



# TOWN OF CHAPEL HILL

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

## Town Council

### Meeting Minutes - Final

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, September 19, 2018**

**7:00 PM**

**RM 110 | Council Chamber**

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### 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 Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Communications Specialist Mark Losey, Planner II Michael Sudol, Planning and Development Services Director Ben Hitchings, Operations Manager Judy Johnson, Community Resilience Officer John Richardson, Public Works Director Lance Norris, Emergency Management Coordinator Vencelin Harris, Fire Chief Matt Sullivan, Police Chief and Executive Director for Community Safety Chris Blue, Fire Inspector Greg Peeler, Community Outreach Coordinator Len Cone, Deputy Town Clerk Amy Harvey

### OPENING

**0.1** Chapel Hill Response to Hurricane Florence. (no attachment) (\* added 9/18/18)

[\[18-0751\]](#)

Mayor Hemminger opened the meeting at 7:00 pm, and apologized for inadvertently scheduling it on Yom Kippur. She said that the Erwin Road concept plan had been moved to October 17th because of the holy day.

**0.0** Successes Video.

[\[18-0759\]](#)

Mayor Hemminger introduced a video that documented how the Town Manager and staff had addressed recent Hurricane Florence. She pointed out that the hurricane had dumped nine inches of rain in Town over a four-day period. The video showed the Town's emergency efforts before, during, and after the storm. Mayor Hemminger thanked staff and the many volunteers who had participated in preparations and recovery.

Town Manager Maurice Jones made preliminary remarks about the Town's response to the hurricane and introduced other staff members to provide details. Police Chief Chris Blue praised residents for staying off the roads during and after the storm. Public Works Director Lance Norris discussed preparations for the storm, the emergency response, and the clean-up efforts. EMS Coordinator Vence Harris reported on flooding issues and evacuations. Fire Chief Matt Sullivan talked about the Town's efforts to help other communities across the state.

Mayor Hemminger thanked staff for the time, effort, and dedication that they had expended, and then she and the Council gave them a standing ovation. Mayor Hemminger also thanked the University of North Carolina at Chapel Hill (UNC) and UNC Hospitals for support, materials, and other resources. Community support had been amazing and well-coordinated, she said. Mayor Hemminger pointed out that local businesses had suffered as well and she encouraged citizens to go out and show support.

## 0.2 Proclamation: Diaper Need Awareness Week

[\[18-0760\]](#)

Mayor pro tem Anderson read a proclamation declaring September 24-30, 2018 as Diaper Awareness Week in Chapel Hill. She explained that the high cost of diapers was an economic hardship for some families, which were generally required to provide a supply of diapers if they wanted their infants and toddlers to be accepted in childcare and early education programs. Mayor pro tem Anderson encouraged citizens to donate to diaper banks, diaper drives, and organizations that distribute diapers to families in need.

Michelle Old, founder and executive director of the North Carolina Diaper Bank, said that three branches of the Diaper Bank had distributed millions of diapers statewide. Diapers cost up to \$100 a month, she pointed out. Ms. Old said that most of the families the Diaper Bank helped were working but received no assistance with that cost.

## 0.3 Proclamation: Constitution Week.

[\[18-0761\]](#)

Council Member Schaevitz said that September 17, 2018 would mark the 231st anniversary of the US Constitution's adoption. She read a proclamation declaring the week of September 16-22, 2018 as Constitution Week in the Town of Chapel Hill. The proclamation encouraged citizens to reaffirm the ideals of liberty, equality and justice by reflecting and vigilantly protecting the freedoms guaranteed by the Constitution. Council Member Schaevitz recommended that residents also reflect on what being an active and contributing citizen means.

Jane Hogan and Cynthia Hukey accepted the proclamation on behalf of the the Davie Poplar chapter of the Daughters of the American Revolution, a 185,000-member women's volunteer service organization founded in 1890 and dedicated to historic preservation, education and patriotism. The

Davie Poplar chapter was organized in 1928 and had 133 members, Ms. Jane Hogan said, and she mentioned several projects in which they were involved.

