



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 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 26, 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_Za82EMgWS5-uJckX943leQ After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 856 3181 8658

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

Roll Call

Present: 8 - Mayor Pam Hemminger, Mayor pro tem Michael Parker, Council Member Jessica Anderson, Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Karen Stegman, Council Member Tai Huynh, and Council Member Amy Ryan

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ann Anderson, Assistant Planning Director Judy Johnson, Planning Director Colleen Willger, Housing and Community Executive Director Loryn Clark, Executive Director for Technology and CIO Scott Clark, Communications and Public Affairs Director/Town Clerk Sabrina Oliver, and Deputy Town Clerk Amy Harvey.

OPENING

Mayor Hemminger opened the virtual meeting at 7:00 p.m. and reviewed the agenda.

Mayor Hemminger called the roll and all Council Members replied that they were present.

1. Recognize Flo Miller for her Years of Service. (no attachment)

[\[21-0475\]](#)

Mayor Hemminger recognized Deputy Town Manager Florentine ("Flo") Miller, who was retiring after 32 years of service to the Town. She said that Ms. Miller was "the heart and soul of all the inter-workings of our Town" and that it would be an understatement to say she would be missed.

Former Mayor Ken Broun commented on the intelligence, vitality and wealth of knowledge that Ms. Miller had brought to the community for more than three decades. She was one of the hardest workers he had ever known in any setting and had given more than elected officials and citizens could ever repay, he said.

Former Mayor Mark Kleinschmidt commented on Ms. Miller's extraordinary ability to understand and weave together the interests of employees, citizens and elected officials interests while acknowledging everyone's value. She had been an instrumental part of every success the Town could claim, he said.

Former Council Member Ed Harrison described Ms. Miller as a notable Town employee who had kept so much running so well for so long without seeking the spotlight for it. He commented on her matchless institutional memory, knowledge, and her ability to always have a clear answer.

Mayor Hemminger presented Ms. Miller with a framed resolution of appreciation, several small gifts from the Council, and a key to the city. She proclaimed May 26, 2021 to be Florentine Miller Day in Chapel Hill. "Job well done," she said, adding that she would miss Ms. Miller's optimism, wisdom and guidance.

Council Member Anderson said that Ms. Miller was a model of public service who was kind and respectful to everyone, understood numbers and policy, and knew the Town budget better than anyone.

Mayor pro tem Parker noted that Ms. Miller would be leaving a huge hole that the Town would struggle to fill. "You will be missed as a public servant, but perhaps more importantly as the wonderful human being that you are," he said.

Council Member Buansi said he was grateful to have had a chance to serve on the Council while Ms. Miller was still working with the Town and hoped to see her again soon.

Council Member Ryan commented on Ms. Miller's high standards, ability to make being effective look easy, and amazing record of Town service. Chapel Hill was a better place because Ms. Miller had cared about it, she said.

Ms. Miller thanked everyone for their comments and well wishes and said she felt humbled and moved by their kindness, thoughtfulness, and support. She praised the Council for its leadership, diligence, and care under all circumstances. She was grateful and proud to have had the opportunity to work with Town Manager Maurice Jones and his team, she said.

ANNOUNCEMENTS BY COUNCIL MEMBERS

1.01 Mayor Hemminger Regarding Memorial Day Holiday.

[\[21-0486\]](#)

Mayor Hemminger noted that Monday, May 31st, would be Memorial Day and said that the Town would issue a proclamation calling on all residents to honor members of the armed forces who had died in service to the country. American Legion Post 6 would hold a ceremony at 11:00 a.m., the Orange County Peace Coalition would hold a virtual commemoration for victims of war at 2:00 p.m., and there would be a sunrise service at the War Memorial, she said. She recommended that residents check the Town Calendar for more information.

1.02 Mayor Hemminger Regarding Upcoming Meetings.

[\[21-0487\]](#)

Mayor Hemminger pointed out that the June 2, 2021 Council meeting would begin at 6:30 p.m. and start with a budget work session. The Council Committee on Economic Sustainability would meet virtually at 8:00 a.m. on June 4th, she said.

1.03 Mayor Hemminger Regarding Recent Carrboro Fire.

[\[21-0488\]](#)

Mayor Hemminger said that Eliazar Posada, president and CEO at El Centro Hispano, Inc., had recently lost everything but his dog in a Carrboro fire. She commented on how much Mr. Posada had contributed to the community and said that a GoFundMe page had been started to help him recover.

