



# TOWN OF CHAPEL HILL

## Town Council

### Meeting Minutes - Final

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

Mayor Pam Hemminger  
Mayor pro tem Jessica Anderson  
Council Member Donna Bell  
Council Member Allen Buansi  
Council Member Hongbin Gu

Council Member Nancy Oates  
Council Member Michael Parker  
Council Member Rachel Schaevitz  
Council Member Karen Stegman

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**Wednesday, January 24, 2018**

**7:00 PM**

**RM 110 | Council Chamber**

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*\* Items reissued from the canceled January 17, 2018 meeting.*

### Roll Call

**Present:** 9 - Mayor Pam Hemminger, Mayor pro tem Jessica Anderson, Council Member Donna Bell, Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Nancy Oates, Council Member Michael Parker, Council Member Karen Stegman, and Council Member Rachel Schaevitz

### Other Attendees

Town Manager Roger L. Stancil, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Communications Manager Catherine Lazorko, Communications Specialist Mark Losey, Senior Planner Kay Pearlstein, Senior Planner Aaron Frank, Senior Planner Corey Liles, Housing and Community Executive Director Loryn Clark, Assistant Housing and Community Director Sarah Vinas, Interim Operations Manager for Current Development Judy Johnson, Police Officer Rick Fahrner, Fire Inspector Greg Peeler, Communications and Public Affairs Director and Town Clerk Sabrina Oliver.

### OPENING

Mayor Hemminger opened the meeting at 7:00 p.m., and welcomed new Council members. She explained that the evening's agenda would be long due to a previously canceled meeting. She thanked the Public Works Department and others who had helped during a recent snowstorm, and said she appreciated how the public had remained off the roads.

Mayor Hemminger mentioned that an orange flag had been raised at the Peace and Justice Plaza to honor victims of a recent mass shooting in Kentucky. Orange was the color being used by Moms Demand Action for Gun Sense in America, and others who were advocating for common sense gun legislation, she said.

Mayor Hemminger mentioned that a Chapel Hill Transit public meeting regarding the Town's Short-Range Transit Plan would be held on January 25 from 11:00 a.m to 2:00 p.m. at the UNC Children's Hospital, and from 6:00 to 8:00 p.m. at the Chapel Hill Public Library.

There would also be a public meeting regarding the Homestead Road Senior Apartments on January 25 from 5:00 to 6:00 p.m. at Town Hall, Mayor Hemminger said.

Mayor Hemminger added that the Frederick Douglass kick-off event would occur on January 26 at 7:00 p.m. at the United Church of Chapel Hill.

An Assembly of Government meeting would be held the following Tuesday at 7:00 p.m. in Hillsborough, she said.

### **PETITIONS FROM 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 motions, 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.

#### **0.1 Pete Andrews Regarding Chapel Hill Cooperative Preschool.**

[\[18-0072\]](#)

Pete Andrews, representing neighbors of the Chapel Hill Cooperative Preschool, raised concerns about the traffic impact analysis (TIA) and petitioned the Council to revise it, and then hold public meetings. Neighbors wanted the TIA to include a scenario for the full capacity of 112 students, he said. In addition, a recommended deceleration lane on Mt. Carmel Church Road did not appear on the application, he said. Mr. Andrews stated that the TIA had not evaluated the impacts of a 200-foot median that the North Carolina Department of Transportation (DOT) required. He asked that all of those impacts be considered in the TIA.

Town Manager Roger Stancil pointed out that a public information meeting had been scheduled and advertised. That meeting would include the consultant, DOT, Town traffic engineers, and an additional public meeting could be scheduled, if needed, he said.

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

**0.2 Adopt a Resolution Supporting SNAP and Other Federal Nutrition Programs. (R-0.1)**

[\[18-0079\]](#)

Mayor Hemminger explained that the Resolution 0.1 was in support of a request to continue the Supplemental Nutrition Assistance Program (SNAP) and other federal nutrition programs with no reductions. She pointed out that North Carolina was the eighth hungriest state in the nation, and that more than 15 percent of state residents use nutritional programs.

A motion was made by Council Member Bell, seconded by Mayor pro tem Anderson, that R-0.1 be adopted. 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.

Mayor Hemminger called attention to Consent Agenda Item 9 regarding two public hearings that had been rescheduled to January 31, 2018. The January meeting would address the sale of 127 West Rosemary Street, and a proposed closure of a portion of the public right-of-way on Flemington Road, she said.

### *Approval of the Consent Agenda*

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. \* Approve all Consent Agenda Items. [\[18-0032\]](#)

2. \* Award a Bid and Authorize the Town Manager to Execute a Contract for the Friday Center Drive Reconstruction Project. [\[18-0033\]](#)

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

3. \* Call a Public Hearing for February 28, 2018 to Consider Closing the Public Right-Of-Way for the Unmaintained Alley Near the Intersection of Pritchard Avenue and West Rosemary Street. [\[18-0034\]](#)

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

4. \* Call a Public Hearing for February 28, 2018 to Consider Closing Unmaintained Public Rights-Of-Way Near Smith Avenue. [\[18-0035\]](#)

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

5. \* Call a Public Hearing for February 28, 2018 to Consider Closing the Public Right-of-Way for the Unpaved and Unmaintained Portion of Ward Street. [\[18-0036\]](#)

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

6. \* Adopt a Resolution Supporting an Application for Transportation Demand Management (TDM) Grant. [\[18-0037\]](#)

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

7. \* Approve Changes to the Amity Station Development Agreement Subcommittee. [\[18-0038\]](#)

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

8. \* Amend the 2018 Council Calendar. [\[18-0039\]](#)

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

9. Continue the Public Hearings for the Sale of Real Property at 127 West Rosemary Street Pursuant to an Economic Development Agreement and a Request to Close a Portion of Public Right-Of-Way on Flemington Road between Maxwell Road and Brandon Road to January 31, 2018 [\[18-0061\]](#)

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

## INFORMATION

10. \* Receive Upcoming Public Hearing Items and Petition Status List. [\[18-0040\]](#)

This item was received as presented.