#### 0.4 Proclamation: International Walk to School Day.

[\[18-0762\]](#)

Council Member Stegman read a proclamation that addressed the environmental and personal health benefits of biking and other forms of physical activity for children. She noted that driving children to school contributed to traffic congestion and air pollution. Council Member Stegman proclaimed October 10, 2018 as International Walk to School Day in the Town of Chapel Hill and encouraged all students and parents to walk to school on that and every day.

Director of Community Outreach Lynn Cone said that the number of students and parents who walk to school in Town had been growing each year. She encouraged all to continue those healthy habits throughout the year.

### **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.

#### a. Hank Elkins of Orange County Justice United Affordable Housing Team Regarding Master Leasing Proposal.

[\[18-0763\]](#)

Hank Elkins, an Orange County Justice United Housing Action Team member, asked the Town to evaluate a master leasing plan that his team had developed with the Chamber of Commerce, affordable housing providers, and county residents. The plan was a strategy to move residents with extremely low incomes, and other barriers, into commercial housing quickly and cost-effectively, he said. Mr. Elkins reported that his team had met with the Town's and Orange County's housing advisory boards and with Mayor Hemminger and Council members.

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

#### b. Calvin Deutschbein Regarding Recent Community Policing Advisory Committee Meeting.

[\[18-0764\]](#)

Calvin Deutschbein, a Community Policing Advisory Committee (CPAC) member, reported on a recent meeting at the Chapel Hill Public Library that was focused on creating a positive vision for what policing could look like in the broader community, including UNC. He listed some of the topics that had been discussed and requested that Mayor Hemminger clarify whether or not the Town could guarantee that sheriff's deputies not be present at McCorkle Place. Mr. Deutschbein praised the Town for having a CPAC and he recommended moving toward a citizen review board.

c. Julie McClintock of CHALT Regarding Land Use Intensification.

[\[18-0765\]](#)

Julie McClintock, representing CHALT (Chapel Hill Alliance for a Livable Town), submitted written comments asking the Council to reevaluate its current emphasis on land use intensification. She recommended that the Town examine its financial and ecological constraints and the amount of new construction that had been approved or was in the pipeline. She stressed the importance of taking the significant impacts of climate change into account. Ms. McClintock outlined specific steps that CHALT believed the Town should take.

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

## **PUBLIC COMMENT - ITEMS NOT ON PRINTED AGENDA**

### **ANNOUNCEMENTS BY COUNCIL MEMBERS**

a. Mayor Hemminger Regarding the Ackland Art Museum's Red Ball Celebration.

[\[18-0766\]](#)

Mayor Hemminger announced that the Red Ball project would begin the next day as part of a mobile public arts exhibit associated with the Ackland Museum. She read a description of that exhibit, which would spend three weeks in Town and then move to seven different locations.

b. Mayor Hemminger Regarding Justice in Action Committee's Community Forum Regarding Criminal Justice Debt in Orange County.

[\[18-0767\]](#)

She said that the a Justice in Action community forum on the impact of criminal justice debt in Orange County would be held in Council Chambers the following evening at 6:00 pm.

c. Mayor Hemminger Regarding IFC Community House Shelter Community Meeting.

[\[18-0768\]](#)

The Inter-Faith Council's Community House shelter community would hold a public meeting on Monday, September 24th, at 6 pm at the United

Church of Chapel Hill, she said.

d. Mayor Hemminger Regarding Community Workshops on UNC Draft Master Plan. [\[18-0769\]](#)

Mayor Hemminger said that community workshops regarding UNC's draft master plan would occur on September 24th and 25th at the Frank Porter Graham School's student union.

e. Mayor Hemminger Regarding Upcoming Inter-City Visit to Lawrence, Kansas. [\[18-0770\]](#)

On Sunday, Town Council members and staff would participate in an intercity visit to Lawrence, Kansas to learn and to bring back new ideas from a similar university town, she said.