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.

2. Edson Freeman Request to Allow Miniature Pigs as Pets. [\[21-0476\]](#)

Edson Freeman, a Chapel Hill resident, petitioned the Council to consider allowing residents to have pet pigs, as long as they are spayed or neutered and do not create issues for neighboring residents or properties. Small pig breeds were intelligent, friendly and hypoallergenic, and they were bred for companionship, he said. He proposed that the Town allow a maximum of two pigs on properties smaller than four acres.

received and referred.

3. Mary Cummings Request to Ban Gas-Powered Leaf Blowers. [\[21-0477\]](#)

Mary Cummings, a Meadowmont resident, commented on her recent petition, which had 125 signatures, asking the Town to ban gas leaf-blowers. She said that the noise had measured higher than 80 DB inside her house and pointed out that this was a thousand times over the Town's DB limit. In addition, the low frequency components were even more dangerous because the vibrations cause pain and health problems, she said.

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, that these Petitions be received and referred to the Town Manager and Mayor. 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 Anderson, seconded by Council Member Ryan, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

4. Approve all Consent Agenda Items. [\[21-0478\]](#)

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

5. Approve Project Ordinance Amendments to Recognize Capital Financing Proceeds for FY 2020-21. [\[21-0479\]](#)

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

6. Award a Bid and Authorize the Town Manager to Execute a [\[21-0480\]](#)

Contract for Construction of the Estes Drive Bicycle-Pedestrian Improvements.

Mayor Hemminger pointed out that the Town had been waiting for DOT to disperse funds for this improvement project. The project would take a while, and there would be some traffic concerns while it was being implemented, but it was exciting that it was finally coming to fruition, she said.

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

7. Approve a Request for Limited Scope Review of a Conditional Zoning Application for Tri-City Medical Office Building. [\[21-0481\]](#)

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

DISCUSSION

8. Continue the Public Hearing: Application for Conditional Zoning - Aura Development, 1000 Martin Luther King Jr. Blvd. (Project 20-074) [\[21-0482\]](#)

Assistant Planning Director Judy Johnson gave a brief PowerPoint presentation on the request to rezone 16.2 acres at the northeast corner of Martin Luther King Jr. Boulevard (MLK) and Estes Drive. The property was currently zoned Residential-1 and the applicant was proposing Office Institutional-3-Conditional Zoning District in order to construct 418 residential dwelling units and 15,000 square feet of commercial space, she said.

Ms. Johnson showed a map of the proposed Aura project and noted that about 66 percent of the site would be impervious. She indicated a Resource Conservation District (RCD) area with an intermittent stream along the southeast portion of the site. She said that staff had recently added conditions related to a potential traffic signal at the Estes Drive/Somerset Drive intersection, a future bike share station, a bus rapid transit (BRT) station, flexible/commercial space, and an Estes Drive culvert.

Ms. Johnson said that the applicant would address comments from a recent public hearing regarding traffic and stormwater. She said that the Town project that Mayor Hemminger had noted in Agenda Item 6 would substantially improve pedestrian and bike safety along Estes Drive. She discussed other proposed improvements, pedestrian crossing, and sidewalk improvements as well.

Stormwater Engineer Alisha Goldstein gave an overview of the applicant's plan for meeting stormwater volume, quality and runoff rate. She described existing conditions and also outlined a post-development scenario with proposed stormwater control measures in place. A

stormwater analysis had shown peak post-development flow to be less than pre-development for the 1-, 2- and 25-year storms, she said.

Ms. Johnson recommended that the Council continue the public hearing, receive comments, accept written comments for 24 hours, and consider action on June 16, 2021.

Developer Dan Jewell, of Coulter Jewell Thames, summarized actions that the applicant, Trinsic Residential Group (TRG), had recently taken in response to Council comments. He provided detailed responses to questions and concerns regarding traffic, parking, green building, gathering/open spaces, affordable rentals, for-sale housing, mixed-use buildings, additional commercial space, three-bedroom apartments, and parking.

