



TOWN OF CHAPEL HILL

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

Town Council

Meeting Minutes - Final

Mayor Jessica Anderson
Mayor pro tem Amy Ryan
Council Member Camille Berry
Council Member Melissa McCullough
Council Member Paris Miller-Foushee

Council Member Theodore Nollert
Council Member Adam Searing
Council Member Elizabeth Sharp
Council Member Karen Stegman

Monday, June 17, 2024

6:00 PM

RM 110 | Council Chamber

Language Access Statement

For interpretation or translation services, call 919-969-5105.

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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In-Person Meeting Notification

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- Spectrum is replacing 1998 encoder that transmits programming to cable channel 18. It remains offline until complete.
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

Parking

- Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and Speakers

- Entrance on the ground floor.
- Sign up at the meeting starting at 5:30 PM with the Town Clerk to speak.
- If more than 14 people sign up for an item, Council will reduce speaking time from 3 minutes to 2 min./person.
- Please do not bring signs.

ROLL CALL

Present: 9 - Mayor Jessica Anderson, Mayor pro tem Amy Ryan, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Adam Searing, Council Member Karen Stegman, Council Member Theodore Nollert, Council Member Melissa McCullough, and Council Member Elizabeth Sharp

OTHER ATTENDEES

Town Manager Chris Blue, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Senior Planner Tas Lagoo, Affordable Housing & Community Connections Director Sarah Viñas, Executive Director for Strategic Communications and Marketing Susan Brown, Business Management Director Amy Oland, Planning Director Britany Waddell, Affordable Housing Manager Emily Holt, Police Officer Harris, and Deputy Town Clerk Amy Harvey.

OPENING

Mayor Jessica Anderson called the meeting to order at 6:00 p.m. and reviewed the agenda. All Council Members were present.

0.01 Proclamation: Parks and Recreation Month.

[\[24-0380\]](#)

Council Member Sharp read a proclamation that pointed out the physical, mental and ecological benefits of Parks and Recreation activities. The proclamation declared July 2024 to be "Parks and Recreation Month in Chapel Hill" and urged all residents to take advantage of local programming. It congratulated Recreation Supervisor Keith Dodson for receiving a special citation from the North Carolina Parks and Recreation Association Conference for his dedicated service.

Mr. Dodson received the proclamation on behalf of the Parks and Recreation team, several of whom were present. Mayor Anderson thanked them for supporting excellent Town programs and facilities for all ages.

0.02 Mayor Anderson Regarding Construction on Hargraves Tennis Courts.

[\[24-0381\]](#)

Mayor Anderson said that construction on the Hargraves Center tennis courts was almost complete. She encouraged everyone to come out and enjoy the Town's many Parks and Recreation activities.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.03 Mayor Anderson Regarding Juneteenth and Town Services.

[\[24-0382\]](#)

Mayor Anderson announced that the Town would be celebrating the "Juneteenth" holiday on June 19, 2024. She advised residents to check social media for information on changes to Town facilities and services on that day.

0.04 Mayor Anderson Regarding July 4th.

[\[24-0383\]](#)

Mayor Anderson said that the Town's July 4th fireworks celebration would be held at Southern Community Park at 9:00 p.m. and that more information was available on the Community Arts and Culture webpage.

0.05 Mayor Anderson Regarding Successes and Accomplishments During Current Council Season.

[\[24-0384\]](#)

Mayor Anderson pointed out that it was the Council's last meeting before its summer break. She thanked the Town Manager and staff and her Council colleagues for five and a half months of productive, hard work. The Mayor listed some of the Town's recent accomplishments, which included improving processes, planning a five-year budget, launching a bond referendum, and having productive policy discussions about the Land Use Management Ordinance rewrite.

Mayor Anderson commented on Town successes, such as: groundbreaking for 54 affordable homes at Trinity Court; opening multiuse paths and bike lanes on Estes Drive; and making progress on affordable housing, Vision Zero, climate action, and other goals. Even though the Council would not meet again until September, staff would continue to work on these initiatives over the summer, she said.

0.06 Council Member Stegman Regarding North Carolinians Against Gun Violence Dedication Ceremony.

[\[24-0385\]](#)

Council Member Stegman invited the public to attend a North Carolinians Against Gun Violence special dedication ceremony at 9:00 a.m. on June 18th at the Chapel Hill Public Library. The ceremony would be in memory of Lisa Price, one of the organization's founders, she said.

