planner Marcia Purvis, Parks and Recreation Director Phil Fleischmann, Senior Planner Tas Lagoo, Planning Manager Corey Liles, Affordable Housing Development Officer Emily Holt, Police Officer Andrew Smith, Fire Marshal Justin Matthews, Communications Manager Ran Northam, and Deputy Town Clerk Amy Harvey.

#### OPENING

Mayor Hemminger called the meeting to order at 7:00 p.m. and reviewed the agenda.

0.01 Proclamation: Neal and Jeanette Bench.

[\[22-0803\]](#)

Mayor Hemminger read a proclamation recognizing Neal and Jeannette Bench for their service to the Town as advocates for parks, greenways, recreation and sustainable practices. The couple had founded and organized an "Adopt a Trail" program and had been instrumental in securing funding for several healthy lifestyle initiatives, she said. The Mayor said that she and the Council were extremely grateful for all of their work.

Jeanette Bench thanked Town staff and the many volunteers who had helped out and emphasized the importance of teamwork. Neal Bench thanked Parks and Recreation Department members in particular. None of the work would have happened without their help, he said, noting that the team effort included the Mayor and several Council Members as well.

0.02 Proclamation: OMBUDS Month.

[\[22-0804\]](#)

Council Member Ryan read a proclamation recognizing members of the University of North Carolina at Chapel Hill (UNC) and Town ombuds offices and designating October 2022 as OMBUDS Month in Chapel Hill. The proclamation explained that both offices had designated officials who assist citizens with complaints or problems with government. Chapel Hill was fortunate to have nationally renowned ombuds offices at both locations and the Council wanted to thank them for their commitment to the community and its values, Council Member Ryan she said.

### ANNOUNCEMENTS BY COUNCIL MEMBERS

#### 0.03 Mayor Hemminger Regarding Leave Your Leaves. [\[22-0805\]](#)

Mayor Hemminger pointed out the environmental benefits of leaving fallen leaves on the ground even though the Town would continue to collect them. More information about the value of "leaving the leaves" was on the Town website, she said.

#### 0.04 Mayor Hemminger Regarding Upcoming Public Information Meetings. [\[22-0806\]](#)

Mayor Hemminger said that a meeting on October 24th would address a Starpoint project proposed at 1950 U.S. Highway 15-501. Another meeting on October 26th would cover the proposed Barbee Chapel Hill Apartments, she said. She noted that both meetings would be virtual and would begin at 5:15 p.m.

Mayor Hemminger said that the Council's next business meeting would be held at Town Hall on November 2, 2022. An extra Council work session probably would be required on November 30th, she said.

#### 0.05 Council Member Miller-Foushee Regarding Chapel Hill-Carrboro NAACP's 75th Anniversary. [\[22-0807\]](#)

Council Member Miller-Foushee said that the Chapel Hill-Carrboro NAACP was in the midst of celebrating its 75th anniversary. She described some of the recent and upcoming activities and thanked Town staff for their assistance. She thanked Transit Director Brian Litchfield, in particular, for providing buses for some activities.

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

Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting;

referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

#### 0.06 Deon Temne Request for Sidewalks at Northside Elementary School. [\[22-0808\]](#)

Deon Temne, a Chapel Hill resident, requested school zone signs for Northside Elementary School, which he said had none despite being in that location for 10 years. Then, speaking as Chapel Hill-Carrboro City School Board chair, he thanked the Council and the Chapel Hill Police Department for being responsive to the Northside district.

Mayor Hemminger recommended that Mr. Temne's request be logged in as a petition and referred to the Mayor and Manager.

This matter was read into the record

#### 0.07 Ira Hargraves Regarding Northside. [\[22-0809\]](#)

Northside resident Ira Hargraves-El said that everyone in his neighborhood should be included in potential building name changes.

This matter was read into the record

#### 0.08 Kelvin Hargraves Request for Name Change to Hargraves Center Gym. [\[22-0810\]](#)

Northside resident Kelvin Hargraves expressed concern about the lack of public discussion regarding a name for the Hargraves Center Gym. There had not been an opportunity for those who had grown up in the neighborhood to vote on that change, he said.

