



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Final

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

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

Wednesday, June 20, 2018

7:00 PM

RM 110 | Council Chamber

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 Roger L. Stancil, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Communications Specialist Mark Losey, Human Services Coordinator Jackie Thompson, Housing & Community Assistant Director Sarah Vinas, Housing & Community Executive Director Loryn Clark, Affordable Housing Manager Nate Broman-Fulks, Community Development Program Manager Renee Moye, Senior Planner Kay Pearlstein, Parks & Recreation Director Jim Orr, LUMO Project Manager Alisa Duffey Rogers, Planner II Michael Sudol, Senior Planner Aaron Frank, Community Resilience Officer John Richardson, Director of Planning and Development Services Ben Hitchings, Fire Inspector Chris Kearnes, Police Officer Donald Bradley, Police Chief Chris Blue, Senior Ombuds Jim Huegerich, Technology Executive Director Scott Clark, Director of Organizational and Strategic Initiatives Rae Buckley, Communications Manager Catherine Lazorko, Town Manager Intern Lindsey Bineau, Assistant to the Town Manager Ross Tompkins, Deputy Town Clerk Amy Harvey

OPENING

a. Successes Video - GoChapel Hill: Connected Streets

[\[18-0588\]](#)

Mayor Hemminger opened the meeting at 7:00 pm. She introduced a "Celebrating Our Successes" video, titled Charting Our Future, about the Town's efforts to solicit input on what it should look like in 2049. The video showed people coming together and providing views on what should be preserved and/or improved in Town. More information is available at

www.chartingourfuture.info.

b. Proclamation: Mama Dip

[\[18-0589\]](#)

Mayor Hemminger announced that Mildred Council (aka Mama Dip) had passed away on May 20, 2018, leaving a tremendous legacy and a very loving family behind.

Surrounded by members of Ms. Council's family, Council Member Buansi read a proclamation about Ms. Council's life and career. He explained how "Mama Dip" had begun cooking "by eye" when she was 10 years old and had become an icon of Southern cooking while raising eight children, many of whom had launched their own restaurants.

Council Member Buansi listed many contributions that Ms. Council had made to the community. He noted that President Bush had invited her to the White House. She had received the Order of the Long Leaf Pine, North Carolina's highest civil honor, he said. Council Member Buansi read that the Town proclaimed June 20, 2018 to be Mildred Mama Dip Council Day in Chapel Hill and he urged all citizens to continue her legacy by helping and loving others.

Ms. Council's daughter, Spring Council, accepted the proclamation, and Mayor Hemminger said that she had served with Ms. Council on the Parks and Recreation Commission and could personally attest to her dedication to the youth of Chapel Hill. Ms. Council had been determined that all children would have access to opportunities and was a lovely person to work with, said Mayor Hemminger.

c. Resolution of Appreciation: Town Manager Roger Stancil

[\[18-0590\]](#)

Mayor Hemminger noted that Town Manager Roger Stancil was retiring after 45 years of public service, which included 13 years with the Town. She introduced former Mayor Kevin Foy to read a resolution honoring the service of Mr. Stancil.

Mayor Foy read that Mr. Stancil, a native of Rocky Mount, NC, had been appointed as Chapel Hill's town manager in 2006. He had been an advocate for open and inclusive government and had sought to add new perspectives and voices to the public dialogue. Manager Stancil had built and nurtured collaborative relationships with numerous community partners, Mayor Foy read, and he listed those many partnerships.

Mayor Foy said that Mr. Stancil had envision a values-based learning organization where Town employees could lead from where they were. He read a list of the numerous employee engagement and development initiatives that Mr. Stancil had initiated.

Mayor Foy then read an additional list of Mr. Stancil's projects, initiatives, and contributions, and said that Manager Stancil had worked tirelessly and

compassionately throughout his career to promote and protect the well-being of NC communities. The Town honored and thanked Roger Stancil for his commitment and dedication throughout his career as a public servant and for his outstanding service to the people of Chapel Hill, Mayor Foy said.

Mr. Stancil, struggling with laryngitis, thanked the Council for the opportunity to work with the Town. The best part of his job had been working with the Town's 750 employees every day, he said, adding that it was also great to see new people come on the Council with new ideas. He had enjoyed trying to build consensus and felt that Chapel Hill was fortunate to have such dedicated and committed Council Members and it had been a pleasure to work with all of them, Mr. Stancil said.

A motion was made by Council Member Parker, seconded by Council Member Bell, that this Resolution be read into the record. The motion carried by a unanimous vote.

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. Council Member Gu Statement Regarding Illegal Immigration Issue of Separating Children from Families

[\[18-0591\]](#)

Mayor Hemminger said that Council Member Gu would introduce a resolution denouncing the US government's policy of "ripping children away from their families at the border." The Trump administration had recently made changes to that policy, but Council Member Gu would still read the resolution, she said.

Council Member Gu stated that the Council shared the community's concerns about the policy of separating children from their parents at the southern US border and had prepared a related petition. The Town of Carrboro had passed a similar petition, she said. She noted that President Trump had issued a recent executive order to stop the practice and said that she would therefore read an updated resolution. The resolution stated that the Town's long-held commitment to welcoming immigrants and refugees of all nationalities and religions and protecting vulnerable people who seek safety would remain.

This item was received as presented.

PUBLIC COMMENT - ITEMS NOT ON PRINTED AGENDA

ANNOUNCEMENTS BY COUNCIL MEMBERS

- a. Mayor pro tem Anderson Regarding Bolin Forest Conversation Meeting. [\[18-0592\]](#)

Mayor pro tem Anderson mentioned that a meeting regarding Bolin Forest would be held at 7:00 pm on June 21st at Smith Middle School. Mayors from Carrboro and Chapel Hill would attend, she said.

- b. Mayor Hemminger Regarding 15/501 Reimagining Corridor Workshop. [\[18-0593\]](#)

Mayor Hemminger said that a meeting to gather input on multi-modal transportation options for the Highway 15-501 corridor would be held on June 26th at the Church of the Good Shepard in Durham from 5:00-8:00 pm. Everyone was invited to participate, and information would be on the Town webpage, she said.

- c. Mayor Hemminger Regarding Public Information Meeting on the Current Police Station Site. [\[18-0594\]](#)

Mayor Hemminger said that a meeting to begin discussing options would be held on Tuesday in Meeting Room A of the Chapel Hill Public Library from 6:30 to 8:00 pm.

- d. Mayor Hemminger Regarding Final Council Meeting Starts at 6 pm, June 27. [\[18-0595\]](#)

Mayor Hemminger pointed out that the last meeting of the year would begin early in order to get through a very full agenda.

- e. Mayor Hemminger Regarding Employee Appreciation Luncheon. [\[18-0596\]](#)

Mayor Hemminger noted that the employees luncheon would be held at the Friday Center on Friday from 11:30 am to 1:00 pm. She encouraged Council members to drop by to meet employees and thank them for their service.

- f. Mayor Hemminger Regarding Ground Breaking Ceremony for DHIC. [\[18-0597\]](#)

Mayor Hemminger announced a ground-breaking ceremony for the DHIC project off Legion Road, starting at 10:30 am on Saturday. The short ceremony would be followed by lunch, games, and activities, she said.

g. Mayor Hemminger Regarding Carrboro Ground Breaking Ceremony for Sidewalk in the Rogers Road Area.

Mayor Hemminger explained that a walk would begin on Rogers Road at 8:30 am on Saturday, followed by a groundbreaking at 9:00 am.

