



TOWN OF CHAPEL HILL

Town Council Meeting Agenda

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

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, May 5, 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_bVyXXoHTT7mPpyZfisUM5A
After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592,
Meeting ID: 889 5069 1249*

View Council meetings live at <https://chapelhill.legistar.com/Calendar.aspx> – and on Chapel Hill Gov-TV (townofchapelhill.org/GovTV).

OPENING

ROLL CALL

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.

1. C.F. Smith Property Group Request to Allow Limited Scope (CZD) Conditional Zoning District Review for Construction Start and Construction Completion Timeline Extension Requests for Special Use Permit (Project #14-070), Tri-City Medical Building, 5002 Barbee Chapel Road. [\[21-0375\]](#)

ANNOUNCEMENTS BY COUNCIL MEMBERS

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.

2. Approve all Consent Agenda Items. [\[21-0376\]](#)

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.
3. Adopt the Recommended 2021-2022 Community Development Block Grant Program Plan. [\[21-0377\]](#)

By adopting the resolution, the Council approves the recommended 2021-2022 Community Development Program Plan for use of \$419,565, and authorizes the Town Manager to submit the Plans to the U.S. Department of Housing and Urban Development as the annual update to the Five-Year Consolidated Plan. By enacting the attached project ordinance, the Council establishes the CDBG budget for the 2021-2022 program.
4. Approve the 2021-2022 HOME Investment Partnership Program Annual Plan. [\[21-0378\]](#)

By adopting the resolution, the Council authorizes this plan to be incorporated into the Annual Update to the 2020-2024 Consolidated Plan, for submission to the U.S. Department of Housing and Urban Development.
5. Adopt the Recommended 2021-2022 Capital Fund Program for Public Housing Renovations. [\[21-0379\]](#)

By adopting the resolution, the Council approves the recommended 2021-2022 Capital Fund Program Plan and authorizes the Manager to submit this 2021-2022 Annual Plan to the U.S. Department of Housing and Urban Development. Enacting the ordinance would

- establish the project budget for the 2021-2022 Capital Fund Program.
- 6.** Extend and Provide Option to Expand Territory of the Encroachment and Lease Agreement for Town Right-of-Way along Cleland Drive for Continued Use as a Cellular Tower Site. [\[21-0380\]](#)
- By adopting the resolution, the Council authorizes the execution of an amendment to the encroachment and lease agreement for Town right-of-way along Cleland Drive to NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC for two additional periods of five additional years to commence July 1, 2026 and expire June 30, 2036, with an option to extend the leased territory by a maximum of 432 square feet.
- 7.** Amend the Soil Erosion and Sedimentation (SE&S) Control Agreement between the Town of Chapel Hill and Orange County. [\[21-0381\]](#)
- By adopting the resolution, the Council authorizes the Town Manager to execute the amended Soil Erosion and Sedimentation Control Agreement between the Town of Chapel Hill and Orange County.
- 8.** Call a Public Hearing to Consider Closing an Unimproved and Unpaved Portion of Mitchell Lane Public Right-of-Way on June 9, 2021. [\[21-0382\]](#)
- By adopting the resolution, the Council calls a Public Hearing for June 9, 2021 to consider closing a portion of the public right-of-way of Mitchell Lane.
- 9.** Call a Public Hearing for a Land Use Management Ordinance Text Amendment to Section 3.11, Blue Hill Form District Pertaining to Non-Residential Use Requirements on May 26, 2021. [\[21-0383\]](#)
- By adopting the resolution, the Council calls a public hearing for a Land Use Management Ordinance Text Amendment to Section 3.11, Blue Hill Form District pertaining to non-residential use requirements on May 26, 2021.

INFORMATION

- 10.** Receive Upcoming Public Hearing Items and Petition Status List. [\[21-0384\]](#)
- By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.
- 11.** Update on Town Efforts to Respond to the COVID-19 [\[21-0385\]](#)

Crisis.

By receiving this update, the Council accepts information from the Town Emergency Management/Public Safety staff about the Town's efforts to respond to the COVID-19 crisis.

DISCUSSION

- 12.** Presentation: Recommended Budget for FY 2021-22. [\[21-0386\]](#)

PRESENTER: Maurice Jones, Town Manager

RECOMMENDATION: That the Council receive the FY2021-22 Manager's Recommended Budget.

