



TOWN OF CHAPEL HILL

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

Town Council

Meeting Minutes - Final

Mayor Pam Hemminger
Mayor pro tem Michael Parker
Council Member Jessica Anderson
Council Member Allen Buansi

Council Member Hongbin Gu
Council Member Tai Huynh
Council Member Amy Ryan
Council Member Karen Stegman

Wednesday, March 24, 2021

7:00 PM

Virtual Meeting

Virtual Meeting Notification

Town Council 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_P6x3wJGtS_uCp5PRLy5rtw After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 812 8315 6915

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Roll Call

Present: 8 - Mayor Pam Hemminger, Mayor pro tem Michael Parker, Council Member Jessica Anderson, Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Karen Stegman, Council Member Tai Huynh, and Council Member Amy Ryan

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ann Anderson, Assistant Planning Director Judy Johnson, Planning Director Colleen Willger, Emergency Management Coordinator Kelly Drayton, Fire Chief Vencelin Harris, Business Management Director Amy Oland, Police Chief and Executive Director for Community Safety Chris Blue, Senior Planner Anya Grahn, Senior Planner Jake Lowman, Traffic Engineering Manager Kumar Neppalli, Executive Director for Technology and CIO Scott Clark, Communications and Public Affairs Director/Town Clerk Sabrina Oliver, and Deputy Town Clerk Amy Harvey.

OPENING

Mayor Hemminger opened the meeting at 7:00 p.m. She pointed out that

Agenda Item 15 had been removed and would return at another time.

Mayor Hemminger called the roll and all Council Members replied that they were present.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.01 Mayor Hemminger Regarding a Resolution in Support of the Hate Crimes Prevention Act.

[\[21-0249\]](#)

Mayor Hemminger commented on a recent shooting in Atlanta that had left eight people dead, including six Asian women. She expressed deep concern about the increasing violence against the Asian American and Pacific Islander (AAPI) community, and noted that there had been a recent gathering at the Town's Peace and Justice Plaza to show support.

Council Member Buansi presented a resolution (R-1.1) that expressed the Council's support for the Hate Crimes Prevention Act. He hoped that recent events would spur the NC General Assembly to act on that bill, he said.

The Council voted unanimously to adopt Resolution-1.1. Mayor Hemminger thanked Senators Valerie Foushee and Verla Insko and Representative Tim Moore for sponsoring the legislation. She encouraged AAPI residents to reach out and said that anyone experiencing a hate crime could call the Town hotline or contact Council Members directly.

A motion was made by Council Member Buansi, seconded by Council Member Huynh, to adopt R-0.1. The motion carried by a unanimous vote.

0.02 Celebrating Successes: Chapel Hill Public Housing.

[\[21-0250\]](#)

The Council watched a "Celebrating Successes" video about Chapel Hill's Public Housing Department's rehabilitation projects, which included new community signs, new roofs, and more. The video explained that the Department had distributed more than 10,000 masks and more than 15,000 boxes of food to more than 52,000 families during the COVID-19 pandemic. It discussed a reintroduction of the Residents Council, where representatives of Public Housing could meet and address community concerns.

0.03 Mayor Hemminger Regarding Carolina Economic Development Strategy.

[\[21-0251\]](#)

Mayor Hemminger said that the University of North Carolina at Chapel Hill (UNC-CH) and the Town had recently announced a Carolina Economic Development Strategy called Downtown Together, which would increase UNC-CH's economic impact across the Triangle region. The initiative would include making Downtown an innovation district by recruiting

business and research entities with a UNC affinity, she said.

0.04 Mayor Hemminger Regarding Carolina Donor Services Groundbreaking.

[\[21-0252\]](#)

Mayor Hemminger announced that Carolina Donor Services, the first company to be developed in the Town's Enterprise Zone, had recently broken ground on Millhouse Road. The company would provide life-saving organs and related services to more than 100 hospitals and four major transplant centers, she said.

0.05 Mayor Hemminger Regarding Upcoming Public Meetings.

[\[21-0253\]](#)

Mayor Hemminger said that a public information session regarding a new Downtown office building would be held at 5:15 p.m. on March 25th at 150 East Franklin Street. Information regarding other events, such as a public information meeting on traffic modeling software, was posted on the Town website, she said.

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 Council Member Anderson Request Regarding Manufactured Home Parks.