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 Schaevitz, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. Approve all Consent Agenda Items. [\[18-0570\]](#)

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

2. Approve the Year-End Miscellaneous Budget Ordinance Amendments to Adjust Various Fund Budgets for FY 2017-2018. [\[18-0571\]](#)

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

3. Award Bid for Homestead Park Soccer Fields Conversion to Synthetic Turf. [\[18-0572\]](#)

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

4. Approve the 2018-2019 HOME Investment Partnership Program Annual Plan. [\[18-0573\]](#)

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

INFORMATION

5. Receive Upcoming Public Hearing Items and Petition Status List. [\[18-0574\]](#)

The items were received as presented.

6. Next Steps for Developing a Process for Use of Affordable Housing Bond Funds. [\[18-0575\]](#)

The item was received as presented.

DISCUSSION

7. Manufactured Home Initiative Update

[\[18-0576\]](#)

Assistant Director of Housing and Community Sarah Vinas gave a PowerPoint update on the strategy for implementing the Manufactured Homes Initiative. She explained that staff was seeking Council approval of a resolution that would prioritize three Town-owned parcels for affordable housing (AH) development. Those parcel were on Jay Street, Bennett Road, and Dogwood Acres Drive, she said.

Ms. Vinas defined "manufactured" as any type of pre-fabricated housing assembled in a factory and transported to a site for use. This was distinct from mobile homes, which were manufactured homes produced prior to 1976, she said.

Ms. Vinas indicated four manufactured home communities on a Town map and noted that much of the development had occurred in the northern part of Town. She discussed how potential redevelopment had put pressure on manufactured home communities and said that a redevelopment concept plan submitted for the Lake View community in fall 2017 had led the Council directing staff to develop a comprehensive strategy.

Ms. Vinas explained that the staff's proposed strategy included four main components: engaging residents; developing a menu of housing options for consideration; analyzing sites; and developing a coordinated plan with neighboring jurisdictions and agency partners.

She gave a brief update on implementation to date, which had included a series of bi-lingual staff meetings with manufactured home residents. There had been a 40 percent response rate to a survey of household demographics and preferences and staff had learned that most were families with an average annual income of \$30,000 (40 percent of the area median income), she said.

Ms. Vinas shared additional survey findings and said that staff had at least had initial conversations with landowners about their long term interests for their properties. She listed four main financing categories: providing financial assistance for relocation; purchasing land for development; constructing onsite units as part of redevelopment; and, building off site on Town-owned parcels or other land.

Affordable Housing Manager Nate Broman-Fulks discussed offsite unit development. He explained how an interdepartmental team had narrowed the sites down to three based on potential for development and residents' preferences and needs. The three included a Town-owned parcel on the

corner of Bennett and Mt. Carmel Church Roads, a Town-owned parcel on Jay Street, and a large site that was bisected by Dogwood Acres Drive and had scored the highest on AH criteria, he said.

Mr. Broman-Fulks said that the Local Government Affordable Housing Collaborative had been working with families and organizations as well. Staff's proposed next steps were to conduct further analysis of the development potential for the three prioritized sites, continue engaging with residents/land owners/potential developers, and continue refining a coordinate plan with the Affordable Housing Collaborative. Mr. Broman-Fulks asked the Council to provide feedback and said that approval of Resolution 9 would prioritize the three sites for AH development.

Council Member Bell asked if the distinction between mobile and manufactured homes had been made clear to residents on the survey question about preferred housing.

Mr. Broman-Fulks replied that the terms had been used interchangeably.

Council Member Bell commented that the two were not interchangeable, but Mr. Broman-Fulks replied that when respondents answered the question they were envisioning homes similar to those they were currently living in. There were a variety of manufactured housing types, he pointed out.

Ms. Vinas said that many questions had been asked about the survey at the third meeting and that staff had walked residents through it, question by question. In addition, there had also had been follow-up conversations with Lake View residents in order to clarify the meaning of "mobile home," she said.

Council Member Bell asked if all three of the proposed locations met low-income tax credit criteria. She said that some did not seem close enough to public transportation or grocery stores.

Mr. Broman-Fulks replied that it was a cumulative score and was so competitive that a perfect score was required for tax credits for most sites. The Dogwood Acres site had received a perfect score and the other two were high but not perfect, he explained.

Mayor pro tem Anderson noted residents' desire to stay in their same schools and she confirmed with Ms. Vinas that staff had been working with Chapel Hill Carrboro City Schools (CHCCS) on that. Ms. Vinas said that the goal would be to provide residents with options within the school district and that staff would do its best to accommodate their interests.

Mayor pro tem Anderson asked if any or the three parcels mentioned were in residents' same school zone, and Ms. Vinas replied that staff had not done that level of analysis, but could do so.

Mayor pro tem Anderson pointed out that members of the wider community had asked for updates and that some had felt they were not receiving enough information. Recently, however, she had been receiving fewer emails about it, she said, and she asked if people had become better connected and informed.

Ms. Vinas replied that fewer emails to Council might reflect staff's efforts to push out updates, meet with school officials, and connect with groups that were working in the neighborhoods. Those groups had begun to identify resident leaders and had been sharing information with those individuals, she said.

Council Member Schaevitz noted that onsite unit construction was one of the redevelopment options. She asked if that had been discussed with the developer who had submitted a concept plan for Lake View.

Ms. Vinas replied that it had been a while since staff had met with that group but they had talked about that as an option based on the proposed rents. Figuring out which residents would be eligible for it and what rents they could afford would be complicated, she said. Ms. Vinas added that the three bedroom townhome option would be desirable for some, so that particular component of the plan might have potential.

Council Member Schaevitz confirmed with Ms. Vinas that it would require some form of ongoing subsidy. Ms. Vinas added that residents who were not low-income might be able to afford it.

Council Member Oates asked what type of housing would go on the three parcels. For example, would it be public housing, provided by a non-profit, or provided by a private developer, she asked.

Ms. Vinas replied that staff had been thinking about prioritizing it to accommodate manufactured home residents or other low-income people who need AH. Staff had not had extensive conversations about public housing as an option, but had generally discussed AH and options for manufactured home residents who may be displaced, she said.

Council Member Oates confirmed with Ms. Vinas that staff had not yet thought about how it would be paid for and was seeking guidance from the Council on whether or not to continue exploring the three options. She asked if there was a location other than Dogwood Acres for the Frisbee Golf Course, noting that it would be important to have such open recreational space as the Town became more developed.

Ms. Vinas replied that a lot could be done with the two very large parcels at Dogwood Acres. The Town would likely be able to preserve the Frisbee Golf Course and a significant area of open space while still pursuing AH, she said.

Council Member Parker asked staff to provide a time-frame and dates in the next steps. He said that he would like to hear staff's opinion, at some point, on what would constitute key elements of a coordinated plan -- such as how many, where, who was likely to build it and pay for it, and what income levels would be targeted.

Council Member Stegman asked if staff would recommend purchasing land, and Ms. Vinas replied that staff could definitely provide information on that if the Council was exploring that option. It would be a significant investment that would consume most, if not all, of the Town's AH resources, she said.

Council Member Stegman asked if the American Legion property had been included in the assessment, and, if so, how it had scored relative to the three sites being recommended.

Ms. Vinas replied that the American Legion property had been included, and had scored well, but staff had eliminated it because of a parallel process in which AH was already being considered for that site.

Mayor Hemminger recalled that the Southern Community Park Task Force had been required to leave those two parcels at Dogwood Acres as dedicated open space. She advised staff to look at those stipulations. She noted that a Town-owned 10-acre parcel that had not scored well because it did not have water and sewer, but she proposed considering that parcel as well.