11. \* Human Services Program Overview and Process Review Underway. [\[18-0041\]](#)

This item was recieved as presented.

## SPECIAL USE PERMIT(S)

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.

12. \* Consider an Application for Special Use Permit Modification -  
State Employees Credit Union (SECU) Family House  
Expansion, Residential Support Facility, 123 Old Mason Farm  
Road (Project #17-012)

[\[18-0048\]](#)

Senior Planner Kay Pearlstein gave a PowerPoint presentation on a special use permit (SUP) modification application for expanding SECU Family House on Old Mason Farm Road. She explained that a rezoning would not be required, and that the application had been through public hearings, and was available for Council action.

Ms. Pearlstein showed the site and surrounding properties on an aerial map, and described the building layout. She outlined the request for an additional 28,000 square feet of floor area, and for buffer, vehicle, and bicycle parking modifications. She said that there had been four changes to the resolution since the public hearing. These included: providing a bus shelter on Old Mason Farm Road; further shielding light from an adjacent neighborhood; strengthening the construction management plan; and obtaining state approval of an erosion control stipulation. Ms. Pearlstein recommended that the Council close the public hearing, and adopt Resolution 10, approving the SUP modification.

Council Member Oates confirmed with Ms. Pearlstein that there already were trees along the eastern border.

Bruce Ballentine, representing SECU Family House, said he was available to answer questions, but had nothing to add to his presentation at the public hearing.

Council Member Anderson mentioned an email to Council from a Family House neighbor, Gary Richmond, regarding the location of the recycling pick-up area.

Mr. Ballentine replied that the applicant had found that to be the best location, and that the area would be screened with a full retaining wall, slope, and trees.

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

13. \* Consider an Application for Special Use Permit Modification -  
Montessori Community School, 4512 Pope Road (Project  
#17-017)

[\[18-0049\]](#)

Senior Planner Aaron Frank gave a PowerPoint presentation on a SUP modification application for Montessori Community School. He said that the application had been through the public process, and was available for Council action. Mr. Frank described the approximately 14-acre site on Hope Road, and showed the surrounding area on an aerial map. He explained that the property was zoned OI-2 and R-2, and that a school was a permitted use in both districts.

Mr. Frank outlined the proposal to expand the existing campus by adding a gymnasium/auditorium, classroom building, maintenance, and administrative spaces. The parking lot would have a new access, and would be expanded to include 122 parking spaces, he said. He noted that the parking area was not connected to the student pick-up and drop-off area. There would be 30 new bicycle parking spaces, he said.

Mr. Frank explained that the proposed modifications included changing the eastern landscape buffer from a 30-foot type D, to 30 and 20 type C, and increasing the number of parking spaces from 84 to 122. Since a November 15, 2017 public hearing, the applicant had agreed to construct a sidewalk along its entire Pope Road frontage, and to notify nearby residents of when the Community Design Commission (CDC) would review a final lighting plan, Mr. Frank said. He recommended that the Council close the public hearing, and adopt Resolution 2018-01-24/R-12, approving the SUP modification.

Council Member Oates asked what would happen if the lighting plan was unacceptable to the nearby residents.

Mr. Frank replied that the public would have an opportunity to provide input regarding that at the CDC meeting.

Council Member Oates asked why there was a need for 29 additional parking spaces.

Mr. Frank explained that the plan reflected the NC Department of Transportation's review of total capacity, and stacking and parking demand. In addition, the Town's parking code which had been built on demand, allowed 122, he said.

Ed Harrison, an area resident and former Council member, said that he had addressed the application as a Council member, but had not been present when 24 additional LED campus street lights were proposed. He pointed out that the Montessori School was the largest development in that part of Town, and that it had created a lot of noise and light impact. Mr. Harrison said he was pleased to see the lighting stipulation, but wished the current

lighting could be undone. He was grateful for the sidewalk plan, and hoped that Durham County would be asked to connect its section to it, he said.

Andrew Porter, of Coulter Jewell Thames, and Tim Daniel, headmaster at the Montessori School, said they were available to answer questions. Mr. Daniel recognized staff members and parents who were present, and said that much work had been put into the project.

Mayor Hemminger stated that she was especially pleased about the sidewalk, which would improve safety and connectivity in the area.

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

## DISCUSSION

### 14. Receive an Update on the Blue Hill District Design Guidelines

[\[18-0062\]](#)

Mr. Stancil pointed out that he was wearing an orange tie in support of Moms Demand Action for Gun Sense in America. He said that the orange flag would be raised the following morning in honor of those who had been killed in school violence over the past year.