[\[21-0254\]](#)

Council Member Anderson petitioned the Council to begin developing a targeted strategy for mobile home parks. She said that all Council Members should have received a proposed resolution and that she was hoping to get the Town's partners involved in figuring out a collaborative way to serve residents.

Mayor Hemminger expressed appreciation for the effort and intent of the petition, which she said had spurred great conversations with community partners regarding the matter's urgency. She proposed that the Council receive and refer the petition and have the group working on the issue to bring back recommendations.

A motion was made by Council Member Ryan, seconded by Council Member

Huynh, that this Petition be received and referred to the Manager and Mayor. The motion carried by a unanimous vote.

0.07 Mayor Hemminger Request Regarding Self Storage.

[\[21-0255\]](#)

Mayor Hemminger petitioned the Council to ask staff to bring forward options for changing the LUMO in a way that would restrict the number of self-storage facilities on the Town's main arterial roads.

A motion was made by Mayor pro tem Parker, seconded by Council Member Anderson, that this Petition be received and referred to the Manager and Mayor. The motion carried by a unanimous vote.

0.08 Kalkidan Miller Regarding Hate Crimes Prevention Act.

[\[21-0256\]](#)

Kalkidan Miller, a Guilford College student, thanked the Mayor and Council for supporting the Hate Crime Prevention Act resolution that Council Member Buansi had introduced in Agenda Item 0.01. She pointed out that there were about 32 hate groups in North Carolina, and said that she had been a victim of hate crimes.

0.09 Delores Bailey Regarding Mobile Home Park Petition.

[\[21-0257\]](#)

Delores Bailey, executive director at EmPOWERment, Inc., thanked the Mayor and Council for accepting the Mobile Home Park petition (Agenda Item 0.06). She emphasized the importance of taking immediate action and said she wondered if there was enough time to get a petition going when there was so much urgency.

Mayor Hemminger assured Ms. Bailey that conversations had already begun and that she would be included in the group that was being put together.

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 Anderson, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. Approve all Consent Agenda Items.

[\[21-0220\]](#)

2. Call a Public Hearing to Consider Amendments to the Town Code that Establish Compliance with Chapter 160D of the North

[\[21-0221\]](#)

Carolina General Statutes for April 21, 2021.

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

3. Call a Public Hearing for a Land Use Management Ordinance [\[21-0222\]](#)
Text Amendment Regarding Short-Term Rental Regulations
Related to Articles 3, 4, and 6 of Appendix A for May 19, 2021.

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

4. Authorize a Text Amendment Process to Revise Membership, [\[21-0223\]](#)
Quorum, and/or Voting Rules for the Community Design
Commission (CDC).

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

5. Extend the Reimagining Community Safety Task Force [\[21-0224\]](#)
Members' Terms to June 30, 2021.

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

6. Extend the Criminal Justice Debt Program Advisory Committee [\[21-0225\]](#)
Members' Terms to June 30, 2022.

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

7. Amend the 2020-21 Council Calendar. [\[21-0226\]](#)

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

INFORMATION

8. Receive Upcoming Public Hearing Items and Petition Status [\[21-0227\]](#)
List.

This item was received as presented.

9. Receive 2020 University of North Carolina Annual Development [\[21-0228\]](#)
Plan Report on Transportation.

This item was received as presented.

10. University of North Carolina at Chapel Hill Semi-Annual Campus [\[21-0229\]](#)
Development Report.

This item was received as presented.

11. Blue Hill Semiannual Report #13. [\[21-0230\]](#)

This item was received as presented.

DISCUSSION

- 12.** Update on Town Efforts to Respond to the COVID-19 Crisis. (no attachment)

[\[21-0231\]](#)

Emergency Manager Kelly Drayton gave an update on NC Governor Cooper's new executive order regarding changes to COVID-19 restrictions. She said that the order allowed increased capacities at local establishments and increased gathering limits in general. Details could be found at townofchapelhill.org/coronavirus, she said.

Ms. Drayton pointed out that the Town had provided housing and shelter for 66 individuals experiencing homelessness during the pandemic. The Town had also assisted 495 low-income households through the Emergency Housing Assistance Program, responded to 863 calls to the Emergency Call Center, and distributed more than 15,000 boxes of food and more than 25,000 face masks, she said.