Mayor Hemminger assured both Ira and Kelvin Hargraves that their concern would be addressed, and Council Member Anderson asked that the petition be moved quickly.

This matter was read into the record.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that the petitions be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

### CONSENT

Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.

### Approval of the Consent Agenda

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

1. Approve all Consent Agenda Items. [\[22-0777\]](#)  
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
2. Adopt a Resolution Supporting the Cedar Falls Park Tennis Court Renovation Project Grant Application to North Carolina Parks and Recreation Trust Fund Accessibility for Parks Program. [\[22-0778\]](#)  
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
3. Authorize Acceptance of Donation of Two Vans to Support Programming at Hargraves Community Center. [\[22-0779\]](#)  
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
4. Adopt Minutes from May 4, 11, 18, 19, and 25, 2022 and June 1, 15, and 21, 2022 Meetings. [\[22-0780\]](#)  
This resolution(s) and/or ordinance(s) was adopted and/or enacted.

### INFORMATION

5. Receive Upcoming Public Hearing Items and Petition Status List. [\[22-0781\]](#)  
This item was received as presented.

### DISCUSSION

#### ZONING ATLAS AMENDMENT(S)

Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including opinions, when making Legislative decisions.

6. Close the Legislative Hearing and Consider an Application for Conditional Zoning for 710 North Estes Drive Townhomes from Residential-2 (R-2) to Residential-5-Conditional Zoning District (R-5-CZD). [\[22-0782\]](#)  
Planning Manager Corey Liles presented a rezoning application for 107

townhomes and multi-family units on an eight-acre wooded and vacant site that was currently zoned Residential 1. The applicant was requesting a rezoning to Residential-5-Conditional Zoning District as well as modifications to the floor area maximum, perimeter buffers, and allowable amount of steep slope disturbance, he said. He recommended that the Council adopt Resolution 5 and enact Ordinance 1, which would approve the rezoning.

Mr. Liles discussed updates to the plan, most of which were in response to the Council's previous comments. He said that the total number of units had been increased from 95 to 107 and that 12 more affordable units had been added to the plan. He described a possible connection to the nearby Aura project and noted the applicant's proposal to construct a side-path along its portion of Estes Drive. He said that the applicant had agreed to make payments for transit improvements and traffic signals in the area.

Mr. Liles pointed out that eight additional guest parking spaces had been included in the plan. He said that staff had drafted a cross-access easement with the Aura property and was discussing that with Aura's developer. He summarized the applicant's plans for all-electric appliances, EV charging stations, tree preservation, and ADA access. The applicant had agreed to a wider buffer and pitched roofs on units that were close to another neighborhood, he said.

Applicant David Gorman, a partner at Lock7 Development, provided additional information and details on the changes that Mr. Liles had outlined. He said that Lock7 had submitted a document that showed how its stormwater runoff would go towards its own site or to an emergency run off that would take it away from neighboring property.

Mayor Hemminger thanked the applicant for increasing the length of its stormwater protection guarantee, and she confirmed that staff had been working with a consultant on changes to the Town's land Use Management Ordinance (LUMO) regarding stormwater regulations. Director of Planning Colleen Wilger said that she hoped to provide the Council with a timeline for that project in November.

Mayor Hemminger confirmed with staff that the language regarding short-term rentals was accurate. She and Council Member Searing verified that a proposed 10-foot buffer would be in addition to a Duke Power easement, making it extend to more than 100 feet from neighbors. The Mayor inquired about having the applicant pay into the Town's Estes Drive project rather than making its own side-path improvements, and Ms. Wilger agreed to look into that.

The Council confirmed with the applicant that a ramp would provide bicycle access from Estes Drive. Council Member Ryan asked staff to continue

looking into the possibility of having additional parking on Somerset Drive. Council Members thanked the applicant for working with neighbors, for being responsive to the Council, and for trying to meet the Town's goals by increasing density and the number of affordable units. Mayor Hemminger thanked both the applicant and Town staff for doing a good job of balancing conflicting feedback.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that the Council close the public hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that the Council adopt R-5. The motion carried by a unanimous vote.

A motion was made by Council Member Anderson, seconded by Council Member Berry, that the Council enact O-1 as amended. The motion carried by a unanimous vote.