## 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 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. [\[18-0742\]](#)

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

2. Enact Annual Budget Ordinance to Re-appropriate Funds for Prior Year Encumbrances and Other Obligations. [\[18-0743\]](#)

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

3. Adopt Minutes from June 26, and July 10, and September 13, 27, and October 11, 18, 2017 Meetings. [\[18-0744\]](#)

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

3.1 Amend the 2018 Council Calendar. (\*Item added 9/18/18) [\[18-0750\]](#)

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

## INFORMATION

4. Receive Upcoming Public Hearing Items and Petition Status List. [\[18-0745\]](#)

This item was received as presented.

**DISCUSSION**

5. Consider an Application for Special Use Permit Modification- [\[18-0746\]](#)  
The Oaks Condominiums Stormwater Drainage Improvements,  
101 Oak Tree Dr.

Planner Michael Sudol pointed out that a presentation on a Special Use Permit (SUP) modification for drainage improvements at The Oaks had been given at a previous public hearing. There had been no public comment, so he was recommending that the Council close the public hearing and adopt Resolution A for approval, he said.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Buansi, to close the Public Hearing and adopt R-3. The motion carried by a unanimous vote.

**ZONING ATLAS AMENDMENT(S) and SPECIAL USE PERMIT(S)**

The development proposal(s) below involves two separate steps: a rezoning application and an application for a special use permit. These two hearings will be conducted separately. You may sign up to speak on each item.

**ZONING ATLAS AMENDMENT(S)**

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.

6. Consider an Application for Zoning Atlas Amendment - [\[18-0747\]](#)  
Eastowne Redevelopment Medical Office Building - 1, 100  
Eastowne Drive.

Mayor Hemminger reviewed the history of public hearings on this item. She said that the approval process had been delayed since June, but there had been public meetings and offline conversations during that time. According to SUP rules, such conversations were considered ex-parte communications and should be disclosed, she said.

Mayor Hemminger stated that she had had several meetings over the summer with the applicant, staff, Community Design Commission (CDC), Planning Commission (PC) members and other Council members. She had not formed a fixed opinion on the matter, she said, and she asked other Council members if they had done so.

One by one, each Council member explained that they had received emails from concerned citizens and had conversed with the Mayor, Town Manager, and other Council members. None had formed fixed opinions and all were coming into the discussion with open minds, they said.

Mayor Hemminger commented that there had been more conversations than was typical for an SUP process because the proposed UNC Healthcare project represented a change in a gateway to Town. There had been concerns about scale and traffic, and the Town was trying to make sure that all questions, concerns, and viewpoints had been considered. The Council had therefore asked for more time to work together to come to a better place, she said.

Town Manager Maurice Jones introduced the rezoning (ZAA) proposal. He said that the project would include demolishing four buildings and constructing one six-story medical office and clinic building at the corner of Eastowne Drive and Highway 15-501. In addition, UNC Healthcare was proposing to build a utility building and a 1,100-space parking garage, he said.

Mr. Jones noted that UNC Healthcare had been working with the Town to develop solutions to concerns raised after the initial public hearing. He said that recent changes included a reduction in height to 90 feet, inclusion of a traffic impact analysis (TIA), and a commitment by the applicant to revisit that TIA in one year to address any traffic issues that the project might cause. UNC Healthcare had made a commitment to including a Town representative in its master planning process for future phases of the project and had agreed to a series of stipulations, Mr. Jones said.

Judy Johnson, operations manager of Planning and Development Services, pointed out that both a ZAA and SUP were before the Council and that each would be addressed separately. She reviewed the rules for those processes, but said that staff recommended varying slightly and not voting on the ZAA until after hearing information on the SUP modification as well.

Mayor Hemminger agreed that the recommended change in the process made sense in the current context.