Ms. Drayton displayed an NC Department of Health and Human Services alert map, which showed key metrics trending in the right direction. More than 20 percent of Orange County residents had been fully vaccinated, she pointed out. She emphasized the importance of continuing to follow the 3Ws: wear a mask, wash hands frequently, wait a safe distance apart, however. She said that contact information regarding vaccines and providers could be found at orangecountync.gov/getyourshot.

The Mayor and Council gave Ms. Drayton and staff a round of applause for the impressive work that they had done throughout the pandemic. "We are so proud of you, and so grateful," Mayor Hemminger said.

Council Members asked when the Public Library would reopen, and Ms. Drayton replied that there was not yet any change in status. Council Member Anderson added that Library staff had been working on a phased reopening plan but had not yet set a date for that.

Mayor Hemminger commented on Orange County's low and stable rate of positive COVID-19 cases. She said that local leaders would comply with the Governor's orders but would reassess if there were any change in status.

This item was received as presented.

- 13.** Consider an Application for Conditional Zoning for Columbia Street Annex, 1150 S. Columbia Street, from Residential-2 (R-2) to Mixed Use-Village-Conditional Zoning District (MU-V-CZD).

[\[21-0232\]](#)

Mayor Hemminger said that public hearings on the Columbia Street Annex had ended but that staff would be presenting additional information. The

Council would determine how to proceed after asking clarifying questions, she said.

Senior Planner Jake Lowman explained several revisions to stipulations regarding stream restoration and preservation of the western portion of the property. He said that language had been added to address nutrient reduction and to clarify Homeowner Association (HOA) responsibilities regarding stream maintenance. Other stipulations addressed land disturbance associated with stream restoration and there was also a performance guarantee regarding funding for that, he said.

Mr. Lowman asked Council Members to consider adopting Resolution-A, and enacting Ordinance-A to approve the development. He recommended that they adopt the accompanying Resolution of Right-Of-Way Closure (Agenda Item 14) as well.

Traffic Engineering Manager Kumar Neppalli provided background information on area road improvement discussions since 2019, when NC-DOT completed a feasibility study of NC 15-501 from South Columbia Street to Eastowne/Lakeview Drive. A project that would make improvements along that entire section was on the waiting list for funding in 2030-2040, he said.

Mr. Neppalli discussed the South Columbia Street/Highway 15/501 intersection ramp in particular. He said that a traffic impact analysis several years back for an Obey Creek development had shown the intersection to be failing. Concept plans for a long-term improvement project had been incorporated and approved at that time, but no funding had yet become available, he said.

Mr. Neppalli showed a "Diamond with Loop" concept plan for 1150 South Columbia Street that was scheduled for funding in eight years. He did not think that project would impact the proposed Columbia Street Annex, he said, adding that he would continue working with NC-DOT on signal timing and other ways to relieve traffic in the area.

Council Members confirmed with Mr. Neppalli that there had been an ongoing problem with left turns and delays in the area prior to the Obey Creek approval. They verified that Obey Creek had not moved forward and that the area might develop in a less intense manner. The Council confirmed with Mr. Lowman that a stipulation regarding the HOA prohibiting Dedicated STRs could be added as part of the Council's action.

Dan Jewell, of Coulter Jewell Thames, said that the applicant, CH Hotel Associates, would include a statement about not allowing STRs in the HOA documents. The applicant would also commit to making a solar-ready roof and would be removing invasive plants from the entire

site, he said. He clarified that there would be 69 parking spaces, several of which would be dedicated to ride-share and zip cars.

Mr. Jewell said that the applicant would be willing to restrict residents to 22 or older, if the Council so wished. The applicant had also agreed to move the BRT station to the front of its site and would provide \$10,000 to the HOA for future stream maintenance, he said. Additionally, the applicant was agreeing to plant canopy trees along the front buffer, he pointed out.

Mr. Jewell proposed several bike and pedestrian improvements and said that the applicant would build a sidewalk along the entire frontage down to the NC 54 ramp. The applicant would also provide a payment in lieu for future crosswalks at two locations, he said.

Town Attorney Ann Anderson said that staff could add the changes that Mr. Jewell was proposing as long as the Council addressed their substance before the vote. She asked Council Members to clarify in any motion whether STR meant less than 30 or 60 days in duration.

Mayor pro tem Parker confirmed with Mr. Jewell that the applicant would be able to create more bicycle spaces in the future, if needed. Council Member Gu asked if a traffic safety analysis could be done after one year, and Mr. Jewell replied that he would need input from staff on what the magnitude of that might be. Council Members commended the applicant for creating an improved and accessible wildlife area and praised its design team for working with Town staff to address community concerns.