Mayor Hemminger pointed out that the Lake View development project had not yet been filed and that its developer had estimated construction beginning 18 months to 3 years after filing. There might be opportunities to place some families in an upcoming Town-owned project at 2200 Homestead Road that would be discussed in Item 15, she said. Mayor Hemminger pointed out that six apartment units would become available in 12-14 months with the Townhouse Apartments redevelopment. She said that a 10-acre tract on Millhouse Road did not perk but that Orange County had been looking at other opportunities.

Kerry Sherrill, lead social worker at CHCCS, said that the average monthly housing cost for Lake View families was \$604/month and that was what AH rents should be. Many families did not understand the process and believed they needed to vacate their homes during the current summer, she said. Ms. Sherrill said that Lake View residents continued to live with high levels of stress and needed to know that something was actually happening. She requested that displaced mobile home families be given priority regardless of documentation. The 150 families at Lake View would require all of the three parcels being discussed, Ms. Sherrill said.

Mayor Hemminger acknowledged that many who supported the Town's

efforts were in attendance. She suggesting that the Council indicate its support for the staff's efforts.

Council Member Buansi commented on the value of home ownership. He said he understood the concern about relocating to a place that would not be sustainable and he stressed the importance of home ownership for a sustainable living situation.

Council Member Oates said that the Town would not be able to decide what to do with its land until it knew how the housing would be paid for. She wanted to make sure that this aspect was prioritized, she said.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that R-9 be adopted as amended. The motion carried by a unanimous vote.

8. Human Services Program Process Improvement Proposal.

[\[18-0577\]](#)

Ms. Vinas gave a PowerPoint summary of the Human Services (HS) processes improvement proposal. Her presentation included background information, information about the evaluation process and methodology, key findings, and implementation recommendations from the Human Services Advisory Board and staff.

Ms. Vinas said that a fall 2017 Council request for a refined and streamlined process had led to formation of a subcommittee and development of a project scope focused on finding solutions tailored to the end user. Town agencies and HS advisory board members were involved in developing solutions, she said.

Ms. Vinas explained that the intended project outcomes were as follows: develop a results-driven funding process that would achieve Town goals and respond to community needs; clearly define priority areas, goals and outcomes; and, further streamline the funding process to reduce the burden on advisory board members and agencies. She described the methodology used and noted that staff had conducted a series of focus groups and surveys. The HS Advisory Board had played a vital role in reviewing data and vetting the draft results currently being presented, she said.

Ms. Vinas noted that agencies had received smaller awards than they had requested with nearly half in the current year being \$5,000 or less. The current process was very time-intensive considering the small award that some agencies received, she said. Ms. Vinas noted that community needs related to health, education, livelihood and security had risen to the top. Housing issues had also been brought up by community members, but that was outside the scope of the funding source, she said.

Ms. Vinas said that a subcommittee had developed a multi-layered Results

Framework, which she explained using a chart. She said that staff believed that the three primary benefits to implementing a Results Framework for the HS program would be greater impact, greater accountability, and an opportunity for greater learning. She elaborated on each of these.

Ms. Vinas said that the HS Advisory Board and staff were recommending that the Council consider adopting the Results Framework and implementing the following process changes: revise the application and move to a paperless application process; pilot an abbreviated application, and process, for requests less than \$5,000; pilot a high-impact award for up to \$50,000 for particularly innovative or promising program proposals; and, coordinate with Orange County and Carrboro to explore how the Results Framework might be applied countywide. Staff was also recommending that the Town evaluate the revised process after the first year, she said.

Council Member Oates confirmed with Ms. Vinas that an expanded backpack program would not exclude groups and that the HS Advisory Board would be involved in developing criteria and parameters for larger grants.

Mayor pro tem Anderson asked how many \$30,000 to \$50,000 high-impact award staff was thinking of. She expressed concern that those might devour most of the AH budget.

Ms. Vinas replied that staff was proposing up to three high-impact awards, with a maximum total of \$150,000. She pointed out that the Council had approved about \$419,000 in the HS budget for the next year. Staff felt confident that there would be significant funding to award to other agencies, she said.

Council Member Parker asked if the Results Framework being presented was the one staff intended to use, or an illustration of one that would be further developed and refined.

Ms. Vinas replied that it was the first iteration that staff was proposing using for the next funding cycle. Staff recognized that it would need to be refined as more was learned. she said.

Council Member Parker said he completely agreed with trying to give some high-impact awards. He asked if there was any way to determine what level of funding would be required.

Ms. Vinas replied that staff had not focused on that aspect yet but could work on it.

Mayor Hemminger commented that the request had been in the \$700,000 range.

Council Member Bell pointed out that funds did not come only from the Town. It would be helpful to know about funds from Orange County as well, she said.

Ms. Vinas agreed and mentioned a plan to explore applying a Results Framework with Carrboro and Orange County for the entire Human Services program. She said that information on broader community indicators was included in Council members' packets.

Council Member Stegman praised the report and thanked staff for bringing it forward. She asked about providing training or technical assistance to local non-profits, if needed.

Ms. Vinas replied that staff was committed to provide training and information in advance of the funding cycle if the Results Framework were to be approved and implemented. Staff had also had conversations at the HS board level about partnering with local agencies and providing ongoing support to them, she said.

Council Member Stegman asked if data gathered from focus groups would be shared with others, such as schools and other non-profits.

Ms. Vinas expressed enthusiasm for that idea. She said that staff had heard interest from neighboring jurisdictions and planned on sharing with them, she said.

Council Member Gu asked about the funding cycle timeline and if there was a plan to reach out to the larger community.

Ms. Vinas replied that there was a current opportunity in the life of the HS program to do broader outreach. With regard to the timeline, staff was not proposing changing anything in the process that typically began with applications in November, she said.

Mayor Hemminger confirmed that the HS Advisory Board had not requested an increase in funding this year. She recommended that they do so next year.

Melissa Spil, associated director at TROSA, a non-profit substance abuse recovery program in Durham, expressed support for the revised process and for moving to the Results Framework. She said that the City of Durham had adopted a similar framework and that doing so as well would help the Council be better stewards of Town funds. With the shared outcomes, the Town would be able to look at all the non-profits collectively and see what the impact of funding had been, she said.

Kate Henz, Human Services Advisory Board chair, thanked staff for the "incredible" amount of work that had gone into the report and

recommendation. There had not been demographic data to guide decision-making three years ago, she pointed out. Ms. Henz said that she was particularly fond of the abbreviated application for amounts less than \$5,000.

Council Member Oates underscored a comment by Ms. Henz about smaller grants being very important to organizations. Those grants were endorsements as well and the Town should not stop providing them, she said.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that R-10 be adopted. The motion carried by a unanimous vote.

9. Consider Amending the Town Code of Ordinances to Include the Architecture 2030 Challenge Fossil Fuel Reduction Targets.

[18-0578]

Community Resilience Officer John Richardson introduced a proposal to amend Chapter 5 Article VII of the Green Building Ordinance (a.k.a "Energy Conservation in Design and Construction of New and Renovated Buildings") to include Architecture 2030 Challenge fossil fuel reduction targets. If amended, the ordinance would require that new and renovated Town buildings follow Architecture 2030 Challenge reduction targets in addition to the current requirement for LEED Silver, he said.

Mr. Richardson gave a PowerPoint presentation in which he showed reduction targets and explained the goal of having all new and renovated buildings be carbon neutral by 2030. Currently, the Town was at 70 percent reduction, he said. He explained that the Environmental Stewardship Advisory Board (ESAB) had unanimously recommended in June 2018 that the Council enact the proposed amendment. Mr. Richardson discussed the fiscal impact of making changes and noted an option to scale back if project costs increase by more than 7 percent.