Ms. Johnson said that the ZAA had been reviewed by staff and the PC and had been presented at a public hearing in May, 2018. She showed the site location on a map and indicated nearby buildings, including the Pinegate Apartments. Ms. Johnson said that the Town's Future Land Use Map designated the area for mixed use/office/commercial use. The existing zoning was Office/Institutional 2 and the applicant was requesting a change to Office/Institutional 3, she said. Ms. Johnson recommended that the Council receive the staff's report, close the public hearing, adopt Resolution 5, and enact Ordinance 2.

Simon George, vice president for Real Estate at UNC Healthcare, began the applicant's PowerPoint presentation with a broad overview of the development area and the proposal to develop one site.

Bill Derks, commercial director at McAdams Company, explained that the rezoning would allow a greater building height and floor/area ratio. He argued that two of the Town's required findings of fact were applicable and pointed out that only one of the three was required.

Alan Rimer, a Chapel Hill resident with experience in city and regional planning, said that he had sent an email to the Town that day regarding the SUP request. He had been involved in many areas of Town development, including early discussions regarding the gateway in question, he said. Mr. Rimer encouraged the Council to consider stipulations that he had suggested in his email.

Sue Hunter, a Chapel Hill resident representing a community-based group known as Next, said that UNC's plan aligned with Next's hopes and visions for the community. She said that the project would bring health clinics together in one place, provide more opportunities for collaboration, be located near light rail station, and include multi-modal access. Anything that would make life easier for patients would be wonderful, Ms. Hunter said, adding that Next strongly urged the Council to approve the request.

Elizabeth Brucker, a Chapel Hill resident and board member of the Chapel Hill-Carrboro Chamber of Commerce, noted the importance of keeping UNC Healthcare in Town and said that the requested rezoning was essential to that.

Regina Jones, a UNC Healthcare patient and Family Advisory Council member, spoke on behalf of patients and their families. She noted the turmoil that a serious diagnose can cause and said that the project would benefit patients by allowing them to receive care in one easily-accessible location.

Tina Colucci, a cardiology nurse practitioner with UNC Healthcare at Meadowmont, expressed support for the Eastowne project. She pointed out that it would be similar to the Meadowmont facility, where patients can receive care from a multitude of providers under one roof.

Sarah Binkowski, a Chapel Hill resident and a patient of UNC Internal Medicine, expressed enthusiasm for Eastowne's convenient location and easy parking. She said that the project would make interaction between UNC Healthcare and the community stronger. However, she worried about traffic in the Ephesus Fordham area and the amount of impermeable surface being added, she said. Ms. Binkowski expressed concern about more stormwater flowing into the Booker Creek basin.

Aaron Nelson, Chapel Hill-Carrboro Chamber of Commerce president, said that current zoning no longer met the needs of the Eastowne property and that two- to three-story buildings were obsolete in that area. He expressed gratitude to UNC Healthcare for choosing to reinvest in the community. Mr. Nelson stated that the proposed development was



consistent with Town maps, goals and priorities.

Lana Amend, a nurse manager at UNC Healthcare, mentioned problems that could result from lack of physical space in a clinic or its location. She said that the proposed building would provide the examination rooms, services, and parking needed to provide professional, timely and seamless patient care.

Council Member Bell said that she would support the ZAA because the density being requested would fit the use. She stressed the importance of UNC Healthcare and the Town creating the gateway in partnership. Signaling at the gateway that Chapel Hill was a place that heals as well as educates would be a good thing, she said.

Mayor pro tem Anderson agreed with Council Member Bell's comments, and said that the project was worth rezoning. She said that issues regarding the TIA versus the number of parking spaces, and the road widening, needed to be worked out, however.

Council Member Oates confirmed with Mr. George that the proposal was for one, 150,000 square-foot building, structured parking, and a clearing for a second building after the master planning process had been completed.

Mr. Derks explained that the applicant would not be able to build more than the 150,000 square-foot building without coming back to the Council for approval.