0.07 Mayor Anderson Regarding Ribbon Cutting for Estes Drive.

[\[24-0386\]](#)

Mayor Anderson said that a ribbon cutting for the rebuilt Estes Drive would be held at Phillips Middle School on June 18th at 10:00 am.

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.

0.08 Parks, Greenways, and Recreation Commission
Recommendations for Boards Assessments.

[\[24-0387\]](#)

A motion was made by Mayor pro tem Ryan, seconded by Council Member Berry, that the Council received and referred the petition to the Mayor and Town Manager. 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.

Approval of the Consent Agenda

A motion was made by Council Member Berry, seconded by Council Member Nollert, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. Approve all Consent Agenda Items.

[\[24-0355\]](#)

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

2. Police Radio Transfer to UNC Health Police Department

[\[24-0356\]](#)

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

3. Authorize the Town Manager to Apply for Local Government Commission (LGC) Approval and Execute a Lease at 7300 Millhouse Road for Town Offices including the Town's Police Department

[\[24-0357\]](#)

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

DISCUSSION

Public Hearings

4. Public Hearing on Bond Orders for November 2024 Referendum and Approval of Bond Orders, Ballot Questions, and Referendum Details.

[\[24-0358\]](#)

Director of Business Management Amy Oland outlined the upcoming North Carolina bond referendum process. She said that \$44 million in debt capacity would be available to the Town after it subtracted \$6.5 million for the 2024 installment financing from the proposed \$50.5 million bond. She listed the following recommended bond projects and amounts: \$15 million for Affordable Housing; \$15 million for Public Facilities; \$7.5 million for Streets and Sidewalks; \$4.5 million for Parks and Recreation Facilities; and, \$2 million for Open Space and Greenways.

Ms. Oland said that remaining steps in the process included the current public hearing, adopting bond orders, setting ballot questions, and setting a referendum date. The Town would need to publish the bond orders and the notice of referendum twice and then hold the referendum at the November 5, 2024, general election, she said. She recommended that the Council open and close the public hearing, adopt each of the five bond orders, and consider adopting Resolution R-4.

The Council voted on each bond order individually.

A motion was made by Mayor pro tem Ryan, seconded by Council Member Miller-Foushee, that the Council opened the public hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Berry, seconded by Council Member Sharp, that the Council closed the public hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Stegman, seconded by Council Member Nollert, that the Council adopted a Bond order authorizing the issuance of Town of Chapel Hill General Obligation Bonds for housing for persons of low and moderate income in the maximum amount of \$15,000,000, subject to voter approval. The motion carried by a unanimous vote.

A motion was made by Council Member Berry, seconded by Council Member Miller-Foushee, that the Council adopted a Bond order authorizing the issuance of Town of Chapel Hill General Obligation Public Building Bonds in the maximum amount of \$15,000,000, subject to voter approval.. The motion carried by a unanimous vote.

A motion was made by Council Member McCullough, seconded by Council Member Sharp, that the Council adopted a Bond order authorizing the issuance of Town of Chapel Hill General Obligation Bonds for Streets and sidewalks in the maximum amount of \$7,500,000, subject to voter approval. The motion carried by a unanimous vote.

A motion was made by Council Member Berry, seconded by Council Member Nollert, that the Council adopted a Bond order authorizing the issuance of Town of Chapel Hill General Obligation Bonds for Parks and Recreation Facilities in the maximum amount of \$4,500,000, subject to voter approval. The motion carried by a unanimous vote.

A motion was made by Council Member Berry, seconded by Council Member Miller-Foushee, that the Council adopted a Bond order authorizing the issuance of Town of Chapel Hill General Obligation Bonds for Open Space and Greenways in the maximum amount of \$2,000,000, subject to voter approval. The motion carried by a unanimous vote.

A motion was made by Mayor pro tem Ryan, seconded by Council Member Sharp, that the Council adopted R-4. The motion carried by a unanimous vote.

5. Public Hearing: Funding Application for the U.S. Department of Housing and Urban Development's Fiscal Years 2023 and 2024 Preservation and Reinvestment Initiative for Community Enhancement (PRICE) Competition.