7. Open the Legislative Hearing: Conditional Zoning Application for Aspen Chapel Hill - Student Housing at 701 Martin Luther King Jr Blvd. [\[22-0783\]](#)

Mr. Liles presented a Conditional Zoning application for Aspen Chapel Hill, an approximate two-acre, two-parcel site at the northwest corner of Martin Luther King Jr. Boulevard (MLK) and Longview Street. One parcel was currently zoned Residential 3, and the other was zoned Neighborhood Commercial, and the applicant was proposing to rezone both to Residential-6/Conditional Zoning District, he said. He pointed out that the Council had seen the concept plan in May 2021.

Mr. Liles said that the site currently contained an auto shop and two unoccupied single-family homes. The applicant was proposing to replace both parcels with a multi-family student housing project that would contain up to 112 units, he said. He pointed out that the Town's Future Land Use Map (FLUM) identified multifamily as a primary land use for that location. The FLUM also called for an activated street frontage and a typical height of four stories at the street with a step-up to eight stories, he said.

Mr. Liles showed the site plan and indicated where access and lower-level parking would be located. He showed a courtyard area that would include recreation space. He said that the applicant was proposing 14 affordable units (or a \$1 million payment-in-lieu) even though the Town's ordinance did not require that. The applicant had also agreed to pay \$100,000 for bus rapid transit improvements, he said.

Mr. Liles explained that the applicant's request for modifications to Resource Conservation District (RCD) regulations was to enable them to cross an intermittent stream. The applicant was also requesting modifications regarding density, height, street setback, maximum floor area, parking requirements, and steep slopes, he said. He noted that all of the Town's advisory boards had recommended approval and proposed that the Council open the legislative hearing, provide comments, and continue the hearing to December 27, 2022.

David Helfrich, representing Aspen Heights Partners (AHP), provided background information on his firm, a multi-family developer based in Austin Texas. He said that AHP had begun engaging with neighbors and staff regarding Aspen Chapel Hill in October 2020.

Jessica Hardesty, a planner with McAdams Group, repeated much of what Mr. Liles had said and pointed out that the proximity to UNC made the site an ideal location for student housing. She said that the proposed rezoning would allow a maximum of 112 units and 50 percent impervious surface. She pointed out that the plan included 8,000 square feet of recreation space and 14 affordable units. The developer would seek National Green Building Standard silver (or a comparable certification) and would contribute \$100,000 towards a multi-use path along MLK, she said.

Ms. Hardesty explained how AHP had responded to feedback by stepping the top floor back, removing a level of parking, and improving and activating the streetscape. They were providing two options for affordable housing and had significantly reduced the amount of parking, she pointed out. She said that some RCD disturbance was necessary to allow for pedestrian access from MLK but that the project would improve the RCD's overall condition. Town Urban Designer Brian Peterson had participated in developing a proposed plaza area at the front of the site, she pointed out.

Ms. Hardesty showed renderings and aerial views of the site and discussed its proximity to nearby neighborhoods. She said that the project would be in accord with the Town's Climate Action Response Plan and that AHP intended to work through the Brownfields Program, since the existing site was an auto shop. She showed where the affordable units would be grouped together along the RCD. Those units would be more like conventional apartments and would be closer to amenities and less noisy than the students' areas, she said.

Mr. Helfrich stated that UNC had a current deficit of approximately 7,000 beds for its full-time, undergraduate students. That deficit had caused students to occupy conventional housing throughout Town and clearly demonstrated the need for additional student housing in Chapel Hill, he said. He pointed out that the Town's Complete Community Plan and other sources had identified a need for many thousands of new units over the next decade.

Council Member Ryan stated that the Town needed 45 new student housing units per year, and she confirmed with Mayor Hemminger that 100 four-bedroom units would soon be available at Amity Station. Council Member Parker verified that the proposed project envisioned providing close to 300 beds, which included those in the affordable units.

Council Member Anderson said that the Council had previously stated that it did not want student housing at that location even though the FLUM designated the area for that purpose. She ascertained from Ms. Wilger that staff had discussed that with the AHP. Ms. Wilger said that staff had suggested that the applicant talk with UNC and continue working with the Council and advisory boards if they wanted to pursue the current plan.