Mayor Hemminger asked about the possibility of getting credit for adding solar panels to existing buildings.

Mr. Richardson said that there were such possibilities and that changes had been made at the state level regarding possible partnerships, rebates, and other opportunities that the Town could look into as well.

Mayor pro tem Anderson said that she knew the ESAB had had robust conversations about the issue and she was happy to see it coming forward.

Mayor Hemminger thanked staff for bringing the amendment forward. She noted that the Town had signed on to the Mayor's Climate Change Accord and would be moving toward carbon neutral. The Town had a good partner in UNC and was collaborating well with the university, she said.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Gu, that O-8 be enacted. The motion carried by a unanimous vote.

10. Update - LUMO Rewrite Project (FLUM) - Charting Our Future.

[\[18-0579\]](#)

Alisa Duffy Rodgers, Land Use Management Ordinance (LUMO) project manager, gave a PowerPoint update on the LUMO rewrite project. She said that approximately 60 people had attended a public engagement meeting at the Franklin Hotel on May 10, 2018. That had been followed by show and tell sessions on June 10th and 11th at University Place and there had been drop-in sessions as well, with about 90 people having attended overall, she said.

Ms. Duffy Rogers said that attendees had wanted the Town to do the following: think strategically and intentionally about how to ease transitions relative to scale, height, and land use; come up with a vision for gateways; spread AH throughout the community; think carefully about environmental factors when making future land use decisions; look at using green infrastructure paths to connect neighborhoods, schools, services and transit; think about impact on auto, bike and pedestrian safety; leverage future transit corridors and nodes to provide transit-oriented development; and, have an innovation center somewhere in the community.

Ms. Duffy Rogers displayed a Town map and showed where the deepest analysis would be performed. She said that staff had received input in favor of expanding those areas to include downtown areas, NC 54, and Homestead Road. Staff believed those three areas could be included in the project, she said. Ms. Duffy Rogers said that including an additional three areas (north of Interstate 40, Mount Carmel Church Road, Highway 15-501 south of Southern Village) would require more time and financial resources.

Ms. Duffy Rogers said that the current phase should be completed by December. Kimley Horne would engage with the community over the summer and provide alternatives for each of the focus areas, she said. She pointed out that a key issue would be to decide whether focus should be expanded. The Town could accommodate the requested expansion for the first three areas, but the additional three might be more problematic, she said.

Council Member Parker asked to what degree the Town would define land use. For example, would it merely say "multi-family" or would it say "high density multi-family," he asked. He asked how many land uses and what level of specificity the Town would be using. Council Member Parker also asked about the granular level of resolution (parcel, block, neighborhood) and how the Town would approach it. He requested more information on those two elements, noting the importance of achieving some level of consensus regarding them.

Holly Fraccaro, Home Builders Association (HBA) CEO, said that the LUMO rewrite provided an opportunity for significant impact on Town ideals. The HBA was grateful for the opportunity to participate and for the Council's leadership in taking on the enormous task, she said. She commended staff for the work they had already done. Because it was important to partner with the business community, the HBA had turned to the Chamber of Commerce to lead it through the process, Ms. Fraccaro said.

Aaron Nelson, Chapel Hill-Carrboro Chamber of Commerce president and CEO, said that conversations among the more than 65 citizens, business leaders, home-builders and land-planners had been videotaped and transcribed and were leading to robust recommendations for the Council in August and September. The current request was for the Council to expand the map as staff was recommending, he said, and he added more details regarding the designated areas.

Dan Jewell, a landscape architect with Coulter Jewell and Thames, pointed out that the Town had been dealing with land use issues since 1985. He thanked the Council for including business leaders in the conversation and said that development pressures really do inform the conversation about Town planning for the future. There had been agreement that guiding future development along transit corridors should be a very high priority and participants had also discussed reexamining the opportunity to have higher density, single-family residential and townhome development in the north and northwest parts of Town, he said. Mr. Jewell pointed out that there was high demand for more single-family housing stock in Town.

Leon Meyers, a home-builder with BuildSense, stressed the need to accommodate some portion of new single-family development as part of the future land use map. He recommended being straightforward about density. In order to make all forms of transit work, there needed to be much higher densities in Town, Mr. Meyers said.

Katie Loovis, vice president for External Affairs at the Chapel Hill-Carrboro Chamber of Commerce, said that both the Chamber and the HBA would be happy to meet with Council members and provide comments for consideration. She reminded the Council that indicating new areas on a map did not set anything in stone. Ms. Loovis said that working with staff had been a pleasure and that she supported what was being brought forward. Citizens had affirmed that there was interest in expanding the areas indicated, she said.

Mayor pro tem Anderson stated that she preferred to be proactive rather than reactive. Expanding the downtown with redevelopment was important and she was okay with the other areas, she said. However, the area in the Rural Buffer would be a bigger conversation and she did not want the process to be overrun with political drama regarding that, she said. Mayor pro tem Anderson expressed support for giving staff a little

extra time.

Council Member Parker agreed with Mayor pro tem Anderson's remarks, but asked how much more time would be needed and the cost implications of adding that time.

Ms. Duffy Rogers estimated a need for an extra six months at a cost of about \$50,000, assuming that nothing inflammatory happened.

Council Member Parker replied that \$50,000 did not seem like a lot of money considering the total cost. He supported the expansion, given those parameters, he said. He added that a conversation about the southern part of the Rural Buffer might eventually take place, but said he agreed that it would be unfortunate if that got in the way of trying to do good work everywhere else. Finding another way to address that question over time probably made more sense, he said.

Mayor Hemminger confirmed with staff that adding six months and \$50,000 would push the project into FY 2019, for which more resources had not been allocated.

Ms. Duffy Rogers said that it might be pushed into the next fiscal year.

Council Member Bell agreed with what others had said, but pointed out that the Rural Buffer area would have to be discussed at some point. The Town needed to find a way to stop postponing that conversation, she said.

Council Member Gu pointed out that the Town would need information about the effects on municipal services, taxes, and so forth before beginning discussions about whether it wanted to expand into areas G, H and I on the land use map.

Council Member Oates confirmed that the project would probably be pushed into 2020, due to money and time constraints, but that would not slow down consideration of the three parcels being looked at for AH. She expressed concern that planning in one year would not allow flexibility for change or a chance to take trends into account.

Ms. Duffy Rogers replied that land planning documents "live and breathe" because trends and technologies change. "It's not the 10 commandments," she said, noting that planning documents continue to be evaluated over time.

Council Member Oates confirmed that the Town could spend time planning and then not actually stick to the plan.

Mayor Hemminger said that the consensus of Council appeared to be that it would like to expand the areas, with the exception of the Rural Buffer piece because bringing that in would slow the discussion. However, the

Council would like to be fair and have staff return with information about what really would be involved if that piece were included, she said.

This item was received as presented.

11. Open the Public Hearing: Application for Land Use Management Ordinance Text Amendment- Advisory Boards Voting Procedures (Sections 8.2.7, 8.4.9, and 8.5.8).

[\[18-0580\]](#)

Senior Planner Aaron Frank presented a LUMO text amendment in response to a November 2017 Council resolution to reevaluate how the Planning Commission (PC), Community Design Commission (CDC), and Historic District Commission (HDC) made decisions. He gave a PowerPoint review of process, which had included a public hearing, and discussed feedback from the three commissions regarding their voting procedures.

Mr. Frank provided background on Council conversations about the number of affirmative votes that should be required to act on an application before a nine-member commission. In 2017, the Council had requested that voting procedures be revised to increase the number of votes needed for decisions and to make a change in quorum to reflect open meeting law requirements, he said.