Mr. Stancil introduced the Blue Hill District Design Guidelines (DGs), and pointed out that the Council had already approved a schedule, and would decide whether or not to move ahead on that. Mr. Stancil said that there would be many opportunities for feedback. The Planning Commission (PC) and the CDC both supported moving forward with public hearings, he said.

Senior Planner Corey Liles gave a PowerPoint update on the DGs. He showed the Blue Hill District on a map, and said that the Town was on track with a work plan and schedule for revitalizing the area. He said that the DGs would establish a common understanding of good design, such as creating walkable, green areas. The DGs would provide guidance for applicants, and a reference for the CDC when preparing a certificate of appropriateness, he said.

Mr. Liles explained that the current item was a check-in opportunity for the Council to make sure it agreed with the path forward. The target for completion was May or June 2018, he said. The Town was ending the third of four phases, he said, adding that the fourth phase would be to finalize and adopt the DGs. Mr. Liles provided a summary of public outreach efforts, and said that the PC and CDC suggestions could be readily incorporated.

Consultant Nore' Winter gave a PowerPoint presentation on the DGs' organizational structure and relationship to form-based code (FBC). He explained that they addressed a finer level of detail, some of which was already subject to CDC review, some that could be considered under the

FBC, and other details that staff might determine. Mr. Winter expanded upon those options, and described the DGs' hierarchical structure. He said that the DGs had been written to synchronize with the FBC.

Mr. Winter showed sample DGs pages and explained the organizational structure and tone. There were four major chapters: Guiding Principles, Public Realm, Site Design, and Building Design, he said. He also provided details, as well as, the rationale behind the building massing and pass-through sections.

Mr. Winter noted that the DGs' vision was to build on active green, and creative traditions found throughout Town. It envisioned a walkable community with opportunities to live, shop, work, and share community experience, he said. He listed the following guiding principles: achieve excellence in design, promote creativity, design with authenticity, design with consistency, design with durability, design with sustainability, draw upon local design traditions, enhance the pedestrian experience, keep the automobile subordinate, and provide signature open spaces. All of those goals had been developed through the public process, he said. Mr. Winter explained that the DGs referred to FBC and to an Engineering Design Manual, which contained information on specific public infrastructure requirements, and other topics that the DGs did not address.

Mr. Liles mentioned that there would be further opportunities for public input. A final draft and any text amendments would go to the PC and CDC for recommendations, and then through a public process to consider adoption, he said. Mr. Liles gave a target adoption date of June 2018.

Council Member Oates confirmed with Mr. Liles that a chart she had seen would be included in the introductory chapter of the final draft.

Mr. Winter said that a chart of applicability that would help summarize different categories of regulation and advice was being developed. That checklist would allow the CDC, staff, and applicants to know which guidelines apply under which conditions, he said.

Council Member Oates asked that the next draft clarify who would pay for public green spaces, and what leverage the Town had to obtain those spaces from developers.

Mr. Liles replied that the general expectation was that applicants would bear the cost of that space. If there was interest in turning it into more of a park, then that might be a partnership opportunity, he said.

Council Member Oates advised staff to look for loopholes during the final document review.

Council Member Gu expressed concern about implementation of the DGs. If they were too flexible and only affirmative, there would not be enough



enforcement power, she said.

Mr. Winter replied that the hierarchical structure that he had outlined would address that. The applicant had choices, but still needed to meet the intent of the FBC and DGs, he explained.

Council Member Gu asked how staff would enforce guidelines that "encouraged" greenspace.

Mr. Liles replied that the Town could state how outdoor amenity spaces must be done, based on the code, and the DGs would explain how it was to be done. He gave examples of things that were best practices, but not required in the current FBC. Those might provide a way to gain approval if an applicant were seeking a design alternative for some aspect of its project, he said.

Council Member Schaevitz asked if feedback from the Environmental Stewardship Advisory Board had been dramatic.

Mr Liles replied that he did not find it dramatic, but thought the board had some of the best thinking about the different menus of sustainable solutions. Staff would be able to incorporate much of its feedback fairly easily, he said.

Council Member Schaevitz recommended looping that board back in after changes had been made, and the project was moving toward a text amendment. She then asked if there was a strategy for broadening the next round of public outreach.

Mr. Liles replied that staff had tried to advertise opportunities for public input as widely as possible, and believed that putting the survey online had helped to include people who could not attend meetings. However, they could always be thinking about more ways to connect with more people, he said.

Council Member Schaevitz asked that the survey be sent to Council members again.

Mayor pro tem Anderson asked what the guidelines would have done for an existing project, such as the Chapel Hill Berkshire Apartments, under FBC. What would have been different about that building if the DGs had been in place, she asked.

Mr. Liles pointed out that the FBC had changed since the Berkshire Apartments were built. Now there were requirements for pass-throughs and outdoor amenity space, and the DGs would add a menu of options for massing, quality of furnishing, character of the open space, and more, he said.

Mr. Winter added that the DGs state that setbacks need to be a public amenity. They introduce four-sided design concepts, and add more guidance about the design of parking structures as seen from the public way, he said. Mr. Winter said that interaction between the FBC and DGs would have addressed some of the Town's large concerns. He pointed out that the DGs contained much more information on materials, design, and scale than the CDC previously had.

Council Member Parker said that he liked the DGs, but felt that the Town was putting a large burden on the CDC. He asked how the CDC could be helped to execute the DGs.