With respect to the proposed age restriction, Mr. Jewell said that the applicant had not had time to fully vet the mechanics and legality of that recent suggestion. Council Member Ryan pointed out that the Town's ultimate interest was in not creating a place where parents would buy units for their undergraduate children.

Attorney Anderson said that she was not sure that the Town had the authority to prevent someone under a certain age from living in the building but would check on the legality of that.

Mayor Hemminger and Mayor pro tem Parker proposed that the HOA consider stating that renters must be 22 or older, and Mr. Jewell agreed that doing so made sense.

The Council voted unanimously to adopt the Resolution of Consistency and enact Revised Ordinance A, as revised to request that the HOA limit rentals to age 22 and above.

A motion was made by Council Member Anderson, seconded by Mayor pro

tem Parker, that R-8 be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that O-1 be enacted as amended. The motion carried by a unanimous vote.

- 14.** Consider Closing a Portion of an Unmaintained and Unimproved Monroe Street Public Right-of-Way. [\[21-0233\]](#)

The Council voted unanimously to close the Monroe Street Right-Of-Way.

A motion was made by Mayor pro tem Parker, seconded by Council Member Stegman, that R-10 be adopted. The motion carried by a unanimous vote.

- 15.** Consider Request to Extend Jurisdiction for UNC Police Department. [\[21-0234\]](#)

This item was postponed.

- 16.** Open the Public Hearing: Issuance of Two-Thirds Bonds to Fund Parks and Recreation, Public Safety, and Streets and Sidewalks Projects in the Capital Improvements Plan (CIP). [\[21-0235\]](#)

Director of Business Management Amy Oland gave a PowerPoint presentation on the Town's Two-Thirds Bond orders, which included: \$1.155 million for Parks and Recreation facilities; \$550,000 to replace fire engine #33; and \$1.5 million for street and sidewalk maintenance projects. She outlined the process for adopting bond orders and issuing the resolution.

Ms. Oland said that an issuance resolution for \$4.75 million of the Affordable Housing Referendum Bonds and the \$3.205 million in Two-Thirds Bonds would come before the Council April 7, 2021. Local Government Commission approval of the sale was scheduled for April 13th. The bond closings would be on April 12th and 13th, and the actual bond sale would be on April 27, 2021, she said. She said that staff would then return to the Council to appropriate the funds.

Ms. Oland pointed out that the Town was able to consider issuing Two-Thirds Bonds because of additional capacity in the Debt Fund due to a delay in the Municipal Services Center project. She recommended that the Council open the public hearing and authorize the issuance of Two-Thirds General Obligation Bonds in the maximum amount of \$3.205 million, receive public comment for 24 hours, and consider adopting the bond orders and issuance resolutions on April 7, 2021.

Diane Willis, a Chapel Hill resident, stressed the need for repair and

ongoing maintenance of Town recreational facilities and encouraged the Council to vote in favor of issuing the bonds.

Tyler Steelman, speaking on behalf of the Chapel Hill Parks, Greenways and Recreation Commission, said that issuing bonds for the projects listed would address problems across many Town facilities and amenities and would improve the quality of life for all.

Council Member Gu confirmed with Ms. Oland that staff intended to present options for a long-term maintenance plan at the next two Council Work Sessions.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, to close the public hearing, and allow 24 hours for additional comments. The motion carried by a unanimous vote.

SPECIAL USE PERMIT

Special Use Permit: The Application for a Special Use Permit is Quasi-Judicial. Persons wishing to speak are required to take an oath before providing factual evidence relevant to the proposed application.

Witnesses wishing to provide an opinion about technical or other specialized subjects should first establish that at the beginning of their testimony.

- 17.** Open the Public Hearing: Limited Scope Special Permit Modification -- Signature Health Care of Chapel Hill, 1602 E. Franklin Street.

[\[21-0236\]](#)

Planner Anya Grahn outlined a limited scope revision of the special-use permit (SUP) for 1602 East Franklin Street that would adjust the construction start date from October 25, 2019 to March 24, 2023. She showed plans that indicated the applicant's compliance with a condition of the original 2017 SUP approval regarding the location of trash receptacles.