- 13.** Receive the Draft Long-Term Recovery and Transformation Plan. [\[21-0387\]](#)

PRESENTER: John Richardson, Community Resilience Officer

RECOMMENDATION: That the Council receive the draft plan and provide feedback, as needed, for staff to share with the Project Management Team.

- 14.** Consider an Application for Modification to Conditional Zoning at 1751 Dobbins Drive Office/Institutional-2-Conditional Zoning District (OI-2-CZD) (Project # 21-023). [\[21-0388\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Comments by the applicant
- d. Comments and questions from the Mayor and Town Council
- e. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- f. Motion to enact an Ordinance to rezone the property.

RECOMMENDATION: That the Council adopt the Resolution of Consistency and enact the Ordinance, approving the proposal.

- 15.** Open a Public Hearing to Consider Closing a Portion of Public Right-of-Way of Maxwell Road within the Glen Lennox Development. [\[21-0389\]](#)

PRESENTER: Chris Roberts, Manager of Engineering and Infrastructure

- a. Introduction and preliminary recommendation
- b. Comments from the public
- c. Comments and questions from the Mayor and Town Council
- d. Motion to close the Public Hearing 24-hours after discussing this item to allow additional comments in the record per recent legislation
- e. Consider adopting the resolution to approve the right-of-way closure at the June 9, 2021 meeting.

RECOMMENDATION: That the Council opens a Public Hearing to consider the closure a portion of public right-of-way for a realignment of Maxwell Road within the Glen Lennox Development. On June 9th, the Council may take action on the requested closure.

16. Open a Public Hearing for Downtown Municipal Service District Services. [\[21-0390\]](#)

PRESENTER: Ross Tompkins, Assistant to the Town Manager

- a. Introduction and preliminary recommendation
- b. Comments from the public
- c. Comments and questions from the Mayor and Town Council
- d. Motion to close the Public Hearing and receive written public comment for 24 hours following the closed public hearing
- e. Consider approving the Conditional Zoning application at the June 9, 2021 meeting.

RECOMMENDATION: That the Council open the public hearing, receive public comment for 24 hours after the close of the hearing, and offer feedback on the vendor proposal for services.

17. Consider Approving the Eastwood Lake Subwatershed Study Report and Recommendations. [\[21-0391\]](#)

PRESENTERS: Sue Burke, Senior Engineer
Tom Murray, Raleigh Stormwater Program Manager, W. K. Dickson & Co., Inc.

RECOMMENDATION: That the Council adopt the Eastwood Lake Subwatershed Study Report and Appendices and approve the merged priority lists of projects.

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.

- 18.** Evidentiary Hearing Continued: Special Use Permit Modification for University Place, 201 S. Estes Drive.

[\[21-0356\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation of evidence by the applicant
- d. Recommendations by advisory boards and commissions
- e. Presentation of evidence by the public
- f. Comments and questions from the Mayor and Town Council
- g. Motion to continue the Evidentiary Hearing to May 19, 2021
- h. Referral to Manager and Attorney

RECOMMENDATION: That the Council continue the public hearing, receive evidence, and continue the evidentiary hearing to May 19 2021.

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: Aspen Chapel Hill, 701 Martin Luther King Jr. Blvd.

[\[21-0392\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Review of process
- b. Presentation by the applicant
- c. Comments from the Community Design Commission
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council

- f. Motion to adopt a resolution transmitting Council comments to the applicant.

RECOMMENDATION: That the Council adopt the resolution transmitting comments to the applicant.

APPOINTMENTS

- 20.** Appointments to the Environmental Stewardship Advisory Board. [\[21-0393\]](#)
- 21.** Appointments to the Grievance Hearing Board. [\[21-0394\]](#)
- 22.** Appointments to the Historic District Commission. [\[21-0395\]](#)
- 23.** Appointments to the Orange Water and Sewer Authority Board of Directors. [\[21-0396\]](#)

REQUEST FOR CLOSED SESSION TO DISCUSS ECONOMIC DEVELOPMENT, PROPERTY ACQUISITION, PERSONNEL, AND/OR LITIGATION MATTERS