



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Final

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

Mayor Jessica Anderson
Mayor pro tem Amy Ryan
Council Member Camille Berry
Council Member Melissa McCullough
Council Member Paris Miller-Foushee

Council Member Theodore Nollert
Council Member Adam Searing
Council Member Elizabeth Sharp
Council Member Karen Stegman

Wednesday, October 9, 2024

6:00 PM

RM 110 | Council Chamber

Language Access Statement

For interpretation or translation services, call 919-969-5105.

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

Para servicios de interpretación o traducción, llame al 919-969-5105.

လատ်ကတိကျိုးထံ မှတမာ် လတ်ကွဲးကျိုးထံအတတ်မစာအဂီၢ် ဂ် ကိးဘၣ် (၉၁၉)-၉၆၉-၅၁၀၅

如需口头或
书面翻译服
务，请拨打
919-969-5105.

In-Person Meeting Notification

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- Spectrum is replacing 1998 encoder that transmits programming to cable channel 18. It remains offline until complete.
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

Parking

- Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and Speakers

- Entrance on the ground floor.
- Sign up at the meeting starting at 5:30 PM with the Town Clerk to speak.
- If more than 14 people sign up for an item, Council will reduce speaking time from 3 minutes to 2 min./person.
- Please do not bring signs.

ROLL CALL

Present: 9 - Mayor Jessica Anderson, Mayor pro tem Amy Ryan, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Adam Searing, Council Member Karen Stegman, Council Member Theodore Nollert, Council Member Melissa McCullough, and Council Member Elizabeth Sharp

OTHER ATTENDEES

Town Manager Chris Blue, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Executive Director for Strategic Communications and Marketing Susan Brown, Planning Director Britany Waddell, Assistant Planning Director Judy Johnson, Principal Planner Anya Grahn-Federmack, Zoning Administrator Corey Liles, Planner II Jacob Hunt, Communications and Engagement Manager Shay Stevens, Police Officer Mister, Deputy Town Clerk Amy Harvey, and Assistant Town Clerk Brenton Hodge.

OPENING

ANNOUNCEMENTS BY COUNCIL MEMBERS

Mayor Anderson reminded the Council that its October 16th work session had been cancelled.

0.01 Mayor Anderson Regarding Recent Hurricanes.

[\[24-0493\]](#)

Mayor Anderson commented on the major hurricane that had recently devastated parts of North Carolina and shared information on rescue and recovery efforts. She said that the Mayor of Asheville had expressed appreciation to the Town for its help and that Council Members were grateful to staff for those efforts as well. She said that residents could help by donating to reputable organizations such as the Red Cross or the Disaster Relief Fund.

0.02 Proclamation: Community Planning Month.

[\[24-0494\]](#)

Council Member Searing read a proclamation regarding Town planners' role in helping to navigate change. The proclamation declared October 2024 to be National Community Planning Month in Chapel Hill and thanked the Town's planners for their public service. He presented the petition to Director of Planning Britany Waddell and several Planning Department staff members.

0.03 Proclamation: Domestic Violence Prevention Month.[\[24-0495\]](#)

Mayor Anderson said that October 2024 was Domestic Violence Prevention Month and read a proclamation about the Compass Center for Women and Families, located in Chapel Hill, which provided a 24-hour crisis line, support groups, advocacy, and other services. The proclamation reminded residents that collective awareness, care, and action were critical to preventing domestic abuse.

0.04 Mayor Anderson Regarding Public Housing Public Information Meeting.[\[24-0496\]](#)

Mayor Anderson announced that a Public Housing information meeting on a project being proposed for 607-617 Martin Luther King Jr. Boulevard would be held virtually on October 17th at 5:30 p.m. Those interested could visit the Town Calendar to register and learn more, she said.

0.05 Mayor Anderson Regarding Early Voting and Bonds.[\[24-0497\]](#)

Mayor Anderson pointed out that October 17th would be the first day of early voting for federal and state elections. She reminded everyone that Chapel Hill had \$44 million bond referendum on the back of the ballot. If approved, that bond would allow the Town to move forward on important public safety, facilities, greenways, affordable housing, and parks projects without requiring a tax increase, she said.