Mr. Frank said that the Town Attorney had recommended that a majority vote of the membership -- excluding vacant seats and persons excused from voting -- be required to decide on an application. He said that the Attorney had proposed two alternatives as well: 1) a vote of half of the membership excluding vacant seats and persons excused from voting be required; or 2) a majority of those in attendance and at least 4 members be required.

Mr. Frank reported that the three advisory boards had reviewed the recommendations and provided feedback. The PC had endorsed a combination of the two alternatives. In the case that they have a full membership present, five votes would be required; if full membership were not present, four votes be required. He said that the HDC and CDC had endorsed the first alternative and the Attorney's recommendation, respectively.

Mr. Frank compared those choices and noted that all three recommendations had an output of five votes as a baseline for each commission's action. He pointed out that applications could be delayed if a consensus could not be reached. He listed the following key considerations: Should commissions have consistent voting requirements? Should voting requirements be different for decisions than for recommendations? He recommended that the Council hear comments and recess the public hearing to June 27, 2018.

Council Member Parker verified with Mr. Frank that "persons excused from

voting" meant one who needed to recuse him/herself due to a conflict of interest, not someone with an excused absence.

Council Member Gu asked for more background, and Mr. Frank explained the goal of increasing the number of commission members voting so that decisions would be more representative.

Council Member Oates asked how many meetings the PC had with its quorum, and Mr. Frank replied that the PC had good, but not always full, attendance. A transcript would be sent to the Council that would provide such information, he said.

Mayor pro tem Anderson asked if any thought had been given to eliminating members who did not show up.

Mr. Frank replied that there was a method for membership attrition in the Town's Rules of Procedure, but not in the LUMO.

Council Member Anderson confirmed with Mr. Frank that a commission would still need to come to Council to implement the rule. She asked if that process could be hastened a little, or made so that commissions would not need to come to the Council at all.

Mr. Frank agreed to look into that.

Council Member Bell pointed out that attrition typically meant not recommending the person when it was time for new commission members. When she was a PC member, the chair always called the absent commissioner if there was a possibility of not meeting quorum, she said. She said that the recommendation sounded fine but that she was not clear about how it would solve the problem.

Mayor Hemminger pointed out that the CDC was the only review board in the Blue Hill District. The Council would like to have more perspectives represented moving forward, she said, and she noted that the Council always saw commissions' recommendations. The goal was to ensure that enough perspectives go into the commissions' binding decisions, she said.

Mayor pro tem Anderson agreed that five members made sense. She noted that boards had sometimes asked for members to be removed. Having a threshold would make it easier for them to have more members show up, she said.

Town Attorney Ralph Karpinos pointed out the Town could write into its policy a statement that a person would be deemed to have resigned after a certain number of absences.

Mayor Hemminger suggested raising that idea at the Council's boards and commissions meeting and making a recommendation back to the Council.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Stegman, to defer the Public Hearing to June 27, 2018. The motion carried by a unanimous vote.

12. Adopt the Recommended 2018-2019 Community Development Block Grant Program Plan.

[\[18-0581\]](#)

Community Development Program Manager Renee Moye gave a PowerPoint presentation on the Community Development Block Grant (CDBG) Program. She noted that the Town was an entitlement community that received an annual formula grant from HUD for eligible activities, and she listed those activities.

Ms. Moye provided details on the annual process and noted that the current year included a 10 percent increase of about \$37,000 in funding and additional program income of more than \$14,000 from repayment of a loan. As a result, staff had considered additional funding requests, she said.

Ms. Moye explained that The InterFaith Council would not be able to utilize the additional funds because of the timing of its project. Staff was recommending applying the funds to Food First Kitchen and to the Orange County Food Council and a related alternative resolution and ordinance were included, she said.

Ms. Moye said that the recommended CDBG program plan was consistent with the preliminary plan that staff had presented to the Council in March 2018. The budget included neighborhood revitalization, full funding of requests from Habitat for Humanity and the Community Home Trust, the same level of support for code enforcement, and full funding for the Summer Youth Employment Program and the IFC Homestart Program, she said. Ms. Moye asked the Council to adopt the 2018-2019 CDBG program plan, to enact the 2018-19 CDBG project ordinance, and to authorize submission of the Annual Action Plan.

Mayor Hemminger said that she had had a good discussion with The InterFaith Council and had asked them to present to the Council in the fall on their project, timeline, goals and fundraising situation.

Council Member Bell pointed out that the \$25,000 for the Food Council would be contingent upon the Manager being able to negotiate an inter-local agreement with Orange County, Hillsborough, and Carrboro. She asked how those funds would be reallocated if that agreement did not succeed.

Ms. Moye said that she thought a stipulation would allow the Manager to revert those funds to neighborhood revitalization. If not, then it would come back to the Council for reallocation, she said.

Mayor pro tem Anderson asked if the Food Council had gone through the CDBG application process. If not, had the process been opened again to see who else might be interested in those additional funds, she asked.

Ms. Moye replied that the Town had received the funds outside the normal CDBG allocation process and that the review committee had recommended using the allocation for neighborhood revitalization.

Council Member Schaevitz verified that the Food Council had asked the Town for funding, but not specifically for CDGB funds.

Council Member Parker noted that there were two resolution versions -- O-9.1, which included \$25,000 for the Food Council, and O-9, which did not. He asked which one staff was recommending and who had requested that alternative O-9.1 be included.

Mr. Stancil explained that he had talked with the county manager, who had planned to make a recommendation for a Food Council position and then send the towns a proposal about their shares. The county manager had estimated the Town's share to be \$25,000, he said.

Mr. Stancil explained that he had been trying to point out that funding the Food Council, if the Council decided to do so, would not be a General Fund decision. The Council could reallocate the neighborhood revitalization money to fund that, but that would be after receiving a proposal from Orange County, he said. He pointed out that the other jurisdictions had approved funding for the Food Council, subject to development of the inter-local agreement.

Mr. Stancil said that he had asked if it could be funded from CDBG funds because he did not want to interfere with the General Fund budget when there had been no consensus on the Council about funding the Food Council. Staff was not making a recommendation, but merely pointing out that it would be a possible use of the additional CDBG funds, he said. Mr. Stancil said that the Council could decide whether to fund it or not when there was a proposed interlocal agreement.

Council Member Stegman asked if waiting to vote until the fall would hold anything up.

Mr. Stancil replied that he doubted it would. He assumed that the other towns had approved their funding contingent upon an interlocal agreement and approval of a position with the county, he said.

Council Member Bell confirmed with Ms. Moye that it would not be difficult to amend the annual action plan and designate the funds back to neighborhood revitalization if the Council decided to not use them for the Food Council.

Mayor pro tem Anderson said that the overall budget looked fine and that she had no opinion about the Food Council but did not like going outside the process and not offering other applicants the opportunity when extra funds were available.

Council Member Buansi pointed out that the county had come to the Council and asked for help with funding the Food Council position. But the Council had not discussed it during budget deliberations, and financing it through CDBG funds was a product of that, he said. He said he understood the concern about process but felt that the Council had contributed to the situation, he said. Council Member Buansi said that he would not have a problem going forward with incorporating funding for the Food Council position in the CDBG Program Plan. The Town could always refuse at a later point if it did not like the interlocal agreement, he pointed out.

Mayor Hemminger said that the Food Council was a new group with fabulous possibilities and that Orange County was trying to work it into its budget. When she and Mr. Stancil discussed the request, they had talked about having a performance agreement and had tried to find a way that it would not be an ongoing budget item until the Town knew more about it, she explained. When there was excess CDBG money, they saw a way to reserve some funds, Mayor Hemminger said. She acknowledged that it had not followed the normal process, but said it was a way to reserve funding that would allow the Town to participate if it chose.

