



TOWN OF CHAPEL HILL

Planning Commission

Action Minutes

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

Chair John Rees
Vice-Chair Louie Rivers
James Baxter
Neal Bench
Michael Everhart

Melissa McCullough
Whit Rummel
Elizabeth Webber
Stephen Whitlow

Tuesday, August 18, 2020

7:00 PM

Virtual Meeting

Virtual Meeting Notification

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

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

Register for this webinar:

https://us02web.zoom.us/webinar/register/WN_mzJzGwI1SA2dHiiHrGORxQ

After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 831 5448 8458

Opening

Roll Call

Present 8 - Chair John Rees, Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Whit Rummel, Elizabeth Webber, and Stephen Whitlow

Absent 1 - Melissa McCullough

Secretary reads procedures into the record

Approval of Agenda

A motion was made by Whitlow, seconded by Webber, that the agenda be approved with an amendment to move item #8 up to precede item #3. The motion carried by the following vote:

Aye: 8 - Chair John Rees, Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Whit Rummel, Elizabeth Webber, and Stephen Whitlow

Announcements

1. Updates from Advisory Board Champions [\[20-0118\]](#)

This time provides an opportunity for Advisory Board Champions to relay updates from their latest meetings, as needed.

No updates were provided.

Petitions**Approval of Minutes**

2. Planning Commission Action Minutes for August 4, 2020 [\[20-0530\]](#)

A motion was made by Rummel, seconded by Everhart, that the minutes be approved. The motion carried by the following vote:

Aye: 8 - Chair John Rees, Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Whit Rummel, Elizabeth Webber, and Stephen Whitlow

New Business

8. Consider an Application for Minor Subdivision Review - 124 Windsor Place [\[20-0531\]](#)

A motion was made by Rummel to approve the subdivision as-is, per Resolution A as written in the agenda packet. The motion failed due to lack of a second.

A motion was made by Whitlow, seconded by Webber, to approve Resolution A, with a condition to require a payment-in-lieu of street improvements not to exceed \$5000. The motion carried by the following vote:

Aye: 7 - Chair John Rees, Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Elizabeth Webber, and Stephen Whitlow

Nay: 1 - Whit Rummel

Old Business

3. Consider an Application for Site Plan Review - 318 W. Rosemary Street Mixed Use [\[20-0516\]](#)

A motion was made by Bench to approve Resolution A as-is, with the exception of changing the payment-in-lieu to recreation space, but was open

to friendly amendments. The motion failed due to lack of a second.

A motion was made by Whitlow, seconded by Webber, that Resolution A be approved, with the following conditions:

1. Remove Condition #4, the Payment-In-Lieu for recreation space.
2. Revise Condition #11, change wording to say that applicant "must" go to Town Council if development converts to condominiums.
3. Revise Condition #13, add that exterior common spaces must be ADA compliant, including access to waste facilities.
4. Revise Condition #37, that the solid waste management plan for each project shall be designed to accommodate waste from any other project included in the shared dumpster agreement.
5. Revise Condition #43: Detailed plans for each site shall include barriers for tenants adjacent to construction areas or vacant properties.
6. Revise Condition #45: That the work zone traffic control plan shall also include any motorized or non-motorized traffic disrupted on adjacent properties, including Andrews Ln and Nunn Ln, and that Andrews Ln will remain passable for automobiles during construction.
7. New Condition: During the period of construction, fencing shall be maintained around the perimeter of land disturbance.
8. New Condition: That a shared dumpster agreement be signed prior to issuance of a permit.

The motion failed by the following vote:

Aye: 3 - Chair John Rees, Elizabeth Webber, and Stephen Whitlow

Nay: 5 - Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, and Whit Rummel

4. Consider an Application for Site Plan Review - 320 W. [\[20-0517\]](#)
 Rosemary Street Mixed Use

A motion was made by Bench, seconded by Vice-Chair Rivers, to adopt Resolution B for denial. The motion carried by the following vote:

Aye: 6 - Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Whit Rummel, and Elizabeth Webber

Nay: 2 - Chair John Rees, and Stephen Whitlow

5. Consider an Application for Site Plan Review - 322 W. [\[20-0518\]](#)
 Rosemary Street Mixed Use

A motion was made by Bench, seconded by Everhart, to adopt Resolution B for denial. The motion carried by the following vote:

Aye: 6 - Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Whit Rummel, and Elizabeth Webber

Nay: 2 - Chair John Rees, and Stephen Whitlow

Consider an Application for Site Plan Review - 318 W. [\[20-0516\]](#)
 Rosemary Street Mixed Use

A motion was made by Bench, seconded by Baxter, to adopt Resolution B for denial. The motion carried by the following vote:

Aye: 6 - Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Whit Rummel, and Elizabeth Webber

Nay: 2 - Chair John Rees, and Stephen Whitlow

6. Consider an Application for Site Plan Review - 324 W. [\[20-0519\]](#)
 Rosemary Street Mixed Use

A motion was made by Bench, seconded by Rummel, to adopt Resolution B for denial. The motion carried by the following vote:

Aye: 6 - Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Whit Rummel, and Elizabeth Webber

Nay: 2 - Chair John Rees, and Stephen Whitlow

7. Consider an Application for Site Plan Review - 326 W. [\[20-0520\]](#)
 Rosemary Street Mixed Use

A motion was made by Rummel, seconded by Bench, to approve the demolition of a duplex at 326 W Rosemary St. The motion carried by the following vote:

Aye: 7 - Chair John Rees, Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Whit Rummel, and Elizabeth Webber

Nay: 1 - Stephen Whitlow

A motion was made by Baxter, seconded by Vice-Chair Rivers, to adopt Resolution B for denial. The motion carried by the following vote:

Aye: 6 - Vice-Chair Louie Rivers, James Baxter, Neal Bench, Michael Everhart, Whit Rummel, and Elizabeth Webber

Nay: 2 - Chair John Rees, and Stephen Whitlow

Adjournment

Next Meeting - September 1, 2020

A motion was made by Webber to adjourn the meeting; meeting adjourned.

Order of Consideration of Agenda Items:

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

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

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

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