Mr. Jewell replied to requests Council Members had made on May 12th for clarification of Aura's relationship to Estes Drive and those streetscape dimensions. He said that an artist's rendering that he had presented had not shown the building's articulation, and he presented a diagram to illustrate how the buildings would vary and include green areas in a way that would make building blocks appear smaller. He proposed that the applicant and Town meet and discuss design aspects.

Mr. Jewell said that the Council had asked for affordable townhouses onsite, with 80 and 65 percent area median income (AMI) rentals, and he outlined a proposal for seven such units.

He said that the applicant was trying to further reduce parking, which was already lower than Town standards and had a conversion plan for when parking demand waned. They would remove 16 surface parking spaces from the area near the central park and would convert that space for short-term uses such as ride-share, drop off/delivery, and food trucks for events.

With regard to a request from Council to enhanced stormwater management, Trinsic would commit to designing a management system that would reduce the 100-year peak flow to the existing rate, he said.

Mr. Jewell discussed Trinsic's commitment to provide \$100,000 toward a Town bus rapid transit (BRT) station, to provide an Easement to the adjacent property, and to install a stop light at the Estes Drive entrance, if the NC Department of Transportation (NC-DOT) approved it. Trinsic could also fund a proportional share of the Somerset/Estes intersection if that were determined to be the better location, he said.

The Mayor and Council confirmed with Chuck Edwards, of the NC Department of Transportation (DOT), that DOT would be amenable to considering a traffic light at the Somerset/Estes intersection in the future if an appropriated study showed that one was warranted and that it was

the preferred location. Additional traffic volume, regardless of mode, would have to occur before that intersection would meet any warrant for signalization, he said.

Mayor Hemminger ascertained from Transportation Planning Manager Bergen Waterson that staff did not expect a traffic median in front of the Aura project on MLK to be a place where pedestrians would cross. Rather, they would cross at an existing crosswalk and at a new high-visibility one at the MLK/Estes intersection, Ms. Waterson said. Mayor Hemminger asked the developer to provide additional information on the length of that median and on how it would affect cars turning left from MLK onto Estes Drive.

She said that a proposal from the applicant to reduce the size of a planting strip along Estes Drive would be counter-productive to the Town's desire for more large shade trees there. She asked for feedback from staff on the applicant's 100-year flood proposal. She confirmed with Mr. Jewell that Trinsic would meet the Town's impervious surface standard.

Council Members confirmed that the applicant was proposing that seven of its 57 townhomes would be affordable. They pointed out that the 15 percent Inclusionary Zoning standard was higher than that, and Mr. Jewell agreed to eight affordable units.

The Council verified with staff that the bicycle and pedestrian improvements that the applicant was presenting would be appropriate for Estes Drive and that a wetlands area would not be fenced in. They confirmed that the applicant was committed to converting some of the residential space to commercial in the future, if the retail complex was highly successful.

Council Members stressed the importance of having as many large, shade trees as possible and they confirmed that the applicant would work with Town staff to achieve that. They noted the importance of having excellent programming, and confirmed that the project would not include condos and that the affordable units would be indistinguishable from others on the outside. They also verified that the applicant was willing to separate parking charges from rental fees.

Council Member Gu asked for more specific information on queue lanes at the Estes/Somerset intersections, and Craig Scheffler, of HNTB, said that his "what if" traffic analysis had found that the maximum queue length would be about 500 feet if Aura were built and the Town improvements along Estes Drive were completed. He said that current queue lengths were sometimes well over 1,000 feet. His model had not shown traffic blocking the proposed Aura driveway, which would be 700-800 feet away from the signal, he said.

Mayor Hemminger confirmed with Mr. Scheffler that his analysis had

included an additional left-turn lane from Estes Drive onto MLK, an extension of an existing right turn lane, and a re-timing of the signal. Council Member Gu reaffirmed with him that a signal at the Estes/Somerset intersection was not warranted but might be in the future.

Seventeen Chapel Hill residents commented on the Aura project.

Stephen Fleck noted a petition to the Town from about 500 Estes area residents who were against the Aura project. He asked the Council to reject Trinsic's application unless it significantly reduced impervious surface and met other conditions that Town boards and commissions had recommended. He criticized the applicant's stormwater plan and said that the number of proposed parking spaces belied the claim that Aura would be transit-oriented.