Council Member Parker said that if the Council wanted to preserve the option of funding at a later date it would be better served going with O-9.1, which would keep it as a designated item in the CDBG budget. Then, if it was not working, the Council could always revert it back to neighborhood revitalization, he said.

Mayor pro tem Anderson asked if there was a reason why the Town could not ask the Food Council to apply in November.

Mr. Stancil clarified that the Town had no requests from anyone to fund the Food Council. Taking any of the proposed actions would not commit the Council to fund it, he said. He said that the Town would likely receive a request to participate and the only reason the Council was currently being asked to decide was that the Town had to submit a proposed CDBG spending plan by July 2, 2018.

Mayor pro tem Anderson confirmed with Mr. Stancil that the Council could ask the Food Council to come and request funding at the start of the funding process in November.

Council Member Bell stressed that taking the proposed action would not commit the Town to anything. It would mean having a conversation with Orange County about one of the uses for the additional CDBG funds. She

pointed out that Ms. Moyer had said the CDBG budget could be amended if the Town did not like the inter-local agreement. She moved O-9.1 and R-11.1, and Council Member Stegman seconded.

Council Member Oates said that, as a "process person," she agreed with Mayor pro tem Anderson. She had not heard anything from the County or the Food Council, there had been no emails from service providers, and no one had come to lobby for the item, she said. Service providers had told her that they would like any extra funds to go toward food because the Food Council staff person could be duplicating something that they already do, she said. Council Member Oates argued that the Council needed more information before diverting the funds.

Mayor Hemminger clarified that Orange County did not have grant funding. The grant that had started the Food Council had run out and the County would be asking the Town to help fund that position, she said. She stressed that the motion on the floor would not commit the Town to spending anything.

A motion was made by Council Member Bell, seconded by Council Member Stegman, that R-11.1 be adopted. The motion carried by the following vote:

Aye: 6 - Mayor Hemminger, Council Member Bell, Council Member Buansi, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

Nay: 3 - Mayor pro tem Anderson, Council Member Gu, and Council Member Oates

A motion was made by Council Member Bell, seconded by Council Member Stegman, that O-9.1 be enacted. The motion carried by the following vote:

Aye: 6 - Mayor Hemminger, Council Member Bell, Council Member Buansi, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

Nay: 3 - Mayor pro tem Anderson, Council Member Gu, and Council Member Oates

- 13.** Open the Public Hearing and Consider an Application for Light Industrial - Conditional Zoning District - Project Triumph, 7300 Millhouse Road.

[\[18-0582\]](#)

Mayor Hemminger said that project to be discussed would be referred to as "Project Triumph" because the Town was still obligated to not release the company's name.

Planner Michael Sudol gave a PowerPoint introduction to the public hearing

on an application by "Project Triumph" for a proposed research, manufacturing, and office facility at 7300 Millhouse Road. He explained that the Light Industrial-Conditional Zoning District was intended to support job-creation uses and encourage uses that include research activities, light manufacturing, and support functions.

Mr. Sudol showed an aerial view of the location off Eubanks Road and described the surrounding zoning districts. "Project Triumph" was a 19.18-acre parcel with 110,000 square feet of floor area and 275 parking spaces, he said. He explained that the applicant anticipated nearly doubling the 20 percent minimum tree standard. The proposal was to rezone the property from Mixed Use Residential, he said.

Mr. Sudol said that the site plan included a 150-foot Research Conservation District (RCD) and a stream that flowed through the eastern portion. An additional 10-foot buffer had been indicated between the development envelope and the RCD, creating a 160-foot buffer, he said. Mr. Sudol showed three points of vehicular access and noted that the eastern access would connect to Carraway Village's future road network. He noted a proposed multi-use path and a stream crossing that would not include vehicular access.

Mr. Sudol said that a traffic impact analysis had concluded that no offsite improvements were necessary but had recommended a minimum 100-foot driveway. Staff was recommending opening and closing the public hearing, adopting a resolution of consistency, and enacting Ordinance A, he said. Mr. Sudol pointed out that the Council could take action on application as well.

Architect Dan Jewell showed two different development envelopes for the site -- one off Millhouse Road and a smaller one to the rear that would only be accessed through Carraway Village. He briefly reviewed the six findings that the Council must make for approval and explained how the project would meet them.

Council Member Parker confirmed with Mr. Jewell that something could potentially be built in the eastern envelope but that the current plan was only to build on the larger site. The plan reserved the right to potentially build up to 10,000 square feet on the eastern side, Mr. Jewell said.

Council Member Buansi confirmed with Mr. Jewell that most, if not all, of the trees would be maintained. The only real impact would be if and when the eastern portion of the site were developed, Mr. Jewell said.

Thomas Whisnant, one of the northern property owners, said that he fully supported the application and had been working with the developer to coordinate shared ingress and egress. He thanked the Town for all of its work in the Light Industrial Zoning District and said he looked forward to working closely with the applicant to coordinate the inter-modal path,

ingress/egress, and other issues.

Council Member Bell moved to close the public hearing and adopt R-12. Mayor Hemminger expressed appreciation to staff for working so hard to move the project along in a timely manner and for working with Town partners.

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

A motion was made by Council Member Bell, seconded by Mayor pro tem Anderson, that R-12 be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Bell, seconded by Mayor pro tem Anderson, that O-10 be enacted. The motion carried by a unanimous vote.

CONCEPT PLAN REVIEW(S)

Concept Plans: Presentations for Concept Plans will be limited to 15 minutes.

Concept Plan review affords Council members the opportunity to provide individual reactions to the overall concept of the development which is being contemplated for future application. Nothing stated by individual Council members this evening can be construed as an official position or commitment on the part of a Council member with respect to the position they may take when and if a formal application for development is subsequently submitted and comes before the Council for formal consideration.

As a courtesy to others, a citizen speaking on an agenda item is normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements through the Mayor's Office by calling 968-2714.

14. Concept Plan Review: The Oaks Condominiums Drainage Improvements, 400 Oak Tree Drive.

[18-0583]

Senior Planner Kay Pearlstein gave a PowerPoint presentation on a concept plan for drainage improvements at The Oaks Condominiums, a 14-acre site at the intersection of Burning Tree Drive along NC 54. She pointed out that it was the start of the process and that the concept plan would return for approval after going through staff and advisory boards.

Ms. Pearlstein explained that the goal of the project was to mitigate repeated flooding. It would replace undersized storm pipes and piping

systems, remove about 30 trees, and replace about 15 trees. She showed slides of flooding and discussed the resulting property damage.

Ms. Pearlstein noted that there were some rare and some significant trees on the site and explained that the first SUP had indicated that the area would remain undisturbed and the first SUP had required an approved landscape plan and that all of the plantings on that plan would be maintained by the owner. Staff felt that disturbing the area would be a major change to that original SUP and should go through an SUP modification process, she said.

Ms. Pearlstein showed the area on the Town's Land Use Map and noted that it had been designated as Focus Area 4, medium residential. She said that the CDC had recommended: using bio-retention and plant varieties that would soak up water; landscaping the rip-rap areas and swales at the entrance; and preserving the 38-inch oak at the entrance.

Ms. Pearlstein noted that there had been a question about whether the Stormwater Utility Advisory Board was the appropriate board to review the concept plan, and staff had concluded that the Town's stormwater staff should address stormwater questions, she said. She pointed out that the three available options for the project would be an SUP, Conditional Zoning, or a Development Agreement, and that staff was recommending modifying the 1974 SUP.