Mayor Hemminger confirmed with Attorney Anderson that the Council could close the public hearing, allow 24 hours for additional comment, and consider taking action on April 21, 2021.

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, to close the public hearing, and allow 24 hours for additional comments. The motion carried by a unanimous vote.

- 18.** Open the Public Hearing: Land Use Management Ordinance Text Amendments - Proposed Changes To Section 3.6.2 Historic Districts Related To Review Criteria And Section 8.4 Historic District Commission.

[\[21-0237\]](#)

Ms. Grahn opened a public hearing on a Land-Use Management Ordinance (LUMO) text amendment related to Historic District Commission (HDC) review criteria. She explained that recent updates to 160D of the NC General Statutes required the HDC to adopt Design Principles and Standards for determining congruity when reviewing Certificate of Appropriateness applications and to rely solely on those standards.

Ms. Grahn explained that 160D required the Town to replace the term "Design Guidelines" with "Design Standards" and that the HDC had adopted the updated Design Principles and Standards on March 18, 2021. She said that the HDC had asked that language in the LUMO be amended to reflect the NC Historic Preservation Office's model preservation ordinance and that staff had done so.

Ms. Grahn discussed edits that the Town Attorney had made to specific definitions, and she recommended that the Council open the public hearing, receive comments for 24 hours, and move to close the public hearing and enact the ordinance on April 21, 2021.

Council Members stressed the importance of educating new HDC members and others on how the new document should be used. In response to a comment by Council Member Ryan, Ms. Grahn agreed to add an item in the LUMO regarding how the HDC did not regulate paint colors. The Council confirmed with Ms. Grahn that related information was posted online. Mayor Hemminger said that transparency and clarity were the goals and she hoped the change would be a big step in that direction.

A motion was made by Council Member Anderson, seconded by Council Member Ryan, to close the public hearing and receive comment for an additional 24-hours. The motion carried by a unanimous vote.

CONCEPT PLAN REVIEW(S)

Concept Plans: Presentations for Concept Plans will be limited to 15 minutes.

Concept Plan review affords Council members the opportunity to provide individual reactions to the overall concept of the development which is being contemplated for future application. Nothing stated by individual Council members this evening can be construed as an official position or commitment on the part of a Council member with respect to the position they may take when and if a formal application for development is subsequently submitted and comes before the Council for formal consideration.

As a courtesy to others, people speaking on an agenda item are normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements

through the Mayor's Office by calling 968-2714.

19. Concept Plan Review: The Flats, 607-617 MLK Jr. Blvd.; 121 Stinson St. (Project #21-006)

[\[21-0238\]](#)

Assistant Planning Director Judy Johnson gave a PowerPoint presentation on a concept plan for The Flats, an approximate 200-unit, five-to-six story building on property currently zoned Residential-4 at the corner of Martin Luther King Jr. Boulevard (MLK) and Stinson Street. She explained that the proposal included a wrapped parking deck and she described various resident amenities.

Ms. Johnson said that the site had been identified in the Town's Future Land Use Map (FLUM) as part of a focus area that would primarily be multi-family residential and include an activated street frontage. She noted that bus rapid transit (BRT) stations were located both north and south of the site and that the Town's Comprehensive Plan proposed a multi-use path and upgrades to sidewalks and bike lanes along MLK.

Ms. Johnson said that the Community Design Commission had expressed concerns about the building's transition to nearby existing properties. She said that the Town's urban designer had reviewed the concept plan and provided feedback to the applicant.

Mayor Hemminger confirmed with Ms. Johnson the FLUM recommended typical uses, such as multi-family and commercial, for the area. Council Member Ryan pointed out that during FLUM discussions, the Planning Commission had emphasized the importance of putting an office component at the location.

George Retschle, of Ballentine & Associates, gave a PowerPoint presentation on existing conditions and surrounding zoning. He said that the project complied with all descriptions in the FLUM and was the right use and layout for the site. He showed a massing diagram that had been created before the CDC's and urban designer's comments.

Architect Jeff Davis presented the building design, which included changes made in response to the CDC's and urban designer's comments. He said that the concept plan was a study of what might meet the developer's program for a student housing development at the site. He described a five-to-seven story building that would wrap a parking deck and include a courtyard. He said that a 32-foot change in grade on the site was the biggest design challenge.

Mr. Davis explained that the changes had been in response to feedback regarding connectivity, creating more of a neighborhood amenity, and activating the MLK frontage. He described a community terrace at the

street and showed how buildings would step back from that.