Mayor Hemminger said she agreed with the rezoning request and felt proud about having UNC Healthcare in the community. By rezoning, the Town was setting a pace and a plan for the area to become one of the second largest job centers in Town, she said. She pointed out that getting the first building correct was important because it would set the tone for that gateway location.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, to close the Public Hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Bell, seconded by Council Member Parker, that R-5 be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Bell, seconded by Council Member Parker, that O-2 be enacted. The motion carried by a unanimous vote.

### *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.

7. Consider a Special Use Permit Modification - Eastowne  
Redevelopment Medical Office Building - 1, 100 Eastowne  
Drive.

[\[18-0748\]](#)

Ms. Johnson gave a PowerPoint presentation on the SUP modification request. She reviewed the process since the concept plan phase in December 2017 and noted that UNC Healthcare's application for a 150,000 square-foot, six-story medical office building/clinic and 1,100-space parking deck had been through many public meetings. The SUP modification would mean rezoning the property from Residential 2 to Residential 3, she said.

Ms. Johnson explained that the requested modifications pertained to building height and buffers in the Resource Conservation District (RCD) and along Highway 15-501. In a PowerPoint presentation, she showed the location of nearby Pinegate Apartments and the proposed parking deck. She said that the most frequently asked questions pertained to building height, parking deck appearance, environmental concerns, UNC Healthcare's master plan, signage, and the second (fire lane) point of access. Nineteen stipulations reflecting those concerns had been added, Ms. Johnson said, and she recommended that the Council close the public hearing and adopt Resolution 7 as amended.

Craig Scheffler, a traffic consultant with HNTB, explained what could be derived from a traffic impact analysis (TIA) and how that applied to the Eastowne development. TIAs predict future traffic in an area and address trip-generation characteristics of a site, he said, pointing out that HNTB's analysis of trips to the Eastowne site had been as conservative as possible.

Mr. Scheffler said that a TIA had concluded that the proposed medical office building would be able to handle the amount of estimated traffic in 2021 (the year after build-out), with proposed improvements that he described. He said that a follow-up TIA would be done once the building was occupied and that the applicant had agreed to make additional improvements then, if warranted. Mr. Scheffler discussed the improvements that the project would require, noting that nearby Wegmans would be making most of them in conjunction with its own development project.

Council Member Schaevitz asked how HNTB had determined the scope of

the study area and Mr. Scheffler explained that it had been a mathematical process based on Town guidelines.

Council Member Schaevitz asked how different site uses (i.e. office building versus medical clinic) had been addressed in those calculations.

Mr. Scheffler replied that the space as it currently stood would be considered general office space, for trip-generating purposes. The variable used for trip-generation at the proposed medical building/clinic was its number of employees, he said.

Council Member Gu asked the applicant to bring back more specific information and easier-to-understand explanations of the current level of traffic and the increase in traffic after Wegmans and the medical building had both been built. She then asked why UNC Healthcare was planning a 1,100-space parking deck for an estimated 560 trips.

Mr. George explained that the applicant was planning a larger parking deck than was currently needed in order to accommodate future development on that site after the master plan was completed. UNC Healthcare wanted full capacity so it would not have to expand the deck when constructing the second building, he said.

Council Member Gu asked why there was no plan to "future-proof" traffic as well.

Mr. George replied that UNC had made a commitment to re-run trip generation after one year of operation and to make additional modifications then, if needed. He pointed out, however, that it was not the applicant's responsibility to mitigate impacts beyond its project.

Mayor Hemminger commented that many people shared the concern about traffic. She stressed the importance of making sure that the building would not preclude making changes when future plans become viable.

Mayor pro tem Anderson verified with Mr. George that UNC Healthcare would spend about \$15,000 for each of approximately 500 parking stalls when it increased the parking lot density.

Mr. George pointed out that it was also in UNC's interest to make sure that it had more than ample space for any traffic remediation in the future. Basing the TIA on 1,100 trips per month gave a hint of what UNC might need to do in the future and where it should place the garage, he said.