Virginia Gray said that the Aura project missed opportunities to protect the natural environment and to enhance green infrastructure. She urged the Council to demand more from the developer in order to advance the Town's Climate Action Plan.

Rudy Juliano predicted that the proposed Aura driveway onto Estes Drive would increase the probability of collisions, injuries and death. He proposed that the Council either mandate that it be right in/right out only or delay approval until there was ironclad assurance from DOT that a stoplight will be installed at the Somerset/Estes intersection.

Megan Foureman expressed concern about traffic safety along Estes Drive and said that the long-sought road improvements that the Town had begun would be immediately negated by the Aura project.

Robert Nau proposed building Mr. Scheffler's town-wide traffic model out to simulate pedestrian/vehicle/bike interactions and that the Council make its decision by working backwards to determine from where the Town should be in five years.

Scott Buck said that the applicant's proposed stormwater plan would not work unless it included much deeper vaults. In addition, green infrastructure elements would be necessary due to the very high impervious surface area being proposed, he said.

Linda Brown argued that a much larger percentage of Aura units should be for home-ownership and that the proposed affordable ones should be for those at 80 percent of AMI. The project included too few opportunities for home-ownership and contributed little to local economic growth in the way that home-ownership would, she said.

Julie McClintock said that the proposed setbacks and scale were

incompatible with the Central West Plan. She recommended that the Council insist on 30-foot buffers along the Estes frontage and said that the plan included far too much impervious surface. She pointed out that the Council could refuse a rezoning that was not in the community's best interest or if the developer did not agree to necessary conditions.

Mark Weisburg said that staff had not provided information to support its conclusion that Aura would be an economic benefit to the Town. With a rezoning, Aura would be allowed much more impervious surface than it would otherwise have had, and the Council should not approve such an evasion of the Town's ordinance, he said.

Roger Shumate presented a video that showed past flooding at the nearby Amity United Methodist Church. He said that such flooding had cost the church about \$50,000 and that church members were concerned about the possibility of dramatically increased runoff from Aura. He requested that the Council at least postpone its decision until more research could be done on stormwater runoff and traffic safety issues.

Lillian Blackburn said that the Town needed single-family housing that was consistent with the Central West Plan, not another high-density apartment complex. Aura had been compared to other Town developments, which all fed into US highways while Aura would feed into two-lane Estes Drive, she pointed out.

Rita May argued that Aura could not be a transit-oriented development with 650 parking spaces. She said that students were interested in rentals regardless of floor plans. She expressed concern about traffic safety, stating that Estes Drive probably carried more children and young families than any other road in Town.

Clara Hess asked the Council to require significantly more retail and community space. She expressed skepticism on if Trinsic would ever convert residential space to commercial. She recommended that the Council require the developer to remove all parking around the central park and make that area a safe and attractive space surrounded with bush, shrubbery and trees.

Brian Daniels asked the Council to push harder on getting a traffic light and a better buffer with native shade along Estes Drive.

Molly McConnell suggested that the applicant rent some of its affordable units through a master leasing program that the Town had set up with the help of Justice United. The Community Home Trust administered that program, which provided housing to people at 30-60 percent AMI, she said.

Paul Snow pointed out that investors often buy both market rate and affordable "for sale" housing and turn them into rentals. He recommended that the Town stipulate that those units could not be rented for some reasonable period after construction.

Heather Lindenman recommended that the Council include a requirement for conversion. She raised questions about how the programming would be funded. She said that there should be more pervious surface, and she proposed that the Town require a reduction in parking as soon as the BRT is approved.

Kimberly Sanchez, representing Community Home Trust, expressed gratitude that the developer had agreed to onsite affordable housing and said she appreciated the Town's continued support.

Timothy Carr, speaking on behalf of YMCA of the Triangle Area, said that the YMCA was encouraged by the new connector street that would align it with the new Aura driveway at Estes. The YMCA had acquired property to enable that connection, he said, adding that planned traffic improvements appeared to relieve much of the congestion.

Katie Loovis, representing the Chapel Hill-Carrboro Chamber of Commerce, expressed the Chamber's full support for the Aura project. It would bring much needed housing, include a generous amount of affordable housing, and provide an appropriate amount of commercial space, she said. She said that the project would add value but not compete with downtown businesses, and be a critical location along the BRT corridor. She characterized Aura as the right project, in the right place, at the right time, with the right design.