Bruce Ballentine discussed the Town's affordable housing (AH) requirement and offered the idea of renovating public housing as a means of contributing to that.

Mayor Hemminger asked if the applicant would consider sponsoring additional units in a current AH project, and Mr. Ballentine replied that he liked the idea of working with Habitat for Humanity on its Weavers Grove project.

Council Members verified that the building's MLK facade would be 400 feet long and that the structure would be seven stories high in some places. They confirmed with Mr. Davis that the building would be four stories with an 8-to-10 foot step-back to six stories on the MLK side. It would be four stories with a 10-foot step-back to five stories on the neighborhood side, Mr. Davis said.

The Council determined that the proposed terrace would sit about six feet above the sidewalk. Council Members asked if the townhouses could be AH units, and Russ Greer, of Progressive Capital Group, replied that interconnecting families and students would be extremely difficult to program.

The Council questioned the size of the parking area, and Mr. Ballentine said that students would likely use it mainly to store their cars. Mr. Greer pointed out that parking was expensive to build and said that the applicant would not include it if they did not need it to satisfy student demand. Mr. Davis added that 80 percent of the students renting the apartments would have cars.

Mayor Hemminger pointed out that the Town was in the process of building a large, new parking garage nearby. In addition, UNC had parking for its students in the Horace Williams Airport area, she said.

Council Member Anderson asked staff what guidance was being given to applicants regarding the FLUM, and Ms. Johnson replied that staff typically explained the Council's long-term vision for four stories at the street and then up to eight stories, with a mix of uses.

Martin Johnson, a Chapel Hill resident, suggested that the Council encourage the applicant to separate parking fees from rental rates and see how having to pay \$100 a month for parking affected demand.

All Council Members expressed negative reactions to the concept plan, which they did not feel would meet the Town's environmental, economic, or transit-oriented goals. The proposed building was too large for the site

and would infringe upon a historically African American neighborhood that the Town had made efforts to protect, they said.

The Council objected to inadequate transitions to surrounding areas and a parking deck that would feed onto very narrow neighborhood roads. They said that at least the bottom floor should be activated if the building were to be considered an extension of Downtown. Mayor pro tem Parker said that the FLUM clearly indicated four stories at the street, not what would essentially be six.

The Council stressed their desire to incentivize transit use, not cars, and said that the proposed number of parking spaces would aggravate walkability and safety problems. They pointed out that they had been making a strong effort to avoid wrapped parking decks. They said that using land on the BRT line, right near Downtown, to build 400 parking spaces for students at a place so close to campus made no sense. Several Council Members stressed the importance of revisiting a Town/University study and determining how much student housing the Town wanted and where it wanted it.

Mayor Hemminger confirmed with Council Members that they wanted more AH units, not more payments in lieu. Several spoke in favor of an AH partnerships between applicants and organizations, such as Habitat for Humanity, EmPOWERment Inc., or CASA. Several said they were open to the applicant making Public Housing contributions, but Council Member Anderson pointed out that other resources were available for that and Mayor Hemminger said it seemed like just a different form of payment in lieu.

Mayor Hemminger said that the goal of connectivity was to help the neighborhood, not to take advantage of it. Any kind of access that had cars and people coming and going with that level of density into the Northside Neighborhood would not be of interest at all, she said. She said that the FLUM was specific about scale and height and transitions to neighborhoods.

Mr. Ballentine replied that the Council's feedback was clear. However, the FLUM did not show a transition zone on that side of MLK, he said. He said that it was not possible to lower the building on all four sides and still have a project that worked, unless someone were to purchase all or half of the block. No project would be feasible at that location if it needed to be whittled down to match the scale of the buildings around it, he said.

Mayor Hemminger asked staff to check the FLUM and to determine whether not having a transition zone on that side of MLK had been done on purpose.

A motion was made by Mayor pro tem Parker, seconded by Council Member Stegman, that R-12 be adopted. The motion carried by a unanimous vote.

APPOINTMENTS

20. Appointment to the Community Policing Advisory Committee.

[\[21-0239\]](#)

Mayor Hemminger pointed out that all Town boards had openings and she encouraged people to apply.

The Council appointed Nikkima Santos to the Community Policing Advisory Committee.

ADJOURNMENT

The meeting was adjourned at 10:34 p.m.