[\[24-0359\]](#)

Director of Affordable Housing and Community Connections Sarah Viñas presented information on a PRICE Competition (named after retired US Congressman David Price), designed to provide funding to support manufactured home communities (MHCs). She said that the funding's four main goals were to: support underserved communities, ensure access to more affordable housing, promote homeownership, and advance sustainable communities.

Ms. Viñas said that \$235 million in federal funds would be available to preserve and redevelop MHCs. HUD anticipated making 25 total awards in the first round and these would range from \$5 million to \$75 million, she said. She noted that more awards were anticipated in future years.

Ms. Viñas pointed out that the Town's four MHCs (Lakeview, Village, Airport Road, and Tarheel) totaled 160 units and were located on or near

Martin Luther King Jr. Boulevard. She provided demographic information on MHC residents and pointed out that development pressure was expected put that source of naturally occurring affordable housing at risk.

Ms. Viñas reminded the Council that her department had been involved in creating a countywide Manufactured Homes Action Plan, which the Council had unanimously approved in 2022. The PRICE Competition was the first opportunity to access significant resources to support that Plan, she said, and she presented a long list of eligible uses.

Ms. Viñas said that her department planned to apply for \$10-15 million, which would be used to minimize displacement. They would submit the application by July 10, 2024, and HUD would announce the awards in fall, she said. She asked the Council to adopt Resolutions R- 5 and R-6, which would open and close a public hearing on the Town's application.

Council Members praised staff for its work with MHCs and for already having an Action Plan. Several thanked Congressman David Price for his longstanding commitment to the community. The Council and Ms. Viñas discussed staff's community engagement efforts, which included establishing resident leadership teams and developing online communication tools for residents. They talked about how a new Community Connections Coordinator would begin implementing a resident leadership team strategy for MHCs.

The Council clarified that acquisition would mean buying the land and then renting it to current residents with the potential for redevelopment of affordable housing that would allow current residents to remain. Ms. Viñas pointed out that any money for redevelopment would require a 50 percent match from local government.

Mayor Anderson characterized staff's plan as a great first step toward being able to work with much better options on the table. She said that redevelopment would make sense in the Town's transit-oriented development zone and could serve more people than those who were already there. She asked how staff was thinking about that, and Ms. Viñas replied that acquisition would be the first step. Staff had heard a strong Council interest in minimizing displacement and staff believed there was a way to increase density while maintaining residents in a housing type that they would be happy with, she said. She then outlined several possible approaches to that.

Council Members commented on the importance of having funds to compete with market rate developers in order to buy land before it is redeveloped. They agreed with staff's approach of taking one step at a time and exploring the different possible paths forward in consultation with current MHC residents.

A motion was made by Council Member Berry, seconded by Council Member Miller-Foushee, that the Council adopted R-5. The motion carried by a unanimous vote.

A motion was made by Council Member Berry, seconded by Council Member Miller-Foushee, that the Council adopted R-6. The motion carried by a unanimous vote.

Continued Discussion

6. Rewriting Our Rules - A LUMO Update

[\[24-0360\]](#)

Principal Planner Tas Lagoos began the continuing discussion with Council about Neighborhood Conservation Districts Missing Middle Housing, Building and Street Frontage Standards, and evaluating the new Land Use Management Ordinance (LUMO).

Mr. Lagoos recommended removing the process for creating new Neighborhood Conservation Districts (NCDs) from the LUMO and looking at it in the broader context of equity in zoning. He said that protective overlay districts should be clearly limited to disadvantaged and vulnerable neighborhoods, according to national standards. He mentioned mismatches between LUMO language and national best practices. Setting aside existing processes for creating NCDs would allow the Town to move in a more equitable direction, he said.

Mayor pro tem Ryan asked about neighborhoods where NCDs had been established in order to protect them from teardowns and redevelopment. Mr. Lagoos explained that staff was only recommending that the Town not create any new NCDs. The proposal would not change rules for the Town's 13 existing NCDs, he said, and he noted that not all of those had been developed to protect vulnerable communities. He said that the proposed change would mean not codifying something into Town laws that promotes inequitable outcomes.