Mayor pro tem Anderson confirmed with Ms. Pearlstein that staff was recommending an SUP modification because that seemed to be the quickest solution. Ms. Pearlstein pointed out that the applicant did not need a rezoning and was not proposing any additional floor area.

Council Member Schaevitz asked about the Stormwater Management Utility Advisory Board's role, and Ms. Pearlstein explained that the board typically commented on stormwater utility issues and that development reviews were not in its purview.

Council Member Schaevitz said that she still did not understand why the Town would not seek their input, and Ms. Pearlstein replied that the Council could certainly ask them to look at it. The CDC had raised the question because the Stormwater Utility Board was not one of the regular review boards, she said.

Daniel Perry, with McAdams Company and speaking on behalf of The Oaks Homeowners Association, reviewed the project's history and explained that staff had approved the project in 2012 but that lack of funding had prevented construction of the original plan. Town stormwater staff had approved the plan currently before the Council in May 2017, he said.

Mr. Perry explained that the 1974 SUP had been discovered during one of the last resubmittals of the package. On September 26, 2017, the project

had been presented to the CDC as part of an alternate buffer plan and staff had then determined that it would be a major modification to the area, he said.

Mr. Perry gave a PowerPoint presentation, showing the existing drainage conveyance system through The Oaks and explaining the proposed new layout and alignment of pipes. He showed pictures of flooded areas and described the damage. He discussed the planting plan, which included tree removal and tree preservation.

Council Member Oates confirmed that The Oaks HOA would pay for tree replacement and established with Mr. Perry how stormwater would be conveyed through pipes and downstream.

Mayor Hemminger asked about flooding downstream, and Mr. Perry replied one of the reasons for an additional 24" pipe at Burning Tree was to avoid creating problems elsewhere.

Council Member Gu confirmed with Ms. Pearlstein that Town stormwater engineers would evaluate the project by looking at overland flow, pipe size, and the amount of water that would come into the pipes. Staff would be working with McAdams to refine the plans, she said.

Mr. Perry noted that Town staff had approved the plan being shown in May 2017. The Oaks had gone through extensive back and forth with staff to make sure that it would not cause any new flooding concerns, he said.

Stuart Tolley, a resident of The Oaks, said that he had water running in front of his house. Most of it entered from the golf crossing on Burning Tree Drive and flooded his area, he said. Mr. Tolley said that The Oaks had been working with the Towns' Stormwater Department for years and that staff had approved the proposed solution. In fact, the extra 24" pipe under Burning Tree Drive to the retention area under NC 54 would be added at the Town's expense, he said. Mr. Tolley said that the idea of redoing the SUP had begun when the Planning Board found the word "undisturbed" handwritten in a margin somewhere.

Alex Tuttle, a resident of The Oaks since 2016, said that his home was the one featured in the flood pictures. There had been four or five flooding incidents and he had had to replace his carpet, he said. Mr. Tuttle said there was a lot of frustration in the neighborhood because the process had been going on since 2012. Mr. Tuttle asked the Council to help move the issue along as quickly as possible.

Mayor pro tem Anderson said that the proposal seemed totally reasonable and that she was glad that staff would review the plan. If an SUP modification was the quickest way, then that was the appropriate approach, she said.

Council Member Gu asked how long the SUP process would take.

Ms. Pearlstein listed the various bodies that typically review SUP modifications. Staff understood the situation and would try to move it through more quickly. Hopefully, it would be done within five months, she said.

Council Member Bell commented that it seemed as though much of what Ms. Pearlstein had outlined had already been done. She confirmed that the earlier plan had been on its way out the door when the note saying "area to remain undisturbed" was discovered.

Mayor Hemminger asked if all of that prior work could be used again.

Ms. Pearlstein replied that she had not spoken with the stormwater folks about how much more review they would need. Five months was a worst case scenario and they might be able to cut that down, she said.

Council Member Parker pointed out how quickly "Project Triumph" had moved. It was not a developer who wanted to build a new project; the Council was trying to solve a problem for people who had been trying to get it done for at least six years, he pointed out. "Let's make it happen with a target of September," he said, commenting that government was really failing if it could not meet the needs of its citizens in dealing with such problems.

Mayor Hemminger commented that there had to be a better process for dealing with stormwater projects.

"I hear you," Ms. Pearlstein said.

Council Member Gu said that she respected the advisory boards' opinions. But the Town was not building anything in this situation and only trying to solve a problem that seems to be an urgent need, and probably needed to review the process for similar situations in the future, she said. Council Member Gu said that she would like to see if some things needed to be revised in order to simplify such situations.

Mayor Hemminger confirmed with Mr. Karpinos if the Council was not authorized to designate the Town Manager to approve the project, based on what the current (1974) permit said. She also verified with him that changing stormwater projects' designation from major to minor would require changing the ordinance. She told Ms. Pearlstein that the Council would love staff to update the applicant's prior plans for a faster review, if possible. Mayor Hemminger also asked that efforts be made to save a large oak tree on the property.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that R-14 be adopted. The motion carried by a unanimous

vote.

15. Concept Plan Review: 2200 Homestead Road, Mixed Income Development.

[\[18-0584\]](#)

Executive Director for Housing and Community Loryn Clark introduced a concept plan for a mixed income development at 2200 Homestead Road. She explained that her staff was the applicant in this case and that the Town's Planning staff would review the development as regulator.

Director of Planning and Development Services Ben Hitchings explained that staff was trying to establish clear roles and responsibilities and would work to conduct as rigorous a review of the project as they would with any other project.

Ms. Clark said that the concept plan was consistent with the Town's goal of "creating a place for everyone" by creating a mixed-income development. She said that staff would present what it hoped to develop on the site and would return in the fall to present how to develop it.

Ms. Pearlstein gave a PowerPoint presentation of the concept plan for a Town-sponsored, mixed-income housing project on a 14-acre parcel. The project would include approximately 150 homes of different housing types for people of different income levels and greenway connections to the north and along Homestead Road, she said.

Ms. Pearlstein displayed an area map that showed nearby developments, roads, RCD, pond, and stream running across the property to the east. The Housing Advisory Board (HAB) and the CDC had reviewed the concept plan, she said, and she noted that the Northern Area Task Force had designated the site as a development opportunity. The site was designated as Focus Area 2 on the Land Use Map, she said.

Ms. Pearlstein noted three pertinent Northern Area Task Force comments: Homestead Road should be served by transit stops; development should include improved pedestrian and bike paths; and a transit-oriented development should be expanded and explored for the property. She said that the HAB had provided positive feedback on the mix of uses, different income levels, ownership and rental options, and tiny homes. The HAB had liked the diversity of options, the access to transit, and the long-term affordability, she said.

Ms. Pearlstein said that the CDC appreciated the green "spine" shown in one option. The CDC also liked the tiny homes, the shared outdoor and green space, and the mix of incomes, and had recommended creating a buffer along the railroad tracks, she said.

Ms. Pearlstein recommended that the Council adopt Resolution 15, transmitting comments to the applicant.

Council Member Parker confirmed with Ms. Pearlstein that nearby Bridgepoint was an approved, mixed development that was still an active project.

Council Member Oates confirmed that the plan was for a mixed income (market rate and subsidized) development but there were no specifics about market rate versus other income levels at the current time. That would be determined moving forward, he said. Nate Broman-Fulks said that where each area would be located would be determined moving forward.

Council Member Oates confirmed with the applicant that discussions with the adjacent property owner about sharing access along the RCD were in progress. She confirmed that access could not be required and asked if there could be a connection to Weaver Dairy Road if the adjacent landowner refused.