Mayor pro tem Anderson asked why not include numbers for future capacity.

Mr. Scheffler replied that trip generation for almost any type of

commercial/residential development was based on square footage or activity type. Unless a parking deck was a specific kind of parking garage -- or a park and ride lot -- capacity was not used as the basis because decks can be under- or over-utilized, he said.

Mayor pro tem Anderson pointed out that 1,100 people would never be parked in the deck at the same time, and she asked about creating a model that would include an estimate of the second building's need as well. That would help determine if the parking deck would be in the right place and if it included space for possible remediation in the future, she said.

Andy King, of MHAworks, Inc., pointed out that UNC owned the property and that there was space to dedicate the right-of-way and install another lane on its site if needed.

Mayor Hemminger said that planning to build a parking deck for future capacity was confusing. She noted the importance of being sure that the deck would not preclude widening the road if that became necessary.

Mr. King pointed out that the applicant would have to run a new TIA before building anything else at that location. If the TIA were to say that the applicant needed to add two lanes on its site, that was a risk UNC Healthcare was willing to take, he said.

Council Member Oates confirmed with Mr. King that the applicant would tie its future development to only what it could actually build. Mr. King said that UNC would obviously have to limit its project if it could not conform with what the TIA specified.

He showed a slide to help clarify where the area between the parking deck and U.S. 15 501 was. That area had space for road improvements, he said.

Mayor pro tem Anderson confirmed with Mr. King that a new lane, if necessary, would reduce the buffer to about 40 feet -- 30 feet, at the least.

Mr. Derks explained how everything would essentially be moved back about 12 feet from the right-of-way to the closest corner of the deck, as currently conceived. That would move the sidewalk into the buffer by about 8 feet, he said.

Mayor pro tem Anderson confirmed with Mr. Derks that widening the lane would mean that the tightest buffer, at the corner, would be reduced from 22 to 14 feet.

Mr. George began the applicant's PowerPoint presentation, which he said would address concerns about changes in the process and the complaints that had been based on not clearly understanding the proposed plan.

Dr. William Roper, UNC Healthcare's chief executive officer, provided background on the project since the property was purchased seven years prior. He explained that there had been approximately 850 UNC Healthcare employees working at five buildings on Eastowne Drive, but that some of them had recently been moved offsite so that four of those buildings could be demolished to make way for the first new construction project.

Dr. Roper reviewed the site plan and discussed UNC Healthcare's master planning process and timeline. He said that they would not return with a request for a second building until the master plan had been completed. UNC Healthcare was committed to holding workshops and working with the Council and advisory boards, he said, and he proposed that a Town's planner sit on the master planning committee.

Dr. Roper asked the Town to trust UNC Healthcare to do what it says it will do, noting that most who worked there were Town residents as well. He pointed out that UNC Healthcare was a safety-net institution and required to serve the needs of the state. It wanted to do that in a state-of-the-art facility, said Dr. Roper, adding that current clinics did not meet patient needs.

Mr. George discussed aspects of the construction plan, such as blasting, amenities, relocation of some parking, possible future retail, and the bus stop/shelter. With regard to the TIA, he stressed that the community's traffic issues were UNC Healthcare's traffic issues as well. UNC did not want a building that patients and employees could not get to, and would mitigate the traffic appropriately, he said.

Mr. George emphasized that trip mitigation studies had shown that the same level of surface would be maintained with UNC Healthcare's and Wegmans's traffic mitigation efforts. Moreover, UNC Healthcare had committed to coming back when the building was operational to do another TIA, he pointed out. Moreover, approval included a stipulation that UNC Healthcare would make changes if further mitigation was needed, he pointed out.