Mr. Liles offered to check with CDC members. If that was a concern then staff would figure out how to address it, he said.

Council Member Buansi noted that part of the DGs' intent was to keep automobiles subordinate. He asked for examples of what that meant or would look like.

Mr. Winter explained that the FBC set limits on where surface parking could be, on parking numbers, and on buffering requirements, but did not go into detail on visual impact. The DGs would provide guidance about screening of surface parking from the public way in a variety of ways, and would provide much more information on designing parking structures to be visually interesting, in scale, and more pedestrian-friendly, he said.

Mayor Hemminger said she appreciated the work regarding massing, and was looking forward to seeing the DGs work through the process.

Mayor pro tem Anderson asked the presenters to think about ways to encourage smaller projects, so the district would feel more eclectic and inviting. She would like to hear any "amazing ideas" they might have for having it look less like huge towers, she said.

This item was recieved as presented.

**15. Consider Authorization to Execute a Contract for the Process to Select a Town Manager.**

**[\[18-0047\]](#)**

Mayor Hemminger reminded all that Mr. Stancil was retiring, and that the Council would be searching for a new town manager process. This had been discussed at a Council work session, but there needed to be a formal Council vote, she said.

Council Member Buansi commented that he appreciated Development Associates' presentation at the work session, but was surprised that they had not received more consultant applications for the process.

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

Member Parker, that R-14 be adopted. The motion carried by a unanimous vote.

### *CONCEPT PLAN REVIEW(S)*

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

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

As a courtesy to others, a citizen speaking on an agenda item is 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.

**16. Concept Plan Review: Hanover Chapel Hill, Mixed-Use Development, 1010 Weaver Dairy Road. (Project #17-111)**

**[\[18-0063\]](#)**

Senior Planner Kay Pearlstein updated new Council members on the concept plan, and the development review processes. She pointed out that there was no formal staff review of concept plans, and that the two being presented were rough sketches that applicants were presenting for feedback. She described the Town's three development processes: special use permit (SUP), development agreement (DA) and Conditional Zoning (CZ), and explained that CZ was a new process that was not yet available for use. The applicants had been advised to say which process they would want to follow, she said.

Ms. Pearlstein gave a PowerPoint presentation regarding Hanover Chapel Hill, a proposed mixed-use development on approximately 10.5 acres where a mobile home park, and two duplexes currently stood. She said that the application was for approximately 400,000 square feet of floor area. It would include 303 apartments, and 18 townhomes in three- and five-story multi-family buildings, she said.

Ms. Pearlstein explained that the applicant was proposing to rezone the site from MU-OI-1 to OI-3 to accommodate additional floor area. She showed the site on a land use map, and said that it was included in a Northern Area Task Force report, and was in Focus Area 2 of the Chapel Hill 2020 Comprehensive Plan. She pointed out that proposals for bus rapid transit in that very high transit corridor would support additional

development there.

Ms. Pearlstein noted that public comments at a CDC meeting included the need to relocate current residents of the mobile home park. The proposed 15 percent affordable units for those making 80 percent and 65 percent of the area median income might not be affordable to current residents, she pointed out. She said that the CDC had raised questions about the developer's responsibility regarding displacement of current residents.

Ms. Pearlstein reviewed other CDC comments, which pertained to the realignment of Old University Station Road, and the one-story office/retail building. She said that CDC members had thought there was a lack of anything that would draw people into the site, which seemed more residential than mixed use. In addition, CDC members thought there was too much surface parking, Ms. Pearlstein said. She recommended that the Council adopt Resolution 15, transmitting its comments to applicant.

Council Member Gu clarified with Ms. Pearlstein that 15 percent affordable housing applied to all of the units.

Mayor pro tem Anderson asked if the applicant had discussed relocation with residents of the mobile home park.

Ms. Pearlstein replied that the applicant would need to answer that question.

Council Member Buansi asked if staff had received feedback from the Housing Advisory Board (HAB).

Ms. Pearlstein replied that the HAB had done a courtesy review of the concept plan in December 2017, and had requested additional information about the housing plan.

Dan Jewell, of Coulter Jewell Thames, described how the area along Weaver Dairy Road and Martin Luther King Jr. Boulevard had become a mixed-use neighborhood - with two supermarkets, retail stores, and work opportunities within a 10-minute walk - and how the Town had identified it for economic development. He reviewed issues that Ms. Pearlstein had outlined, and discussed a plan to realign University Station Road. Mr. Jewell said that he would address more of the CDC's comments when making a conditional zoning application.

Bo Buchanan, representing Hanover Company, said that he had prepared his presentation with affordable housing, and a relocation program in mind. He acknowledged that there was a threat to many of the Lakeview Mobile Home Park residents, who did not have control over the land they were living on. That land had been designated for development by Orange County and the Town, he said, adding that the proposed development would be a higher land use, and would provide taxes to the Town.

Mr. Buchanan argued that Lake View residents would be better off going through Hanover Company's proposed relocation process than if they did not. Hanover had identified June 30, 2019 as the date of relocation, and was pledging \$75,000 for relocation in a process where the HAB would provide resources and options.

Mayor Hemminger clarified with Mr. Buchanan that 33 families currently lived on the property, and that they all had very short leases which automatically renewed, and had been in place for a long time.

Council Member Parker ascertained from Mr. Buchanan that the area proposed for a 5,000 square-foot retail building was roughly one acre.

