



# TOWN OF CHAPEL HILL

## Planning Commission

### Meeting Minutes

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

Jonathan Mitchel, Chair  
Elizabeth Losos, Vice Chair  
Wesley McMahon  
Chuck Mills

John Rees  
Louie Rivers  
Stephen Whitlow

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Tuesday, January 17, 2023

7:00 PM

Virtual Meeting

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#### 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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919-969-5105.

#### Virtual Meeting Notification

Board 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\\_vFVuW59hRzOfEdm1qHcnRg](https://us02web.zoom.us/webinar/register/WN_vFVuW59hRzOfEdm1qHcnRg)

After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 881 4601 8215

#### Opening

#### Roll Call

Council Liaison: Camille Berry  
Staff Liaison: Jacob Hunt

**Present** 7 - Chair Jonathan Mitchell, Vice-Chair Elizabeth Losos, Wesley McMahon, Chuck Mills, John Rees, Louie Rivers, and Stephen Whitlow

*Secretary reads procedures into the record*

### **Approval of Agenda**

The motion to approve the agenda was carried by a unanimous vote.

### **Announcements**

### **Petitions**

### **Approval of Minutes**

1. Planning Commission Minutes 12/6/22 [\[23-0036\]](#)

A motion was made by Wesley McMahon, seconded by John Rees, to approve the November 1st, 2022 meeting minutes. The minutes were approved 7-0.

### **Old Business**

### **New Business**

2. 2217 Homestead Road - Conditional Zoning [\[22-0938\]](#)

John Rees moved, and Elizabeth Losos seconded a motion to recommend that the Council adopt Resolution A (Resolution of Consistency) and Ordinance A, with the attached comments as supplements to their recommendation.

The motion passed 7-0.

Commission Notes to Council:

Housing Diversity

There is an opportunity to include smaller units in this project. See, for example, the approved proposal for 710 N. Estes Drive. While ~2,000 square foot, three bedroom townhomes address an important housing need, purchasers would pay in the \$400,000s or more for these units today. At this price level, the target market for the market-rate units will consist of households with incomes well above the Chapel Hill median. A more diverse mix of units would help address the full range of housing needs.

Given the site's proximity to multiple parks, schools, the Seymour Center, and a future BRT stop (0.6 miles), somewhat higher density than the proposed

seven units/acre seems appropriate. More height also seems appropriate, provided that it tapers town along the boundary with the Courtyards development. For reference, the Future Land Use Map prescribes "typical" heights of 4-6 stories here.

#### Impacts on the Existing Neighborhood

The final ordinance (if any) should formalize the developer's proposal for an enhanced landscaping buffer adjacent to the Courtyards, including appropriate canopy preservation and root zone protection during construction. It should also address any lingering concerns about stormwater runoff toward the Courtyards.

#### Road Connection to the Courtyards

Commissioners did not reach a clear consensus on this issue. Some felt that some kind of limited connection (e.g., bike/pedestrian and emergency-only) was appropriate given the vulnerable population in the neighborhood and the limited usefulness of the connection (compared to, for example, the connection at Stanat's Place). Others advocated for a full connection, which would provide a more efficient route for delivery vehicles and avoid setting precedent that could prove challenging to apply in a principled way in the future. Some wondered how much cut-through traffic would actually materialize, and whether the Town should perhaps take a wait-and-see approach to limiting the connection.

## Reports

3. Land Use Management Ordinance (LUMO) Text Amendment:  
Housing Regulations and Housing Choices for a Complete  
Community

[\[23-0023\]](#)

By general consensus the Planning Commission recommend that the Council adopt Resolution A (Resolution of Consistency) and Ordinance A (LUMO Text Amendment), with the attached comments as supplements to their recommendation.

Commission Notes to Council: The Planning Commission wishes to convey the following comments on the proposed LUMO text amendment titled "Housing Regulations and Housing Choices for a Complete Community":

We support this proposal's intent. We are cognizant of the Town's housing needs and the problematic history of single-family zoning.

We expect that the impact of this proposal will play out over a long period. We also expect that the new regime may require future adjustments, depending

on the specific impacts (or lack of impacts) yielded. Accordingly, the Town should set up an annual monitoring and reporting process to help officials and citizens understand the impacts and to help officials consider ways the new regime might be tweaked to further desired outcomes. The reporting should cover, at a minimum, the types and quantities of net new housing units applied for, approved, and constructed pursuant to the zoning change (including data on tear-downs).

Before finalizing the current text amendments, we urge the Council to consider the following points:

- The Council should understand which neighborhoods will be affected (i.e., in light of applicable covenants and other conditions that could override the text amendments). We understand that Town staff is currently working to develop this information comprehensively. The results potentially could raise new questions or concerns about the scope of application.
- Some members raised concerns about categorically exempting neighborhood conservation districts (NCDs). One approach could be for the Town to periodically review NCDs in light of the Town's evolving context.
- Commissioners discussed the possibility that the proposal will draw some UNC students into R-1 neighborhoods. One commissioner expressed concern that this could dilute the proposal's effectiveness in increasing "workforce" housing options. Based on input from Town staff and subsequent input from UNC legal faculty, it appears that the Town lacks authority to incorporate identity-based characteristics (e.g., student status, age) into its zoning scheme. (We understand that such authority is generally not implied as a component of NC municipalities' delegated zoning authority.) Commissioners also discussed impacts of student occupancy in traditionally single-family neighborhoods. Commissioners who currently live in mixed student/non-student neighborhoods reported that most students are good neighbors and may in some cases contribute positively to local neighborhoods. Staff pointed out that the likelihood of student occupancy in specific neighborhoods depends on walkability to campus or proximity to transit. Commissioners discussed the potential interplay between: (1) the Town's development policies regarding purpose-built student apartment developments, and (2) demand for student occupancy in R-1 neighborhoods.
- One commissioner suggested that the Town should consider: (1) reducing minimum front setbacks, and (2) not only allowing property owners to build the kinds of structures described in the proposal, but also incentivizing these structures in relation to large single family structures.

#### 4. Working Group Reports

[\[23-0037\]](#)

*Adjournment*

Next Meeting - 2/7/2023

*Order of Consideration of Agenda Items:*

- 1. Staff Presentation*
- 2. Applicant's Presentation*
- 3. Public Comment*
- 4. Board Discussion*
- 5. Motion*
- 6. Restatement of Motion by Chair*
- 7. Vote*
- 8. Announcement of Vote by Chair*

*Public Charge: The Advisory Body pledges its respect to the public. The Body asks the public to conduct themselves in a respectful, courteous manner, both with the Body and with fellow members of the public. Should any member of the Body or any member of the public fail to observe this charge at any time, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until a genuine commitment to this public charge is observed.*

*Unless otherwise noted, please contact the Planning Department at 919-968-2728; [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org) for more information on the above referenced applications.*

*See the Advisory Boards page <http://www.townofchapelhill.org/boards> for background information on this Board.*