Council Members said they wanted more specific information on how the affordable housing units would and would not differ from the others. They stressed the importance of ensuring that those units be truly affordable when additional costs, such as homeowner association dues, are factored in. They said that having a mix of 80 and 65 AMI made the most sense and that accepting vouchers for rentals would be critical. Such acceptance had been part of the Affordable Housing Coalition's conditions for supporting the project, they pointed out.

The Council asked the applicant to work with Town staff on a planting plan for both sides of sidewalk and for other areas along the frontage. More canopy trees, if possible, they said. They expressed support for a staff recommendation that the path and bike/pedestrian facilities match the rest of Estes Drive. They asked the applicant to commit to actively encouraging residents to not use cars and praised the applicant's plan to decouple parking from rents.

The Mayor and several Council Members stressed the need for a traffic light at Somerset/Estes, and Council Member Gu said she felt hesitant to move the project forward without a commitment from NC-DOT regarding that. Council Member Gu also asked the applicant to provide more options for reducing impervious surface.

The Council applauded the additional stormwater investment but expressed concern about the flooding at Amity Church. Mayor Hemminger confirmed that all Council Members wanted more information from stormwater staff regarding that flooding issue. The Council also asked for additional information about the applicant's programming plans, and they requested that a splash pad be included.

A motion was made by Mayor pro tem Parker, seconded by Council Member Stegman, to close the public hearing 24-hours after discussing this item to allow additional comments in the record per recent legislation. The motion carried by a unanimous vote.

SPECIAL USE PERMIT

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.

9. Open the Evidentiary Hearing: Special Use Permit Modification for Timberlyne Offices, 120 Banks Drive.

[\[21-0483\]](#)

Planning Director Colleen Willger presented a request to modify an existing 1992 SUP for the Timberlyne Movie Theater in order to allow a new medical clinic use. The modification would include a change in parking requirements and would reduce the floor area, she said. She noted that the Transportation and Connectivity Board and the Environmental Stewardship Board had both approved the application, with conditions. She recommended that the Council open the public hearing, receive evidence, and continue the hearing to June 23, 2021.

Applicant Pamela Porter, a partner at TMTLA Associates, presented the proposed project located at the corner of Banks and Westminster Drives. She described adjacent land uses, discussed existing conditions, and outlined the plan to remove two wings of the building but leave about 95 percent of it intact. There was no stormwater mediation on site, she pointed out.

Ms. Porter said that 18 additional parking spaces were being requested.

The applicant would create a sidewalk connection from Westminster Drive to the site and a crosswalk to the Timberlyne Shopping Center, she said. She presented a plan to add four trees and two lights and said that the TMTLA would comply with the Town's request for an easement. She described building materials and said that there would be space for future solar panels.

Ms. Porter said that the SUP modification request was to void a shared parking agreement with the Timberlyne Shopping Center, to remove a requirement for 20 bike parking spaces and to reducing the building's floor area from 22,724 square feet to 19,530. She also asked that a reference to recombining lots be removed because the recombination had already happened.

Council Member Stegman confirmed that the easement, which might allow a future connection to Sparrow Drive, was not required. She commented on the long, hot walk from the site to MLK, and Ms. Porter replied that TMTLA would provide a sidewalk that would slightly shorten that walk but they could not make many changes in the area without triggering stormwater concerns.

Several Council Members proposed that the applicant do what it could to add more shade trees and greenery. Mayor Hemminger expressed support for the plan to re-use an existing building, provide jobs, and be on a transit corridor.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, to close the public hearing 24-hours after discussing this item to allow additional comments in the record per recent legislation. The motion carried by a unanimous vote.

DISCUSSION CONTINUED

- 10.** Open the Public Hearing for Conditional Zoning - Putt Putt Fun Center, 2200 Eubanks Road (115/135 Chapel Point Road) Community Commercial - Conditional Zoning District (CC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD).

[\[21-0484\]](#)

Ms. Johnson presented a Conditional Zoning application for a Putt Putt Fun Center on a 19.35-acre site off Eubanks Road next to Carraway Village. She outlined the request for a split zone (Office Institutional-2-Conditional Zoning and Community Commercial-Conditional Zoning) to accommodate the recreation center as well as an 84,000 square-foot conditioned self-storage facility.