Mayor pro tem Anderson asked if the applicant had had any conversations with Lakeview residents, and if any of those residents would be able to move into the new affordable units.

Mr. Buchanan replied that there would not be a community meeting until after the concept plan review process. He said that Hanover Chapel Hill would take two years to build, and that it seemed obvious, based on their response, that none of the current residents would move into the new housing.

Council Member Oates confirmed with Mr. Buchanan that Hanover Company was a national builder that had 55 developments under construction, and had built more than 150 across the country. Hanover had constructed 10 in the Triangle area, and about 12 in Charlotte, he said. Council Member Oates confirmed that Hanover was a privately-owned company that used institutional equity partners and lenders.

Council Member Oates asked about Hanover company's target return to investors, and Mr. Buchanan replied that it was typically 6.5 percent, but would be 6.25 percent with the proposed project. Council Member Oates verified that Hanover Company typically sold its properties to institutional buyers once they were stabilized.

Council Member Oates ascertained from Mr. Buchanan that the small retail area was envisioned to be an amenity, such as a coffee shop. She pointed out that such shops already existed in the area.

Council Member Stegman asked about the relocation plan for residents and how the applicant had arrived at \$75,000.

Mr. Buchanan said that he did not mean to imply that \$75,000 would cover all the costs. Hanover hoped there would be other sources of funding as well, and would ask the HAB for help with the plan, he said.

Council Member Schaevitz confirmed with Mr. Buchanan that Hanover

Company had done similar relocation projects in the past, but not where there was an existing mobile home park. The company had paid \$500 per unit to relocate 150 apartments in Texas, Mr. Buchanan said, explaining that they had given those renters a three-month notice.

Council Member Schaevitz asked Mr. Buchanan what he had meant by "resources," and he explained that it meant identifying options, with the help of the HAB, to get a relocation plan for each individual. He did not think it could be a generic plan, but one that would have to be created organically, he said.

Council Member Buansi asked if the applicant would work with Town staff as well on the relocation plan.

Mr. Jewell replied that the applicant wanted to work with all agencies involved, and that the rezoning process would allow dialogue that would help them arrive at the best scenario for everyone.

Council Member Buansi confirmed with Mr. Jewell that, thus far, the applicant had talked with the Orange County Health Department, and had had one conversation with the HAB. It would take months to create a plan, but the applicant was ready to do so, Mr. Jewell said.

Mayor Hemminger said that the Town had been talking with Orange County Commissioners about a joint plan to set up an area that would be suitable for mobile, pre-fabricated, and tiny homes. She stressed the importance of keeping affordable housing in the community. The Town had three mobile home communities that were under option pressure, so it was incumbent upon the Council to try and find solutions, she said. Mayor Hemminger said that she wanted to hear from residents about their interests. The Town did not want families to have to move, but landowners could decide what to do with their property, she pointed out.

Delores Bailey, executive director at EmPOWERment, Inc., spoke in support of the Lakeview community. She noted that the Family Success Alliance and members of the Affordable Housing Committee for the NAACP were present to speak about the effects that Hanover Chapel Hill would have on families - on more than 60 Chapel Hill/Carrboro school children, and on the Town in general. The Town wanted to be inclusive, but seemed to be pushing Lakeview residents out, she said. Ms. Bailey said that the plan with Orange County sounded wonderful, but it was hard to imagine it actually coming together by June 2019.

Dixon Pitt, CDC chair, reported that the CDC had supported the relocation efforts discussed at its December 2017 meeting. Some commission members had thought the proposed road seemed out of scale, and did not work with the townhomes, he said, and mentioned possible alternatives.

Council Member Parker noted a CDC comment about giving the project's

main road an urban feel. He asked if the commission had discussed doing that along Weaver Dairy Road as well.

Mr. Pitt replied that some CDC members wanted a heavy buffer, and some did not. In general, the CDC tried to encourage better streetscapes in all projects, and would encourage a more attractive frontage along Weaver Dairy Road, he said.

Council Member Schaevitz verified with Mr. Pitt that the CDC's suggestion for a payment in lieu toward a future northern greenway would be in lieu of greenspace.

Mayor Hemminger asked if the CDC had an opinion about the proposed commercial space.

Mr. Pitt replied that commissioners thought the 5,000 square-foot building seemed out of scale. An alternative would be to not have any retail, he said, pointing out that demand might be low with the Timberlyne Shopping Center right across the street.

Luis Santiago Rodriguez, a 15-year Lakeview resident, said that his time at Lakeview had been the happiest of his life. Work, schools, hospitals, stores, and transportation were all accessible - and the area was secure, he said, and praised the Town's police force. Mr. Rodriguez said that any move, if necessary, should be done correctly, and should consider the impact on children who would lose friends, schools, and teachers.

Pedro Munos, a 20-year Lakeview resident, expressed gratitude for the Council's support, and asked that all Lakeview residents receive the same benefits if they must be relocated.

Faith Fernandez, a fourth grader at Estes Hills Elementary School, said it was not fair to kick her, her family, and her neighbors out of the homes where they had spent their entire lives and were happy. How would you feel if you had to move from a place you call home that was a very important part of your life, she asked. Miss Fernandez told Council members that she and her family were very sad, and that she begged them to not build new houses where someone already lived.