Mr. George showed renderings of how the building's height would look from Highway 15-501 with a proposed partial buffer. He noted that the applicant had committed to cladding 80 percent of the parking deck facade along Eastowne Drive. He showed how traffic would flow into the site and said that the buffer would still be 12 feet even if the NC Department of Transportation needed to add a lane to Highway 15-501. Mr. George said that the closest apartment facing the parking structure would be 260 feet away and that the others would be 190 feet away and not facing the structure.

Mr. Derks explained about the various widths of the unpaved fire lane and

said that bollards, or some other removable devices, would prevent other traffic from driving into that area.

Council Member Oates confirmed with Mr. Derks that pervious material under the grass would support the weight of a fire truck.

Mr. Derks explained how the proposed underground stormwater facility would work. In response to a question from Mayor Hemminger, he said that a stormwater pond was not an option due to the site's topography.

Mr. George summarized how the project would meet the Town's required findings of fact. UNC Healthcare was committed to working with a Town-chosen urban designer throughout the planning process, he said. He reviewed modifications regarding buffer improvements, the parking deck facade, and RCD impacts. Mr. George noted that UNC Healthcare had made a commitment to come back for a new TIA once the first building was operational.

Council Member Oates asked what concern had led UNC Healthcare to request that people be required to ask permission to use the public amenity space.

Mr. George replied that the intent was to avoid having people come in and set up a public barbecue or hold a party there on a Saturday night. UNC Healthcare did not want it to become a public park that it would have to manage, he said.

Council Member Parker confirmed that the parking deck would be free of charge for those who go to the site for medical care. Mr. George said that there was not yet a procedure in place for monitoring that, but there would obviously have to be one if problems arose.

Council Member Buansi confirmed with Mr. George that the open parking deck would be included in the overall property management program but that no one person would be stationed in the deck.

Council Member Gu verified that the purpose of having a 50-foot open space with a view of the building from Highway 15-501 was to show the UNC Healthcare brand and make the facility easier for people to find. She asked if having it five feet higher would mean less need for that open space, and Mr. George replied that it potentially would.

Elizabeth Brucker read the four findings of fact required for SUP modification approval and said that the proposed project met them.

Cristin Colfera, a physician and faculty member at UNC's School of Medicine, expressed enthusiasm about the opportunities that the Eastowne project would provide for patients, especially those who must travel long distances for medical services. She discussed the advantages

for physicians and patients of being able to give and receive care in one location.

Aaron Nelson pointed out that UNC Healthcare had been and would continue to be in Chapel Hill for generations. He trusted those associated with that institution and hoped the Council would approve the building, he said. Mr. Nelson proposed having less buffer, arguing that a canyon of trees could be seen anywhere in the country but its buildings expressed a town's character.

Gordon Merklein, representing UNC's Division of Finance and Operations, said that UNC's leadership fully supported the project and hoped the Council would approve the ZAA and SUP. He said that UNC had worked with UNC Healthcare and scrutinized the project as it had taken shape. The Eastowne Medical Clinic would meet the same standards as any building would on UNC's main campus and the plan exceeded many of those standards, he said.

Jay Patel, a Chapel Hill business owner and resident, characterized the project as a rare opportunity in which many of the Town's interests lined up. He said that the Council should jump on the opportunity to provide better accessibility to world class healthcare. He pointed out that a stipulation required UNC Healthcare to mitigate future problems.

Council Member Buansi asked that a stipulation in revised Resolution A specify that the process for public engagement follow that for Conditional Zoning and Development Agreements.

Council Member Bell said she supported clearing trees to expose the building, but only if the building is an attractive one. She confirmed with Mr. George that the applicant had been communicating with Pinegate's property managers about parking deck concerns. He said that Pinegate generally supports the project and noted that UNC Healthcare had made a commitment that ingress and egress would not be impacted.

Council Member Bell expressed enthusiasm for the master plan and discussed the value of patients being able to see multiple providers in one day at one location. That was a social equity issue for the state, she pointed out.