Council Member Anderson confirmed with Ms. Wilger that optimum density for transit-oriented development was between 20-40 units per acre, but that there was no Council-approved threshold. The Aspen Chapel Hill proposal had been measured at 61 units per acre, Ms. Wilger said.

Council Member Huynh ascertained from Mr. Helfrich that purpose-built student housing made up about 65 percent of AHP's portfolio. The firm had begun as a student housing developer but had been doing more conventional market-rate projects in the last seven years, Mr. Helfrich said.

The Council confirmed the proposed amenities were intended for residents only. They ascertained that not building in the RCD would create issues regarding access from MLK. Mayor Hemminger asked if the applicant would consider renting only to those who were 21 and older, and Mr. Helfrich asked if that could include those who would turn 21 during their lease.

Delores Bailey, executive director of EmPOWERment, Inc., said that the Town needed affordable housing for low-income residents, not student housing. She asked Council Members to think about how affordable and for-profit providers might work together to create rental units for families earning 30 percent of the area median income (AMI).

Council Members Anderson and Miller-Foushee said that the Council had been clear at the concept plan stage that it was not interested in seeing student housing at that location. Council Member Miller-Foushee expressed disappointment that the applicant had not heard those comments.

The Council said that it was fine with the proposed density but there was a mixture of responses to the plan for student housing. Council Members Ryan, Anderson and Huynh spoke about the opportunity cost of building student housing in an area where workforce housing was what the Council wanted. Council Member Parker said he was not against student housing

per se but wanted full-time workforce housing at that location.

Council Member Ryan said that purpose-built student housing on the site was a no-go for her, and Council Member Huynh said that student housing there did not align with his vision for expanding Downtown up MLK and bringing jobs to that area. Council Member Searing expressed concern about encroachment into the RCD and the request to double the allowable steep slope disturbance. He agreed with others that the site was a great location for workforce housing and said that the project probably needed to be modified.

Council Member Miller Foushee said that she was undecided but preferred to see workforce housing at the location. Council Member Berry said that the Town needed both student and affordable housing, so she could not say that she was against either. Mayor pro tem Stegman said she preferred non-student housing in general but that the location was at the dividing line between downtown and not downtown.

Council Member Parker expressed concern about the affordable housing units being apart from the others. Mayor pro tem Stegman said that she would be more comfortable with the project if it provided more community benefits. Council Members Huynh and Parker suggested providing broader community access to amenities as well.

The Council emphasized the need for the Town and UNC to work in partnership regarding student housing. Council Member Ryan noted that a consultant had recommended that the Town help UNC with housing students on land that it owns in Town.

Council Members Huynh and Miller-Foushee expressed skepticism that the proposed development would attract students who prefer to live in Town neighborhoods, and Mayor Hemminger agreed. There was proof that building student-focused living arrangements pulled students off campus but did not pull them out of the Northside Neighborhood, she said.

Mayor Hemminger said that she agreed with many of the Council's comments but thought that adding a "21 and up" stipulation would address some concerns. She pointed out that some projects offer community members who live nearby memberships to amenities, such as a pool or gym. She was not as worried about density as she was about the overall philosophy of where the Town was headed with regard to housing in general, she said.

Ms. Hardesty replied that AHP had not received negative feedback from the Council regarding student housing during the concept plan phase about 1.5-years prior. She proposed that Council Members might be thinking about another project that had been before them about six

months ago. She said that she was hearing conflicting comments from the Council regarding density, and she pointed out that the Town had just approved a project that had a greater steep slope modification. Only a very small project could be built on the site without that modification, she said.

Ms. Hardesty asked the Council for ideas regarding community benefits, and the Mayor proposed offering recreational and public gathering spaces, and perhaps making space available for meetings and other public activities. The goal would be to make something that would be good for the community, not just those who live in the building, she said.

Council Member Ryan stated that adding community benefits would not resolve the central issue that she had with the project, however.

A motion was made by Council Member Anderson, seconded by Council Member Berry, that the Council continued the Legislative Hearing to December 7, 2022. The motion carried by a unanimous vote.