Rodrigo Montano Parra, a fifth grader at Frank Porter Graham Elementary School, said that all his memories were at Lakeview. His parents were afraid, and had nowhere to go, he said. "I don't know why you are doing this," said Mr. Parra.

Lea Fernandez, a seven-year-old Estes Elementary School student, said it was not fair to move Lakeview residents from their homes, and that she and her parents were sad. Her parents did not have enough money to buy a house, and she did not want to lose her home, school, and friends, she said. She asked the Council to think hard about where it might move

them.

Maria Fraire, a Smith Middle School student, said that she and her family had moved many times, and she did not want to move again. Lakeview was like home, the people were like family, and she did not want it to be the last time she would see either, she said. Ms. Fraire pointed out that her family worked hard to pay for everything. She asked the Council to think about all the damage it would do to Lakeview residents.

Irene Fraire, an East Chapel Hill High student, said "we are your future" and asked the Council to consider how Lake View teens might suffer from sadness, and be bullied if made to go to other schools. Unlike some other neighborhoods, Chapel Hill was a safe place where people help and protect each other, she said. Miss Fraire pointed out that developing Lakeview would mean cutting down a lot of trees in a town that wants to stay green.

Alberto Franco, a 17-year resident of Lakeview, explained that he and others had put much effort into building the community, and had watched their children grow up there. He said that he paid taxes and owned nothing to the government. "We're not criminals," Mr. Franco said. He stated that developers were not considering the people who live there, and did not even know where they would be relocated. How would he get to work? How would the children get to school? Who would watch the children when they could not be home? Mr. Franco stressed that Lake View residents were not asking for anything for free. They wanted to know that they would go to a safe place where they would be treated like human beings, he said.

Elias Montano Perro, a middle school student, said he was proud to live in a neighborhood that had very good schools, camps, clinics, and support from Triangle United. He had a great relationship with his classmates, he said, adding that he had learned two languages, and could get to soccer practice by bus. Changing schools all of a sudden would affect his grades, Mr. Perro said.

Belen Alvarado, a single mother, said that she moved to Lakeview when she was pregnant, and had worked two jobs, day and night, in order to buy a safe home, and provide for her two daughters. She was grateful that her mother lived in Lakeview, as well, and could help care for the children, she said. Ms. Alvarado implored the Council to not take away the home that she had built and the experiences that she and her neighbors had shared.

Ninga Parra, an 11-year resident at Lake View, said that she had four children in four different local schools. Her husband worked, and she used the bus to go everywhere because she did not drive, she said. Ms. Parra expressed concern about not having access to shopping, clinics, and school conferences if she had to move. She said that her children's grades would probably suffer due to the psychological impact of moving. She asked



Council members who were parents to think about how they would feel in her situation, and to keep her children in the same schools if they must move.

Suri Alvarado, a Lakeview teen, expressed sadness and fear that moving could mean not living close to her grandmother, who cared for her when her mother, who had Parkinson's Disease, was at the hospital. She said she did not want to change schools, or move to a place where the police were not as friendly as they were in Chapel Hill. Miss Alvarado pointed out that there was a store near her home, a movie theater across the street, and various parks nearby.

Ingrid Garcia, a Lakeview resident and mother of two daughters, ages eight and five, said that a woman from Alliance for Family Success had advocated for her and kept her informed. Ms. Garcia explained that she had a chronic illness, but still worked two jobs to support her daughters. Moving would mean losing her family and friends, her job on Franklin Street, and all of the support that she had in Chapel Hill, she said.

Maricela Martinez, a Lakeview resident, said that she had kidney trouble, and asked the Council to please not move residents from a place where they help each other like one big family.

Heather Brutz, a volunteer with the NAACP, read comments by residents who were not comfortable speaking in public. This included a statement from a woman whose ill daughter might not be alive if they had not had access to the hospital via the Town bus system. Ms. Brutz also read a statement from another woman who depended on the bus system, and did not want her three children to have to leave Chapel Hill Schools.

Kim Talikoff, an Estes Hills Elementary School teacher, praised the children who had spoken, and characterized them as showing tremendous strength in the face of multiple challenges, and toxic stress. She knew that Council members were deeply committed to protecting and expanding the Town's low-income housing stock, and she trusted them to not reduce existing stock, and displace people from Town, she said. Ms. Talikoff stated that she was not okay with the Town saying it cannot find a solution.

Anna Richards, Chapel Hill-Carrboro NAACP president, expressed solidarity with Lakeview residents who were facing eviction, and likely displacement from Town. She asked the Council to search for ways to help that community of approximately 120 residents. They were our neighbors, and it would be shameful if they were forced out, and their children had to leave Town schools, she said. Ms. Richards acknowledged that there was a need for more housing in Town, but said it should not come at the expense of existing residents. She requested that the Town develop a plan to help secure new housing for Lakeview's residents within Chapel Hill.

Ms. Richards said that any plan should be developed with input from residents, and should not require them to disclose their immigration status to receive assistance. Possible solutions included providing land for mobile homes, and giving stipends for residents to move or to purchase new homes if their existing ones could not be moved, she said. This could be done with a combination of Town, County and developer funds, and the NAACP looked forward to helping craft solutions, said Ms. Richards.

