



TOWN OF CHAPEL HILL

Town Council Meeting Agenda

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

Mayor Pam Hemminger
Mayor pro tem 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, April 21, 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_HUYeSJPqQu2oLAnBvdRksg
After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592,
Meeting ID: 830 2695 0514*

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

OPENING

ROLL CALL

PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS

Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions

to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

1. Environmental Stewardship Advisory Board Request [\[21-0328\]](#)
Regarding UNC-CH's Request to Renew its
Coal-Burning Permit for the Cameron Avenue
Co-Generation Power Plant.

2. Brown & Bunch, PLLC Request for Permission to [\[21-0329\]](#)
Proceed with Presentation of Proposal for a
Columbarium at the Old Chapel Hill Cemetery.

ANNOUNCEMENTS BY COUNCIL MEMBERS

CONSENT

Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.

3. Approve all Consent Agenda Items. [\[21-0330\]](#)

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

4. Approve the Miscellaneous Budget Ordinance [\[21-0331\]](#)
Amendment to Adjust Various Fund Budgets for FY
2020-21.

By enacting the budget ordinance amendment, the Council adjusts the General Fund, Library Gift Fund, and Capital Improvements Fund FY 2021 budgets. By enacting the projects ordinance amendment, the Council adjusts the Affordable Housing Fund.

5. Extend and Provide Option to Expand Territory of the [\[21-0341\]](#)
Encroachment and Lease Agreement for Town
Right-of-Way along Cleland Drive for Continued Use
as a Cellular Tower Site.

By adopting the resolution, the Council hereby gives notice of intent to authorize at its next regular meeting, on April 21, 2021, the execution of an amendment to the encroachment and lease agreement for Town right-of-way along Cleland Drive to NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC for two additional periods of five additional years to commence July 1, 2026 and expire June 30, 2036, with an option to extend the leased territory by a maximum of 432 square feet.

- 6.** Call a Public Hearing to Consider Proposals for Downtown Municipal Service District Services for May 5, 2021. [\[21-0332\]](#)
- By adopting the resolution, the Council calls a Public Hearing for May 5, 2021 to consider proposals for providing services to the Downtown Municipal Service District.
- 7.** Call a Public Hearing for a Conditional Zoning Application for Aura Development, 1000 Martin Luther King Jr. Blvd, from Residential-1 (R-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) on May 12, 2021. [\[21-0327\]](#)
- By adopting the resolution, the Council calls a public hearing to discuss the Conditional Zoning Application for 1000 Martin Luther King Jr. Blvd. on May 12, 2021.
- 8.** Amend the 2020-21 Council Calendar. [\[21-0333\]](#)
- By adopting the resolution, the Council amends the 2020-21 Council calendar to adjust the May meeting types and start times to balance the meetings with regard to development applications.

INFORMATION

- 9.** Receive Upcoming Public Hearing Items and Petition Status List. [\[21-0334\]](#)
- By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

DISCUSSION

- 10.** Town of Chapel Hill Poet Laureate Program Update. [\[21-0335\]](#)
- PRESENTER: Susan Brown, Executive Director, Community Arts & Culture
- RECOMMENDATION: That the Council adopt proposed Guidelines for the Town of Chapel Hill's Poet Laureate program and extend C.J. Suitt's current term as Poet Laureate to December 31, 2022 with an additional compensation of \$1,000.

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.

- 11.** Consider an Application for Special Use Permit Limited Scope Modification for Signature Healthcare of Chapel Hill, 1602 E. Franklin Street. [\[21-0336\]](#)

PRESENTER: Anya Grahn, Senior Planner

Swearing of all persons wishing to present evidence

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Comments and questions from the Mayor and Town Council
- d. Applicant's statement regarding proposed conditions
- e. Motion to adopt a resolution approving the Special Use Permit Modification.

RECOMMENDATION: That the Council adopt Resolution A, approving the application.

Continued Discussion

- 12.** Consider Land Use Management Ordinance Text Amendments - Proposed Changes to Section 3.6.2 Historic Districts Related to Review Criteria and Section 8.4 Historic District Commission. [\[21-0337\]](#)

PRESENTER: Anya Grahn, Senior Planner

- a. Introduction and revised recommendation
- b. Mayor and Town Council discussion
- c. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- d. Motion to enact the ordinance to approve the changes to the Land Use Management Ordinance.

RECOMMENDATION: That the Council adopt the Resolution of Consistency and enact Ordinance A.

- 13.** Updates and Preliminary Recommendations from Re-Imagining Community Safety Task Force. [\[21-0338\]](#)

PRESENTER: Christine Edwards, Amplify Consulting

RECOMMENDATION: That the Council receive information on the Task Force's progress and preliminary recommendations.

- 14.** Open a Public Hearing for Land Use Management Ordinance (LUMO) Text Amendments - Proposed [\[21-0339\]](#)

Changes to Articles 1, 3, 4, 5, 8 and Appendix A to Bring the LUMO into Compliance with North Carolina General Statute 160D; and Initial Review of Amendments to the Town Code - Proposed Changes to Chapters 5, 7, and 9 to Update References in these Chapters to Align with North Carolina General Statute 160D.

PRESENTER: Alisa Duffey Rogers, LUMO Project Manager

RECOMMENDATION: For the LUMO text amendments, that the Council open the legislative hearing, receive public comment, close the legislative hearing, and allow written public comment for twenty-four (24) hours.

For the Town Code amendments, that the Council initially review, receive public comment, and enact the Town Code amendments with the LUMO amendments at the next meeting.

- 15.** Open the Public Hearing: Application for Conditional Zoning - 2200 Homestead Road (Project 20-081).

[\[21-0340\]](#)

PRESENTER: Anya Grahn, Senior Planner

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and preliminary recommendation
- c. Presentation by the applicant
- d. Recommendation of the Planning Commission
- e. Recommendations of other boards and commissions
- f. Comments from the public
- g. Comments and questions from the Mayor and Town Council
- h. Referral to the Manager and Attorney
- i. Motion to close the Public Hearing and receive written public comment for 24 hours following the closed public hearing.
- j. Consider enacting the ordinance to approve the Conditional Zoning application at the May 19, 2021 Council meeting

RECOMMENDATION: That the Council open the public hearing, and receive comment on the proposed Conditional Rezoning. That the Council then make a motion to close the public hearing and schedule the proposed Conditional Rezoning application review for May 19, 2021.

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