Council Member McCullough and Mr. Lagoos talked about other strategies, such as pre-approved housing plans, which Mr. Lagoos said did not create a significant benefit for communities because they needed to be tailored to sites' unique constraints. Council Member McCullough replied, though, that Spokane had gotten about 100 new missing middle buildings in a year with pre-approved housing plans.

Council Member Sharp cautioned against applying broad principles that might have unintended consequences, and she emphasized the importance of implementing ways to achieve diversity in neighborhoods. Council Member Searing confirmed that places identified as "residential conservation areas" on a Town map were not the same as NCDs and he said that the map should be clarified.

Council Member Miller-Foushee confirmed with Mr. Lagoo that four of the Town's 13 NCDs had been following best practices. All 13 were overlay zoning districts and it would require a public legislative process to change them, he pointed out. Town Attorney Ann Anderson commented that removing or altering an overlay was within the Council's rezoning power but that it would not be easy to do and had not been done in a long time.

Mayor Anderson and Mr. Lagoo discussed how the Town's Future Land Use Map had identified corridors, such as Martin Luther King Jr. Boulevard, where student-oriented housing made sense and was likely to happen.

In response to a question from Council Member Berry, Attorney Anderson explained that the Town did not have authority to dictate who owns property or who lives in property. Encouraging uses and typologies in specific areas was different from requiring or mandating it, Ms. Anderson said.

Mr. Lagoo then continued an earlier Council discussion about allowing the next increment of Missing Middle Housing (MMH) -- such as triplexes, fourplexes and cottage courts -- along higher capacity roads and near greenway entrances, regardless of zoning district. He said that allowing MMH at sites along major Town thoroughfares would support the Town's Complete Community strategy and recommended that the Town begin retrofitting those neighborhoods in an incremental way.

Council Member Searing asked who would decide that a lower-density lot met the criteria for MMH, and Mr. Lagoo replied that the approach was already being used in Town based on the public works Department's classification of street types. That classification would serve as a good proxy for specific criteria listed in the Future Land Use Map Mr. Lagoo said. Council Member Searing requested that street classifications and where the changes would be made be clearly indicated on the Town map.

Mayor pro tem Ryan commented that tying density to roads made sense but that greenways would require a more nuanced approach since some run along neighborhood backyards. Mr. Lagoo replied that the area would be about 1/4-mile from any established and maintained greenway entrance.

Mayor pro tem Ryan said that the planning logic for MMH was different from that for Everywhere-to-Everywhere Greenways, and the Mayor and Mr. Lagoo discussed how many Town greenways ran along stream banks that had protected buffers. Staff could explore allowing minor incursions into Resource Conservation District buffers in order to connect one or more lots, Mr. Lagoo said, and Mayor Anderson expressed interest in discussing those tradeoffs at some point.

Mr. Lagoo said that mixed development allowed a more contextual

approach regarding building types and streets than single-family districts did. He proposed adding street frontage standards to the new LUMO that would vary based on focus area and street type. Doing so would create meaningful cohesion along roads and diversity at critical nodes, he said.

Mr. Lagoo showed a list of what might be regulated. He spoke specifically about wall length, parking design, landscaping, street trees and screening. He said that mixed development would require lot layouts that would generally define the box in which one could build. Staff was developing more granular, context-based design standards for everything from fourplexes to massive, multi-family apartment complexes, and would share those with the Council in the fall, he said.

Mayor pro tem Ryan confirmed with Mr. Lagoo that design features such as sidewalk width, street trees and landscaping would be among the new standards. Council Member Sharp verified that staff was proposing to expand the Town's current street classification system. Conditional Zoning for a large project could be an opportunity to specify street frontage requirements and types, Mr. Lagoo pointed out. He said that the Town might apply frontage types on a project-by-project basis.

The Council confirmed that street classification would be based on the role a street played in the broader network, which would sometimes match up with traffic generation numbers but would not be entirely based on that. Mr. Lagoo said that Town streets that would require different frontage standards based on their type and focus area location.

Mr. Lagoo said that the new LUMO evaluation process would be one of continuous improvement. Staff would track development outcomes being mindful of development cycles and would tailor reporting and data collection accordingly, he said. He said that staff was committed to being responsive rather than reactive and would recommend fixes as needed.