Council Member Stegman said that UNC Healthcare was a great partner and that she had gained trust in their ability to get the project right. She spoke about the need for an attractive building at the location and the desire for the applicant to help mitigate traffic problems. She listed reasons why it was the right location for dense redevelopment and asked that the master plan include commitment to a multi-modal development plan. Council Member Stegman asked that an existing memo of understanding be part of the discussion as well.

Mayor pro tem Anderson expressed general support for the project, which she said would make the Town's gateway something to be proud of. Clearing trees for a visible logo was okay with her, she said. She argued that a 14-foot buffer still seemed too small and said she would like any future traffic plan to include what could potentially happen on the side. Mayor pro tem Anderson clarified with Mr. George that UNC Healthcare had agreed that an urban designer and a member of the Town's planning staff would have seats at the table throughout the process.

Council Member Oates expressed concern about being asked to approve a project with so little green space.

Mr. George replied that things such as green space would be addressed and incorporated during the master planning process. He said that there had been green spaces in some of the concept plans and that there would be some in the future development.

Council Member Schaevitz agreed with what other Council members had said. She appreciated the inclusion of an urban designer because she wanted to see an activated, walkable, pedestrian-focused place at that location, she said. She stated that the SUP process seemed inappropriate for the particular application. She hoped there would be a better strategy in the master planning process that would allow Council members to engage with the public and be responsive to residents' wants and needs, she said.

Council Member Gu said that the proposed project aligned perfectly with Town goals. She said that she, too, was glad about the inclusion of an urban designer, and she recommended that the applicant check out the International Academy for Design and Healthcare for best practices. She asked that green space be part of the full-scale project and that more consideration be given to using the right-of-way in relation to future traffic expansion. Council Member Gu said she supported what others had said about traffic, stormwater, and deck improvements. She wondered if a large scale parking deck was absolutely necessary and said she hoped the applicant would address that in phases, if possible.

Mr. George pointed out that there was much current debate about self-driving cars but that the technology was not likely to be available within the next 10 years. However, if UNC Healthcare determined during the planning process that it needed less parking elsewhere on the site, it would not build those spaces and would continue to utilize the structure being proposed, he said.

Council Member Parker pointed out that the first project would set the tone and become the de facto standard for other development in the area. So it was important to build it to the highest standards, he said. He said that UNC was good at creating a unified whole through the use of both buildings and landscaping. He asked the applicant to take its



responsibility seriously and give the Town a building that all could be proud of.

Mayor Hemminger expressed gratitude for the applicant's willingness to work with the Town over the summer to arrive at a better understanding. She acknowledged the value of the project to UNC Healthcare and pointed out that the Council was charged with ensuring that it benefited the community as well. She said that the development could be something spectacular and that the RCD could be an amenity to the entire property.

Mayor Hemminger said that the changes the applicant had agreed to would add value to the project. She strongly recommended Conditional Zoning because it would allow more communication, she said. She encouraged the applicant to figure out how to have a right-turn lane exiting the property and to consider embracing a leadership role in environmental technology with the project.

Mayor Hemminger pointed out that there was enthusiasm for being able to see the building from Highway 15-501, as long as it was attractive. She expressed appreciation for the cladding on the parking deck, for the commitment to working with the Town, and for the inclusion of an urban designer.

A motion was made by Council Member Bell, seconded by Council Member Parker, to Close the Public Hearing. The motion carried by a unanimous vote.

Mayor pro tem Anderson reported that the Amity Station subcommittee had met to discuss potentially moving forward. The applicant would include a 22+ age restriction, but that would involve a financial commitment, or some sort of concession, from the Town, she said. The Committee had asked for clarification from staff about what the pro forma and so forth should look like, Mayor pro tem Anderson said. She said that the committee would meet again in about three weeks to review that information and decide what to do next.

A motion was made by Council Member Bell, seconded by Council Member Stegman, that R-7 be adopted as amended. The motion carried by a unanimous vote.

## **ADJOURNMENT**

The meeting was adjourned at 11:34 p.m.