Ms. Johnson showed a site plan and indicated where a new Chapel Point Road would run from Eubanks Road to the projects. She said that

requested modifications pertained to RCD regulations, a joint buffer with Carraway Village, loading space requirements, and floor/area ratio. She reported that four Town boards had reviewed the application and recommended approval, with conditions.

Ms. Johnson recommended that the Council open the public hearing and receive comments, close the hearing and take written comments for 24 hours, and consider approving the application on June 23, 2021.

Mr. Jewel, representing the applicant, said that the primary differences between the application and a 2019 concept plan were related to the parking configuration, the location of the storage building, and creating a more park-like atmosphere. The mini golf and go-carts had been moved farther away from Carraway Village and would be electric, which would eliminate noise and emissions, he said.

Mr. Jewell said that Putt Putt would install its portion of a buffer that would be shared with Carraway Village. The applicant was proposing to disturb about 40 percent of the site but would preserve a creek and a natural buffer along Interstate-40, he said. He discussed stormwater and connectivity plans and said that the applicant would include bicycle parking and EV charging stations.

Jared Martinson, with MHAworks, discussed the project's architecture and massing and provided additional details about the site layout. He said that the design for both Putt Putt and the storage facilities would be a simple one and that materials would complement those used at Carraway Village.

The Council generally supported the project. They obtained more information from the applicant about the reduced noise benefits of having electric go-carts. The Council confirmed with Teresa Greco, COO at Putt Putt, that operating hours would be 10:00 a.m. to 10:00 p.m. (maybe 11:00 p.m. in the summer). They asked about lighting, and Mr. Jewell said it would be the lowest level possible and shielded away from neighboring properties. The Council requested that a splash pad be included, if possible.

In response to Council questions, Mr. Martinson explained that the go-cart area needed to be clear-cut for safety reasons. He acknowledged a request from the Mayor regarding benches and agreed to talk with Carraway Village about the Council's desire for a livelier building design.

The Council requested that more large trees be installed around the building. They asked if Carraway Village was comfortable with the shared buffer dimensions, and Mr. Jewel replied that those conversations were ongoing. He said that Carraway Village had installed a reduced buffer and

the applicant would be meeting Town requirements by installing its side of that.

Council Members confirmed with Ms. Greco that indoor activities would likely include an arcade, mini bowling, laser tag, and perhaps a ropes course. They commented on the need to reduce screen time, in general, and Ms. Greco agreed but noted that videogames were inclusive for people of all abilities. Mini golf, laser tag, mini bowling, and the ropes course would all be active, she said.

A motion was made by Council Member Huynh, seconded by Council Member Anderson, to close the public hearing 24-hours after discussing this item to allow additional comments in the record per recent legislation. The motion carried by a unanimous vote.

**11. Open the Public Hearing: Land Use Management Ordinance
Text Amendment - Proposed Changes to Section 3.11
Regarding Blue Hill Form District Use Categories.**

[\[21-0485\]](#)

Ms. Willger presented a Land Use Management Ordinance text amendment for Blue Hill District (BHD) use categories that would identify short-term rentals (STRs) as a residential use in order to prevent them from being a commercial component of mixed-use buildings. Options before the Council included adding language to restrict the number of STRs in a building, or clarify what a commercial use is in the overnight lodging definition, she explained.

Ms. Willger recommended that the Council open the public hearing, receive comments, close the hearing, and accept written comment for 24 hours, and enact the ordinance on June 16, 2021.

Council Members discussed the goal of treating STRs in the BHD the same as in other areas of Town. They agreed with the intent of the proposed text amendment but wondered if the same objective could be achieved through the STR Ordinance.

Ms. Willger replied that the STR ordinance would potentially be cleaner because any future changes would only have to be made in one location.

Mayor Hemminger clarified with Ms. Willger that defining STRs as not commercial would not affect other Town conversations about STRs in general. She then confirmed that the consensus with Council was to define the use but not redefine the words about hotels and motels and to not set limits at the current time.

A motion was made by Council Member Anderson, seconded by Mayor pro tem Parker, to close the public hearing 24-hours after discussing this item to

allow additional comments in the record per recent legislation. The motion carried by a unanimous vote.

ADJOURNMENT

This meeting was adjourned at 11:32 p.m.