Mayor Anderson and Mr. Lagoo discussed the need to be clear up front about definitions for success, LUMO evaluation criteria, and how long the re-writing process would take.

Council Comments.

Mayor pro tem Ryan and Mr. Lagoo discussed the tipping point at which a developer could afford to sponsor affordable housing. He said that a development with 30 units might be able to provide a unit or two, but margins of error would need to be in the code. He pointed out that Conditional Zoning started at 11 units but the smallest market rate project the Town had seen was 47 units. To a certain extent, the Town was guessing about what development outcomes in the 11-47 range would look like, so staff was progressing cautiously based on available data, he said.

Mayor pro tem Ryan emphasized that the Town should not trade Resource Conservation District land for other interests. She recommended being very conservative in that respect and said that densification and preservation should go hand-in-hand.

Mayor pro tem Ryan mentioned the importance of getting access if the Everywhere-to-Everywhere Greenway network confronts a parcel. Mr. Lagoo replied that avoiding such scenarios would be part of an intense feasibility assessment that the Town would be doing. However, there were established legal procedures, such as eminent domain, that would give the Town a pathway if that were to happen, he said, and Mayor pro tem Ryan recommended that staff and the Town Attorney nail that down going forward.

Council Member McCullough praised the proposed equity-based approach and said that the American Planning Association had wonderful resources that could help with that. She mentioned the importance of ridding the LUMO of "coded" language. She expressed strong support for looking at road types and increasing MMH.

Council Member Miller-Foushee praised staff for addressing equity issues related to land use. Being true to the Town's Complete Community vision and allowing different housing types to be built again was exciting, she said. She agreed that more work needed to be done regarding NCDs.

Council Member Berry asked staff to be thoughtful about parking minimums, and she urged others to consider that many who move to Chapel Hill for its amenities prefer not to live near students.

Mayor Anderson thanked staff for leading the Council through important conversations. She said that the Council's future work should be at the same policy level, rather than reviewing individual projects as it had in the past. She stressed the importance of being consistent and having multi-family requirements that are similar, if not the same, as for single-family developments.

Mayor Anderson said that she was curious about the Engineering and Design Manual and would like to see how a Green Toolkit would be integrated. She said that it would be important for the Council to have a schedule of policy tradeoffs, and a timeline for the fall. It would be important to discuss having the LUMO respond to economic conditions and not get out-of-date, she said.

This item was received as presented.

6.1 Authorize Kroger Opioid Settlement Execution and

[\[24-0388\]](#)

Approving Second Supplemental Agreement for Additional Funds.

Council Member Stegman left the meeting at 8:35 pm.

Mayor Anderson said that NC Attorney General Josh Stein had asked the Council to become a signatory to an opioid settlement. The deadline for signing would fall during the Council's summer break, so the Town Attorney had asked that it be added to the current meeting, she said.

Town Attorney Ann Anderson explained that by adopting Resolution R-7 the Council would be signing onto a third round of defendants being added to an opioid settlement that would benefit local governments nationwide. She pointed out that all local governments with more than 30,000 residents needed to sign. There had been 100 percent participation in previous rounds, she said.

A motion was made by Council Member Miller-Foushee, seconded by Council Member Berry, that the Council adopted R-7. The motion carried by a unanimous vote.

APPOINTMENTS

7. Appointment to the Board of Adjustment [\[24-0361\]](#)
The Council appointed James Bartow, Allen Fishkin, and Benjamin Mcavoy-Bickford to the Board of Adjustment.
8. Appointments to the Historic District Commission [\[24-0362\]](#)
The Council reappointed Brian Daniels and Nancy McCormick to the Historic District Commission.
9. Appointments to the Planning Commission [\[24-0363\]](#)
The Council reappointed Wesley McMahon, Chuck Mills, and appointed Sawyer Hussein to the Planning Commission.
10. Appointment to the Orange Water and Sewer Authority Board of Directors. [\[24-0364\]](#)
The Council reappointed Todd Bendor to the Orange Water and Sewer Authority Board of Directors.

ADJOURNMENT

Mayor Anderson said that the Town had been reviewing its various engagement systems, including its boards, and would bring back a set of recommendations in the fall.

This meeting was adjourned at 8:40 pm.