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.

Jim Bulbrook was called to speak

0.06 Jim Bulbrook Requests Modifications to LUMO Standards for Leaf Blowing.[\[24-0498\]](#)

Chapel Hill resident Jim Bulbrook petitioned the Town to implement reasonable restrictions on leaf blower noise, which he said was exceeding Town ordinance restrictions. He proposed limiting the days of week that blowers could be used in different zones and asked for changes regarding

decibel range, starting time at golf courses, and simultaneous use of multiple blowers.

Mayor Anderson said that North Carolina municipalities did have the authority to make reasonable regulations related to noise output but had less authority to regulate types of equipment used. She proposed that the Council refer the petition to the Town Manager and Town Attorney.

A motion was made by Mayor pro tem Ryan, seconded by Council Member Miller-Foushee, that the Council received and refer the petition to the Town Manager and Attorney. The motion carried by a unanimous vote.

CONSENT

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

Approval of the Consent Agenda

A motion was made by Mayor pro tem Ryan, seconded by Council Member Miller-Foushee, that R-1 be adopted as amended, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. Approve all Consent Agenda Items [\[24-0485\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
2. Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2024-25. [\[24-0486\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
3. Approve Updates to Chapel Hill Transit's Public Transportation Agency Safety Plan (PTASP) [\[24-0487\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
- 3.01 Award the Same Pay Increase Approved for all Employees to the Town Manager [\[24-0492\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.

DISCUSSION

4. 2024 Community Survey Report and Next Steps [\[24-0488\]](#)
Community Relations Manager Shay Stevens introduced Ryan Murray, Assistant Director of Community Research at ETC, to present findings from a 2024 community survey regarding Town operations and services. Mr. Murray explained the survey's methodology and reviewed its results. He

discussed Chapel Hill's performance over time and in comparison to other towns.

Mr. Murray said that 400 surveys had been completed, which was a little more than 10 percent of the 20,000 that had been mailed out. He reviewed some of the survey questions and discussed the level of responses. The survey had been conducted in March and April 2024, he said.

Council Members asked about terms used in the survey, the framing of questions, and its sources of data. They commented on the potential for ambiguity and expressed an interest in getting at the reasons behind some of the responses. Some Council Members commented on how having roads under construction for quite some time might have affected public attitudes. Mayor pro tem Ryan and Mr. Murray discussed ways to recruit participants for a focus group.

Ms. Stevens reported on potential staff responses to the community survey. She said that they had been looking at other community input as well and would be implementing short- and long-term changes that include more equitable engagement. She pointed out that a community survey could compare data and trends but was not the only way that the Town gauged community sentiment.

Ms. Stevens commented on the finding that transportation infrastructure and traffic management continued to be Town priorities. She reviewed the ways by which staff intended to increase satisfaction with Town services and operations. She discussed the potential effect of the Land Use Management Ordinance rewriting process, the newly formed Office of Mobility and Greenways, the Parks and Recreation Master Plan, a new Downtown parking garage, and a Downtown Streetscape Project. She discussed other Town initiatives -- such as Vision Zero, stakeholder partnerships, and a "Penny for Parks" allocation in the Town's 2023-24 budget -- as well.

The Mayor and Council confirmed with Mr. Murray that it would be possible to analyze more variables without collecting more data. They verified with Ms. Stevens that the survey results aligned with what staff had been hearing from the community. Executive Director for Strategic Communications and Marketing Susan Brown interjected that the Town's website was being improved and would become a primary source of Town information.

Mayor pro tem Ryan said that the ways in which traffic and greenways were related should be folded into the metrics. Mayor Anderson proposed that staff gather input from the Council and then add a couple of open-ended questions to the survey regarding long-range planning.