Jared Martinson, of MHA Works, replied that he did not anticipate a vehicle connection through the RCD to Weaver Dairy Road. The purpose of considering a cross-connection between the Gateway property and 2200 Homestead Road was to provide a greater opportunity to separate two vehicular entrances, he said.

Council Member Oates expressed concern about only one point of egress being shown on Homestead Road, which was a failing road, she said. She listed all of the new and proposed developments in the area.

Mr. Martinson said that he understood the concerns and he pointed out that both options showed a cross connection. He agreed that vehicular travel and a shared vehicular activity needed to occur between both properties and said he thought the consultant team would encourage that connection.

Council Member Oates pointed out that the developer could not force the connection if Bridgepoint refused. She encouraged planners to look for another form of egress.

Mr. Martinson resumed his PowerPoint presentation on the concept plan being presented by his team as well as Architect Dan Jewell and Dan Levine with Self Help. He discussed the site characteristics, location of pipe, and location of the RCD. He provided background on how the Council had designated the property for mixed income AH in September 2017 and had authorized the Manager to pursue development. Mr. Martinson showed a list of the Town's stated goals. He showed photos of the site and noted that it was bound by railroad tracks to the west, the RCD and a sewer pipe to the north, and neighboring property to the east.

Mr. Martinson explained that the development plan was for a supportive,

self-sustaining, mixed use community with a variety of housing opportunities for some of the Town's highest risk and under-served populations. The parcel would be developed by the Town in collaboration with one or more partners, he pointed out. Mr. Martinson reviewed the process to date and discussed the community engagement meetings. He noted the importance of determining a density threshold for the site and pointed out that the Town would not be able to solve all of its housing challenges with one development.

Mr. Martinson presented two options and requested feedback on elements such as the green spine in Option 1 and the creation of shared exterior spaces between different housing types. He mentioned the possibility of rebuilding the pond to serve as an amenity as well as for stormwater needs. He said that the CDC had warmly received an idea in Option 2 for developing to the north of the rebuilt pond. Planners wanted to create a low-impact vehicular path that would cross the RCD to that area, he said.

Mr. Martinson mentioned an opportunity to reduce the pond's footprint and create more land for housing or active community use. Both options 1 and 2 contained 146 units, a community garden, a co-op market, playground, greenway trails, a bus stop, and a rebuilt pond, he said, and he elaborated on each of those.

Mr. Martinson said that planners had decided to combine the two options after presenting them to the CDC. The combined option was proposing 10-12 tiny homes north of the pond, 28 townhomes, 72 apartments, and 36 shared housing units, he said. He showed renderings of the plan from various views.

Mr. Martinson outlined next steps: identify development partners; inform project costing; draft a project timeline; and define income levels to be served. He asked the Council for feedback on density, scale, massing, rebuilding the pond, RCD impact, developing north of the pond, developing adjacent to the rail line, and compatibility of the project with the existing neighborhood.

Mayor pro tem Anderson asked if triplexes and quadruplexes had been considered.

Mr. Martinson replied that the focus had been on townhomes, duplexes, apartments, and the shared housing model, but that anything could be explored.

Mayor Hemminger confirmed that planners had concerns about a possible vehicular entrance on the northern side being too close to the train tracks. She asked how much buffering there would be between the community house and the train tracks.

Mr. Martinson did not have that information but said they would try to

create as much buffering as possible, since that was as much about safety as appearance and noise. There could be some sort of fencing and vegetation to create a physical buffer, he said.

Mayor Hemminger confirmed that the pond was already failing.

Council Member Bell said she liked both options, with their different benefits. She said that some might think there was a need for four-bedroom units for larger families as well. Planners had done a beautiful job with both options and she liked the idea of building north of the pond, she said. Nobody was concerned about the proximity of train tracks, said Council Member Bell.

Council Member Buansi asked which stakeholders and potential residents had attended the community engagement meetings.

Dan Levine, of Self Help, replied that there had been a wide range of attendees: The Interfaith Council's Community House, most of the non-profit housing providers, some adjacent neighbors, and other groups as well. It had been a mix of more than 50 community members at each of the two meetings, he said.

Jacob Henkels, representing Homesitter Housing Cooperative, as a limited equity housing co-op that sought to build housing for lower- and middle-income people, with a focus on those with criminal backgrounds, said that coop wanted a stake in 2200 Homestead Road and would look for funding through a privately-financed model.

Mayor Hemminger encouraged Ms. Clark to continue the conversation with Mr. Henkels and see where a partnership could unfold.

Council Member Schaevitz said that she supported crossing the RCD to reach the small homes and that reducing the pond size if doing so would help. She expressed interest in the idea of "swapping the parking to the other side to provide another buffer," and said she agreed with Council Member Bell's comment about the train tracks not being a major issue. "Put up a fence and some bushes and we'll be fine," she said. In general, she was enormously supportive of all she had seen, said Council Member Schaevitz.

Council Member Oates expressed a preference for the model that showed some buffer along Homestead Road. She encouraged planners to talk with Boulder Housing Partners for information about being a "RAD" and selling land off to a private organization. She expressed concern about adding more traffic to Homestead Road and said that the project needed to have an additional form of egress.

Council Member Oates said she was interested in hearing about the business plan and the partners. She recommended giving housing preference to Town employees, noting that the development would be

conveniently located on a bus line. Council Member Oates emphasized that unsegregated market rate and subsidized, mixed-income housing was healthier for all community levels.

Council Member Parker said he agreed with Council Member Schaevitz's remarks and he spoke in favor of adding as much density as possible. He said that the plan for 10 tiny homes was good and that more would be better. He asked about indoor community space.

Mr. Martinson described a "rough idea" about assembly space on the ground floor that might be opened up on pleasant days but still able to be an active use in the winter. There could also be community gathering rooms on the second floor, he said.

Council Member Stegman offered strong support for the concept plan and the attention given to serving different populations, especially the more vulnerable ones in Town. She liked the co-op model, she said, noting that it would be an innovative addition to the community. She agreed with Council Member Bell's comments about accommodating larger families and said that she loved the idea of including a pond and garden. Council Member Stegman confirmed with Mr. Martinson that the tiny houses proposed for the other side of the pond would be additional units.

Mayor pro tem Anderson agreed that the existing train tracks were okay as long as safety concerns were addressed. She praised the proposed cooperative space and the idea of incorporating amenities for families. Mayor pro tem Anderson pointed out that the Town did not yet know what the environmental impact of going through the RCD would be.

Mr. Martinson replied that the Town's RCD requirements allowed for a road or path to traverse the perpendicular orientation that was being shown.

Mayor pro tem Anderson asked about including triplexes and quadruplexes, and Mr. Martinson said that perhaps those could take the place of some of townhomes.

Council Member Oates asked staff to notify Courtyards of Homestead residents about the concept plan. Doing so might mean entering those addresses, she said, explaining that none of the people there had received a notification.

Council Member Buansi agreed with the other Council members' comments and said that he would support building housing on the other side of the pond in order to maximize space and accommodate AH needs.

Mayor Hemminger congratulated all the presenters on thinking outside the box and pulling many different interests together. She was excited about being able to do so much co-housing there and still have amenities, she said. The Town needed middle income housing as well, and selling

townhomes at market rate would provide more funding for co-housing, she pointed out.

Mayor Hemminger proposed reducing the pond size a bit in order to push less into the RCD, and she confirmed with Mr. Martinson that there would be a path around the pond for all to use. She said that the majority of Council members had expressed support for building north of the pond and loved the idea of tiny houses as another alternative. She characterized the community space as a bonus and told planners to keep moving forward.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Bell, that R-15 be adopted. The motion carried by a unanimous vote.

ADJOURNMENT

The meeting was adjourned at 11:44 p.m.