



TOWN OF CHAPEL HILL

Planning Commission Meeting Minutes

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

Chair Michael Everhart
Vice-Chair James Baxter
Neal Bench
Elizabeth Losos
Melissa McCullough

John Rees
Louie Rivers
Elizabeth Webber
Stephen Whitlow

Tuesday, May 4, 2021

7:00 PM

Virtual Meeting

Virtual Meeting Notification

Board members will attend and participate in this meeting remotely, through internet access, and will not physically attend. The Town will not provide a physical location for viewing the meeting.

The public is invited to attend the Zoom webinar directly online or by phone.

Register for this webinar:

https://us02web.zoom.us/webinar/register/WN_-xU-TmtdT_KlwbDxcq3CSQ. After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 894 1574 4008.

Opening

Roll Call

Staff present: Judy Johnson - Staff Liaison.

Present 9 - Chair Michael Everhart, Vice-Chair James Baxter, Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Elizabeth Webber, and Stephen Whitlow

Secretary reads procedures into the record

Approval of Agenda

A motion was made by Baxter, seconded by Bench, to approve the agenda. The motion carried by a unanimous vote.

Announcements

1. Updates from Advisory Board Champions

[\[21-0365\]](#)

This time provides an opportunity for Advisory Board Champions

to relay updates from their latest meetings, as needed.

Petitions

Approval of Minutes

2. April 20, 2021 Planning Commission Draft Action Minutes [\[21-0368\]](#)

A motion was made by Bench, seconded by Rees, to approve the April 20, 2021 Meeting Minutes. The motion carried by a unanimous vote.

Old Business

3. Aura Conditional Zoning Application [\[21-0318\]](#)

Recommended with stipulations

A motion was made by Rees, seconded by Losos, to recommend Council approval of the item with the following stipulations:

- Allow administrative approval of up to a 100% increase in commercial square footage over what is currently proposed.
- Do not allow more than the standard administratively approved 10% reduction.
- Require that all affordable housing be offered at 65% AMI – provided this does not result in a reduction of the total number of affordable units currently proposed.
- Provide open space that could be repurposed as a bike share docking station area near the BRT station in the future.
- Provide a minimum 40 percent tree canopy.
- Increase open space wherever possible.
- Remove any unnecessary impervious surface and use pervious pavement (or other treatments) wherever possible.
- Remove any unnecessary parking spaces, ideally reducing the average to 1.2 spaces per unit.

The motion carried with an 8-1 vote.

Bench stated concerns over impervious surface and impact on area.

Aye: 8 - Chair Michael Everhart, Vice-Chair James Baxter, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Elizabeth Webber, and Stephen Whitlow

Nay: 1 - Neal Bench

New Business

4. Consider a Land Use Management Ordinance Text Amendment -- Proposed Changes to Articles 3,4,6 and Appendix A regarding short-term rentals [\[21-0367\]](#)

A motion was made by Bench, seconded by McCullough, for no action on the recommendation. The motion carried by a unanimous vote. Webber was excused before vote took place.

Planning Commission will write a memo to the Town Council to voice suggestions and concerns as outlined:

- The Planning Commission is generally in support of an updated STR ordinance but is concerned that the scope and magnitude of the problems caused by STRs to the Town are unclear and do not necessarily merit some of the proposed changes to the ordinance.
- Support for providing a sun-setting clause to bring existing STRs into compliance and grandfather STRs that cannot come into compliance.
- Many STR hosts and operators are financially dependent on their STRs and any new ordinance should allow them to maintain their businesses.
- STRs should be permitted in all zoning districts that allow residential uses.
- Create a dedicated framework for collecting data. Interest in reviewing the data collected in two years.
- No STR permit fee should be charged, to promote compliance, to facilitate data collection, and not drive STR operators underground.
- Concerns that other details of the proposed ordinance are overly burdensome on some STR operators (e.g. 2-hour requirement for an on-site designated party, the 3-strikes provision, simultaneous rental prohibition, trash collection rules).

Aye: 8 - Chair Michael Everhart, Vice-Chair James Baxter, Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, and Stephen Whitlow

Excused: 1 - Elizabeth Webber

Planning Commission Spring 2021 Summit Review

Adjournment

Next Meeting - May 18, 2021

Order of Consideration of Agenda Items:

- 1. Staff Presentation*
- 2. Applicant's Presentation*
- 3. Public Comment*
- 4. Board Discussion*
- 5. Motion*
- 6. Restatement of Motion by Chair*
- 7. Vote*
- 8. Announcement of Vote by Chair*

Public Charge: The Advisory Body pledges its respect to the public. The Body asks the public to conduct themselves in a respectful, courteous manner, both with the Body and with fellow members of the public. Should any member of the Body or any member of the public fail to observe this charge at any time, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until a genuine commitment to this public charge is observed.

Unless otherwise noted, please contact the Planning Department at 919-968-2728; planning@townofchapelhill.org for more information on the above referenced applications.

See the Advisory Boards page <http://www.townofchapelhill.org/boards> for background information on this Board.

Note