Erika Rubi Franco, a senior at UNC-Chapel Hill, said she had lived at Lakeview since she was six. She and the other children there had been through continuous school redistribution, and were now losing the homes that had been the only constant in their lives. All of their parents work, she said. Ms. Franco noted that the area around Lakeview had developed to a point where children could walk to the grocery store, and health clinic, and take a bus to school. Ms. Franco argued that it was inhumane to advance the Hanover Chapel Hill proposal without protecting the Lakeview community.

Maricela Hernandez, a navigator with Family Success Alliance, summarized the socio-economic status of Lakeview community members, and described their dreams of owning a mobile home. She asked if allowing new people to move into the community, and displacing those who had been living there for more than 15 years would signify progress. Ms. Hernandez said she agreed with Ms. Richards's comments. She asked the Council to find a way to relocate Lakeview residents within Chapel Hill, and to reimburse them for the resulting costs.

Mayor Hemminger said that she was proud of those who had come out and spoken, especially the children. She understood how intimidating it was to do so and she was grateful, she said.

Council Member Bell said that Council members needed to deepen their understanding of affordable housing and why it was needed. The evening's testimony was not about price points, but about mobility, access, and creating a community where people could support one another, she said. Council Member Bell expressed appreciation to those who had shared their stories and had created a level of urgency that has been missing from the conversation. She said she trusted what the developer had said about wanting to be part of the conversation.

Council Member Bell explained that she was not feeling well, but had stayed because it was important to hear the residents' testimony. She left the meeting at 10:12 p.m.

Council Member Stegman said it was the job of local government to protect communities, especially the most vulnerable ones. Her first choice would be to keep the community where it was, she said, but she pointed out that the Town did not own the land. Council Member Stegman stated her commitment to developing a plan that would maintain all of the

important resources that the speakers had mentioned. She proposed that the Town evaluate all of its own properties for potential relocation. She agreed with the NAACP's recommendation to obtain input from residents, help them move, and keep the community together, Council Member Stegman said.

Council Member Buansi said that he felt puzzled and a little disturbed by inconsistencies in the applicant's draft relocation plan. Those inconsistencies had led him to think that there was no relocation plan, or that it was at the beginning stages, he said. Council Member Buansi emphasized the need to have a clear plan before contemplating relocation.

Mayor pro tem Anderson praised those who had come to speak. She said that she had felt upset when reading about the plan and was feeling very sad after hearing the evening's testimonies. She said that the Town needed to work hard to find a location for Lakeview's residents that would be in the Chapel Hill-Carrboro City Schools district. Council Member Anderson warned that not going ahead with the proposed development could lead to the landowner evicting residents quickly. Mayor pro tem Anderson assured residents that they were not a burden and that the Council wanted them in Town. She urged them to be part of the process of finding a place that would feel right and where they could be together.

Mayor pro tem Anderson told Mr. Buchanan that she would have looked upon the plan more favorably if there had been a relocation plan. There already was much market-rate rental housing in northern Chapel Hill so more high-end rental was not her first choice, she said. She said that the project did not feel like mixed-use, but more like housing with less than one percent office and retail. There should at least be a conversation about different types of housing, she said, noting that subsidized housing might allow the current residents to remain with a different type of housing.

Mayor pro tem Anderson mentioned that the Town had been discussing changing the concept plan process. The Hanover Chapel Hill proposal seemed like a perfect example of how asking developers to check boxes did not address what the Town really wanted, she said.

Council Member Parker told the residents who had spoken that he admired their courage. He said that they had been heard and would be treated with the same respect and dignity as everyone else in Town. The Town owed them an apology because it had known for a long time that trailer park land was becoming valuable and it should have had a plan, he said. He recommended that the Council buckle down and work collaboratively with Orange County, affordable housing partners, and residents. Council Member Parker pointed out that the solution would require much effort, and would not be free for the Town.

Council Member Parker agreed with others that the concept plan was not

mixed use since the retail building seemed like an afterthought. He agreed with most of the CDC's comments and said that the proposed main road looked out of scale and the surface parking was an inefficient use of land. The Town's goal was to urbanize that area, but the plan looked like a classic suburban development, he said. He said that he did not find much that was appealing but acknowledged that his reaction might be colored by the testimony he had just heard.

Council Member Gu said she had visited the Lake View community, and realized the similarities between the residents and herself, since she had daughters, used UNC Hospitals, took public transit, and shopped in local stores. She challenged the developer to design a true mixed-use project that would include the community that was already living there. Council Member Gu said that the Council was committed to serving everyone in the community.

Council Member Oates pointed out that the Town would not be able to stop the property owner from selling his land, but said she hoped the applicant understood that the current residents were performing important work that the Town valued. The Council would be hesitant to shoot itself in the foot by evicting people who were a very important part of the Town, she said. Council Member Oates told Mr. Buchanan that she would expect Hanover Company to participate in working with residents to find an acceptable alternative.

Council Member Schaevitz mentioned that her daughter was in kindergarten with some of the children from Lakeview. She said that she felt humbled by her responsibility as a new Council member, and that the Council would work hard to do the best it could for Lakeview residents. She thanked Family Success Alliance and the NAACP for their testimonies, and encouraged residents to continue working with those organizations and the Town on a relocation plan.

Mayor Hemminger told residents that they had been heard and that the Town was addressing the issue. She noted that Orange County had just passed a motion to look at a 10-acre parcel, which was in the Chapel Hill school district, but not on the transit line. "But perhaps it could be," she said.