The Council confirmed with Ms. Stevens that a Pedestrian Champion Team made up of staff from several Town departments would help create a Town Traffic-Calming Policy. Council Member Berry commented on the need to find ways to provide safe walking for all, particularly students who are walking to schools. Council Member Sharp pointed out that some of the surveys top findings would be addressed by the proposed Town bond.

This item was received as presented.

5. Greene Tract - Community Engagement, September 22, 2024 Plan, and Next Steps

[\[24-0489\]](#)

Assistant Planning Director Judy Johnson gave an update on plans for the Greene Tract (GT), a 107-acre parcel that was owned jointly by Chapel Hill, Carrboro and Orange County. She said Carrboro was currently considering a similar resolution and that the Orange County Commissioners had already adopted theirs. The evening's presentation would address the consultant-led community engagement part of the process and next steps would include an economic analysis and zoning application, she said. She recommended that the Council hear the consultants' report and adopt Resolution-3, which would endorse the GT Master Plan and next steps.

GT Master Plan Project Manager Jessica Pearson, of Gensler Raleigh, gave a PowerPoint presentation on the community engagement process, which had begun with the Town's adoption of a conceptual land use master plan in November 2021. She said that the engagement team consisted of representatives from the three jurisdictions plus members of the Rogers Eubanks Neighborhood Association, the Town's affordable housing partners, and a representative from Chapel Hill-Carrboro City Schools.

Ms. Pearson summarized the team's community engagement efforts, which included hosting 11 stakeholder interviews, 3 community workshops, and a focus group with neighbors at Phoenix Place. The team had collected and documented the collective vision for a GT Master Plan in which the community's vision was being reflected, she said. She showed samples of materials that the team had developed and used.

Jordan Powell, a GT Master Plan team member from VHB, discussed the community engagement process, which had been designed to increase transparency and accountability. He said that input had ultimately been distilled into eight guiding principles that served as the foundation for the planning process throughout. He reported on the format and focus of workshops and said that more information on those could be found in a Community Engagement Insights Report, which was publicly available.

GT Master Plan Director Dan Jewell, regional director with Thomas and Hutton, showed an aerial view of the GT and described nearby roads and landscape. He compared the proposed development to other Town

neighborhoods that were similar in scale. In addition to the huge amount of greenspace that would be preserved as open space there were many opportunities for housing and other uses on the site, he said.

Mr. Jewel emphasized that the Master Plan that had been developed with much community input and highlighted some of those interactions. He described a concept based on a pod system that included multi-family homes, townhouses, single-family homes on lots, and non-residential uses. He showed where stormwater ponds could be located and discussed possible road connections.

Mr. Jewell described potential community gardens, playfields, pocket parks, orchards, a large village green, and possible retail. He outlined the concept for streets, sidewalks, plazas, parking areas, trails and gathering spaces. One long road, which would be as convoluted as possible to calm traffic, would wind through the site, he said. He described a plan for connecting to nearby neighborhoods and talked about biking and walking paths that would extend to Rogers Road. An entrance feature at Rogers Road would call out the specialness of that neighborhood, he said.

Ms. Johnson said that the process was moving toward creating a zoning application. She pointed out that Chapel Hill was the GT's regulator because it fell within the Town's planning jurisdiction. She said that an upcoming financial analysis would be a 12-month iterative process that would be followed by a zoning review process.

Mayor Anderson emphasized the importance of having good connections to nearby shopping areas, Homestead Park, and the Town of Carrboro. Mayor pro tem Ryan and Ms. Johnson discussed how the economic feasibility analysis would help to determine options.

Council Members confirmed that major retail was not part of the vision but that a daycare facility, start-ups, and community-sponsored uses were all possibilities. They also confirmed that a portion of the GT was expected to be annexed into Chapel Hill, which would make those streets part of the Town. They verified with Ms. Johnson that the Chapel Hill-Carrboro School System had no current plans to build on its 16-acre portion, which had been designated for school/recreation. The Council confirmed with Ms. Johnson that the Town's Community Relations team and its Housing staff would be actively involved in the process.