**8. Open the Legislative Hearing for Conditional Zoning Modification - 800 S. Merritt Mill Road Residential-Special Standards-Conditional Zoning District (R-SS-CZD) [\[22-0784\]](#)**

Assistant Planning Director Judy Johnson gave a brief PowerPoint presentation on a petition from CASA regarding a project located on the Chapel Hill/Carrboro line. Both towns had received the petition in September 2022 and Carrboro had already heard it and continued its discussion to November, she said.

Ms. Johnson outlined the request to remove a stipulation regarding curb and gutter and modify another stipulation regarding sidewalk and bike improvements in CASA's 2018 special use permit. Making those changes would save the applicant more than \$200,000, she said, and she noted that the Planning Commission had voted for approval. She recommended that the Council open the legislative hearing, receive public comments, and continue the hearing to November 2, 2022.

A motion was made by Mayor pro tem Stegman, seconded by Council Member Berry, that the Council continued the Legislative Hearing to November 2, 2022. The motion carried by a unanimous vote.

**LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT**

**9. Open the Legislative Hearing for a Land Use Management Ordinance Text Amendment - Proposed Changes to Articles 3, 4, 5, and Appendix A Related to a Community Priority Process for Affordable Housing Development Review. [\[22-0785\]](#)**

Director of Affordable Housing and Community Connections Sara Viñas provided background information on a September 2021 petition from several Council members. The petition had asked staff to explore strategies for promoting affordable housing (AH) and missing middle housing and for expediting those review processes, she said.

Ms. Viñas discussed how the current complex process had limited the production and supply of AH, restricted the Town's ability to meet funding deadlines, and prevented some developers from doing business in Town. After robust research and stakeholder engagement, staff had created a set of LUMO text amendments, which the Planning Commission had unanimously recommended for adoption, she said.

Mr. Liles presented additional information about the process and said that an array of AH providers, market rate developers and others had participated and provided feedback. He described how staff had reached out to the cities of Durham and Raleigh to learn more about their processes. He said that both the Housing Advisory Board and the Planning Commission supported the proposal and text amendments that staff was about to present.

Senior Planner Tas Lagoo proposed two new LUMO text amendments (TAs): a Residential Community Priority Conditional Zoning District (R-CP-CZD); and a Community Priority Process for Affordable Housing (CCP-AH). He explained key aspects of each TA and described how they would simplify the process. He said that the TAs would exempt eligible concept plans from all but Planning Commission review and allow applicants to engage in a process with staff instead.

Mr. Lagoo explained that the TAs would also exempt eligible applications from Community Design Commission review of final plans and would authorize staff to approve minor modifications. A design review team would include staff liaisons to key advisory boards, so those interests would be well represented, he said.

Mr. Lagoo said that R-CP-CZD would require projects to come in with 30 percent of their rental units affordable at 60 percent of AMI for 30 years. The for-sale units' requirement would be 30 percent affordable at 80 percent of AMI for 99 years, he said. He discussed a list of allowed uses and proposed design and development standards and explained the rationale behind those.

Mr. Lagoo said that CCP-AH would exempt eligible applications from concept plan review, simplify the level of staff review, and simplify the application. By eliminating most advisory board review, the Council would have the opportunity to hold a legislative hearing and vote in the same night, he pointed out.

Mr. Lagoo reviewed Planning Commission comments and pointed out that

it had unanimously recommended approval. He recommended that the Council open the legislative hearing, receive public input, and continue the hearing to November 16, 2022.

In response to questions from Council Member Anderson, Mr. Liles offered to look into possible mechanisms for affordable rents on commercial space and home business opportunities. Council Member Anderson said she wondered if there might be a way to integrate those uses without undoing the original intent of simplifying the process.

Council Member Ryan confirmed with Mr. Lagoo that community notification and public information meetings regarding rezoning applications would still be required but that staff hoped to also use digital tools in order to reach a broader audience. Staff had also been contemplating having applicants provide a public engagement plan, said Mr. Lagoo.

Council Member Ryan proposed that staff think about limiting project size in case UNC, for example, wanted to apply the new TAs to its 75 acres at Carolina North.

Several Council Members proposed eliminating parking minimums altogether, but Mr. Lagoo pointed out that other agencies, such as HUD, had minimum requirements that would affect that.