Mayor Hemminger told Mr. Buchanan that 18 months was not a realistic timeline for making progress jointly with the Town. She understood the owner's right to sell the property, and the process could move more swiftly if all worked together, she said. Mayor Hemminger pointed out that Lakeview was not the only mobile home community that was under development pressure. The Town needed to think more broadly, she said, and pointed out that other types of affordable housing were coming on the market. Habitat for Humanity was also rethinking its strategies for different types of housing, she said.

Mayor Hemminger agreed with others that the concept plan did not feel like mixed use. She said that the Town already had plenty of luxury apartments, and was looking for different types of housing. The plan looked like buildings in a sea of parking, and the applicant could do better than that, she said. In summary, the Council wanted to look at housing for Lakeview residents that would be in the Chapel Hill-Carrboro City School system and have access to transit, she said. Council members wanted to have a plan before moving forward, and intended to talk with mobile home park owners about working on a plan together, Mayor Hemminger said.

A motion was made by Council Member Parker, seconded by Mayor pro tem Anderson, that R-15 be adopted. The motion carried by a unanimous vote.

17. Concept Plan Review: Coley Hall Self-Storage Building at Vilcom Center, 66 Vilcom Center Drive (Project #17-094)

[\[18-0064\]](#)

Ms. Pearlstein gave a PowerPoint presentation on a concept plan for Coley Hall, a site at Vilcom Center that had been approved as an office building in zone OI-2. The applicant was asking for a modification to consider a conditioned self-storage building at that location instead, she said. She explained that conditioned self-storage was not currently a permitted use in Town, and would require a text amendment.

Ms. Pearlstein showed a site plan, and pointed out that Vilcom Center was in Focus Area 2. She mentioned other projects that were being proposed for the surrounding area, and said that the impact on the adjacent neighborhood, Kensington Trace, would need to be considered. Allowing conditioned self-storage would mean changing the zoning map, and ordinance to allow it as a new use, she explained.

Ms. Pearlstein said that the CDC had expressed concern about potential impacts on neighbors, and had recommended reducing parking in one area, and adding windows at ground level. The CDC had said the site was a good one for the proposed use, she said. Ms. Pearlstein added that the CDC had recommended additional buffering between the site and properties to the east of it.

Council Member Parker confirmed that the applicant was trying to keep both options open, and asked how that would work.

Ms. Pearlstein explained that the applicant was proposing to allow self-storage in OI-2, the current zoning district, but staff was just beginning to evaluate whether or not that was the proper zone for the use. If the applicant wanted to keep the building as office space and allow both options, it would have to be a project that would allow both, she said. Mayor Hemminger reminded the Council that it had approved self-storage in a building in the new Enterprise Zone.

Sarah Bryan, of Bryan Properties and Redwing Land LLC, outlined the proposal for a three-story, 93,000 square-foot, conditioned self-storage building. She said that a market study had shown demand for the use in Town. She showed the site on a Vilcom campus map, and said that all condo association groups had approved the proposed elevations and site plans.

Ms. Bryan provided details regarding parking and a nearby right-of-way. She said that conditioned self-storage had not been a common use when Vilcom Center was approved, but that demand for it had grown. Ms. Bryan described existing vegetation that could be used as a buffer, and asked for some relief from the landscape buffer requirement due to power significantly limiting what could be planted in the right-of-way.

Council Member Parker asked why there had not been enough demand for an office building as had originally been planned.

Ms. Bryan replied that they had hoped demand for an office building would develop, but had found a use for which there was demand in the meantime.

Council Member Schaevitz asked why having a building in place was important to tenants.

Ms. Bryan explained that tenants wanted a complete development rather than a vacant lot with a chain link fence, and only one connection to Weaver Dairy Road.

Council Member Oates said she wanted to see how the plan fit in with Northern Area Task Force recommendations. She also wanted to know if approving self-storage would have any impact on what the Lake View property owner could do with its parcel next door.

Council Member Gu confirmed with Ms. Bryan that "office or self-storage" meant there was a demand for conditioned self-storage, but if something were to change before the text amendment was in place, the applicant could change the plan and construct an office building.

Council Member Stegman asked about potential impacts on Kensington Trace.

Ms. Bryan said that storage facilities were visited rarely, and required only eight to 10 parking spaces. There would be two staff people present at all times, she said.

Mayor pro tem Anderson stressed the importance of making sure that light and noise were adequately buffered. She said that she liked the CDC's comments. She could not get overly excited about self-storage, but was not offended by it, she said.

Council Member Parker confirmed that loading would be done through double doors at the rear of the building, and that there would not be a loading bay with large trucks backing up to it.

Mayor Hemminger said, in summary, that the Council liked the CDC's recommendations, and wanted the building to resemble the Vilcom office buildings. They also like the existing buffering, and wanted the applicant to work with staff to ensure that there would be sufficient buffer to protect neighbors from noise and light pollution, she said. There were no concerns about parking, she said.

Mayor Hemminger mentioned the importance of connectivity. She proposed that the applicant make the area near the power lines more aesthetically pleasing. She said that the Council would prefer to see an office building at that location, but that she applauded the applicant for trying to find a good use. The Town did have pent up demand for storage, she said.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Schaevitz, that R-16 be adopted. The motion carried by a unanimous vote.

### **Adjournment**

The meeting was adjourned at 11:13 p.m.