



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 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

Wednesday, November 13, 2019 7:00 PM

RM 110 | Council Chamber

OPENING

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. Sylvia Steere Regarding Fordham Side Path.

[\[19-0930\]](#)

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.

[\[19-0931\]](#)

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.

3. Grant a Private Sewer Easement over Town Property

[\[19-0932\]](#)

to the Owners of 200 Perry Creek Road.

By adopting the resolution, the Council authorizes the Town Manager to execute a private sewer easement agreement with the owners of 200 Perry Creek Road for a sewer line extension across Town open space to the existing OWASA sewer manhole along Dry Creek.

- 4.** Authorize the Town Manager to Seek an Affordable Housing Partner for Town-Owned Land on Jay Street and Begin Negotiating an Agreement under which the Parties would Prepare a Proposed Development Project. [\[19-0933\]](#)

By adopting the resolution, the Council authorizes the Town Manager to seek an affordable housing partner for Town-owned land on Jay Street and begin negotiating an agreement under which the parties would prepare a proposed development project.

- 5.** Adopt a Calendar of Council Meetings through June 2020. [\[19-0934\]](#)

By adopting the resolution, the Council adopts its meeting calendar through June 2020.

- 6.** Adopt Minutes from September 11 and 18, 2019 Meetings. [\[19-0935\]](#)

By adopting the resolution, the Council approves the summary minutes of past meetings which serve as official records of the meetings.

INFORMATION

- 7.** Receive Upcoming Public Hearing Items and Petition Status List. [\[19-0936\]](#)

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

DISCUSSION

- 8.** Discuss On-Street Parking Regulations in the Burch Kove Neighborhood. [\[19-0937\]](#)

PRESENTER: Matthew J. Sullivan, Fire Chief

RECOMMENDATION: That the Council provide direction regarding parking regulations that will allow emergency and other service vehicles to safely traverse the Burch Kove neighborhood.

- 9.** Initial Public Forum: Housing and Community [\[19-0938\]](#)

Development Needs Assessment for the Community Development Block Grant Program.

PRESENTER: Renée Moye, Community Development Program Manager

RECOMMENDATION: That the Council receive comments on housing and community development needs for the annual and 5-year Community Development Block Grant (CDBG) program plan.

10. Consider Approving the Language Access Plan.

[\[19-0939\]](#)

PRESENTER: Sarah Osmer Viñas, Assistant Director
Megan Peters, Community Connections Coordinator

RECOMMENDATION: That the Council approve the Language Access Plan (LAP).

ZONING ATLAS AMENDMENT

Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including opinions, when making Legislative decisions.

11. Consider an Application for Conditional Zoning Atlas Amendment at 1751 Dobbins Drive from Residential-4 (R-4) to Office/Institutional-2 Conditional Zoning (OI-2-CZ).

[\[19-0940\]](#)

PRESENTER: Judy Johnson, Interim 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. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to adjourn the Public Hearing
- g. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- h. Motion to enact an Ordinance to rezone the property.

RECOMMENDATION: That the Council close the Public Hearing, adopt the Resolution of Consistency, and enact Ordinance A, approving the Conditional Rezoning.

SPECIAL USE PERMITS

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 - Wegmans Food Market Street Improvements, 1810 Fordham Boulevard. [\[19-0941\]](#)

PRESENTER: Judy Johnson, Interim Director

Swearing of all persons wishing to present evidence

- 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. Presentation of evidence by the applicant
- d. Presentation of evidence by the public
- e. Comments and questions from the Mayor and Town Council
- f. Applicant's statement regarding proposed conditions
- g. Motion to close the public hearing
- h. Motion to adopt a resolution approving the Special Use Permit modification.

RECOMMENDATION: That the Council close the Public Hearing and adopt Resolution A, approving the Special Use Permit Modification.

CONTINUED DISCUSSION

- 13.** Open the Public Hearing: Land Use Management Ordinance Text Amendment - Proposed Changes to Articles 3 and 4 Pertaining to Conditional Zoning. [\[19-0942\]](#)

PRESENTER: Kari Grace, Senior Planner

- a. Introduction and preliminary recommendation
- b. Recommendation of the Planning Commission
- c. Comments from the public
- d. Comments and questions from the Mayor and Town Council
- e. Motion to recess the Public Hearing to January 8, 2020
- f. Referral to the Manager and Attorney.

RECOMMENDATION: That the Council open the public hearing on the Land Use Management Ordinance text amendment, receive public comment, and continue the public hearing to January 8, 2020.

- 14.** Consider Expanding the Length of Term That a Member May Serve as an Officer on a Board. [\[19-0943\]](#)

PRESENTER: Pam Hemminger, Mayor

RECOMMENDATION: That the Council expand the length of term that a member may serve as an officer on a board by adopting a resolution to amend the Advisory Board Membership Policy, calling a public hearing to amend the Land Use Management Ordinance and enacting amendments to the Town Code of Ordinances.

CONCEPT PLAN REVIEWS

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.

- 15.** Concept Plan Review: West Rosemary Street Hotel,
108/114 West Rosemary Street. (Project #19-107)

[\[19-0944\]](#)

PRESENTER: Kari Grace, Senior Planner

- 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.

- 16.** Concept Plan Review: Evolve, 1701 Martin Luther King
Jr. Blvd. (Project #19-111)

[\[19-0945\]](#)

PRESENTER: Kari Grace, Senior Planner

- 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.

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