Council Member Searing asked if advisory boards other than the Planning Commission and the Housing Advisory Board had seen the TAs, and Ms. Wilger replied that staff had requested feedback from the boards that were part of the development review process. She pointed out that, legally, a TA was only required to go to the Planning Commission and the Council.

Council Member Huynh confirmed with Mr. Lagoo that the Town's Light Industrial Conditional Zoning District had been the precedent for the proposal to give staff authority to approve minor modifications.

Mayor pro tem Stegman asked about balancing public engagement and timeliness, and Mr. Lagoo replied that those details were still being worked. However, staff would not design public engagement requirements that would burden AH developers, he said.

Daniele Berman, Marketing and Communications Manager at Community Home Trust, described the difficulties of the current, long approval process and said that the TAs would balance the scale.

Kimberly Sanchez, Executive Director at Community Home Trust, explained how a recent process for an affordable development on Jay Street

Apartments had been cumbersome, expensive, and unnecessarily delayed by the concept plan and advisory board review processes. She pointed out how such delays add to development costs.

Geoff Green, an AH advocate, agreed with Ms. Sanchez's comments and said that he hoped the LUMO rewrite would address other issues with the Town's development process.

Dotty Foley, co-founder of HOPE (Housing Options for People with Exceptionalities) North Carolina, said that 90 percent of those with disabilities were currently living in group homes or with their families because Supplemental Security Income was not sufficient to pay Chapel Hill rents. Moving the TAs forward would be a huge help to those who were waiting for affordable housing, she said.

Delores Bailey said that EmPOWERment's PEACH Apartments project had benefited from expedited review and that she absolutely supported the proposed TAs.

Martin Johnson, a NEXT board member, praised staff for quickly moving the process forward and said that his faith in government had been renewed. The TAs would empower local builders who want to create AH and would send a message that the Town really cared about that, he said.

Sue Hunter, Housing Advisory Board (HAB) chair, thanked the Council Members who had filed the petition and thanked Mr. Lagoo, in particular, for his work on it. She said that the HAB fully supported eliminating advisory board review of qualifying projects and focusing that role on the Planning Commission. She proposed that the Council consider incentivizing projects that serve households that made less than 30 percent AMI.

All Council Members expressed enthusiasm for the proposed TAs and praised staff for their excellent work and clear presentation. They proposed setting a timeline for coming back to Council for evaluation, and some suggested having an annual review. Council Member Parker recommended making an effort to apply the same ideas to the Town's overall development review process.

Several Council Members spoke in favor of eliminating parking minimums altogether, but Council Member Ryan wondered about the possible neighborhood impacts and Mayor Hemminger said that she would leave that issue to the experts. Most Council Members spoke in favor of giving staff the authority to approve minor modifications. Council Member Ryan emphasized the importance of having the Town's urban designer included in design review.

Council Member Searing said that he did not like eliminating advisory board review. Council Member Berry pointed out that the Planning Commission was comprised of people who sat on other boards as well. So those interests and concerns were already well represented, she said.

Council Member Ryan recommended that staff be "a little more aggressive and improve upon" its proposal for 30 percent AMI on rentals and 80 percent AMI on for sale units.

Mayor Hemminger thanked staff and the Affordable Housing Coalition for working together to create a thoughtful process that included a pilot project. She praised Ms. Wilger for jumping right in when she first joined the Town during COVID-19 and immediately tackled several large Town initiatives. "You are going to be missed...Thank you," Mayor Hemminger said, and the Council gave Ms. Wilger a round of applause.

A motion was made by Council Member Berry, seconded by Council Member Huynh, that the Council continued the Legislative Hearing to November 16, 2022. The motion carried by a unanimous vote.

#### **APPOINTMENTS**

10. Appointments to the Chapel Hill Public Library Advisory Board. [\[22-0786\]](#)

The Council appointed Patrick Gunsch and Kulwadee Yung to the Chapel Hill Public Library Advisory Board.

11. Appointments to the Housing Advisory Board. [\[22-0787\]](#)

The Council appointed Anthony Williams to the Housing Advisory Board.

The Council seeks applicants for the Non-Profit Housing Provider/Professional seat category.

#### **ADJOURNMENT**

This meeting was adjourned at 10:09 p.m.