Council Member Searing asked about the plan to run an access road through the Neville Tract preserve rather than public land. Ms. Johnson agreed that the Neville Tract would be a better point of access but said that Orange County Solid Waste was using that for the landfill and was not interested in having a road through there. She said that conversations had not ended, though, and that no option was off the table.

Jenny Quesenberry, a Phoenix Place HOA member, said that she fully supported the plan to build more affordable housing but wanted to be assured that a large buffer of trees between her home and the construction site would remain untouched.

Chapel Hill resident Elizabeth Young praised the amount of community involvement that had been part of the decision-making process and asked the Council to approve the resolution.

Chapel Hill residents David Caldwell and Reverend Robert Campbell praised the plan as well as the collaborative process. Rev. Campbell said that the project would benefit those looking for a safe place to live, would develop the workforce, and would bring amenities to the surrounding community.

Chapel Hill resident Abel Hastings urged the Council to refrain from running a road through the nature preserve and to ensure that the remaining greenspace would be accessible, equitable and safe.

All Council Members expressed enthusiasm for the plan and the process. They praised the effort to preserve land and to create a plan that reflected what the neighbors had said they wanted. Council Member Stegman commented on the recent acceleration and urged the team to continue moving at that pace, or faster. Council Member Nollert spoke about tradeoffs and the goal of meeting as many interests as possible.

Council Members commented on a history of environmental racism in that neighborhood and how it had taken the three governmental bodies decades to reach the current moment. Council Member Miller-Foushee said that she was in the fight for the long haul, and others agreed that the Town needed to do reparative work for what Rogers Road area residents had endured. Mayor Anderson spoke about how much of their lives Rev. Campbell and Mr. Caldwell had spent advocating for that community.

Council Member McCullough pointed out that greater densification would justify bringing transit to the area. Mayor pro tem Ryan proposed increasing the density even more by, for example, adding more small homes, such as cottage courts.

Council Member Searing repeated his objection to putting the main access for cars through the preserve. He said that doing so would set a bad precedent, especially since there already was another road at the Neville Tract that could connect with Eubanks Road. Mayor pro tem Ryan stated that she would support pushing Orange County more regarding that access. Council Member Berry noted that those discussions were

continuing but said that she wanted to prioritize housing and viable access over recreation.

Mayor Anderson said that the Council was very supportive of the work and the pace of work and proposed that everyone continue to stay out of each other's way. The economic analysis would allow them to get more specific, she said.

A motion was made by Council Member Berry, seconded by Council Member Miller-Foushee, that the Council adopt R-3. The motion carried by the following vote:

Aye: 8 - Mayor Anderson, Mayor pro tem Ryan, Council Member Berry, Council Member Miller-Foushee, Council Member Stegman, Council Member Nollert, Council Member McCullough, and Council Member Sharp

Nay: 1 - Council Member Searing

LAND USE MANAGEMENT TEXT AMENDMENT(S)

6. Open the Legislative Hearing: Land Use Management Ordinance (LUMO) Text Amendment to Address Technical Corrections in Article 3, Table 3.7-1: Use Matrix.

[\[24-0490\]](#)

Principal Planner Anya Grahn-Federmaack explained that the proposed text amendment would correct a minor technical issue by aligning Uses and Zoning Districts. It would not make substantial changes to the current Land Use Management Ordinance, she said. She recommended that the Council open the legislative hearing, receive and provide comments, and continue the hearing to November 13, 2024.

A motion was made by Council Member Stegman, seconded by Council Member Miller-Foushee, that the Council open the Legislative Hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Stegman, seconded by Council Member Miller-Foushee, that the Council continued the Legislative Hearing to November 13, 2024. 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, people speaking on an agenda item are 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.

7. Concept Plan Review for 1651 Old Lystra Road

[\[24-0491\]](#)

Zoning Administrator Cory Liles introduced a concept plan for a project on Old Lystra Road that would be outside Town limits but within its planning jurisdiction. He said that Holy Trinity Church was proposing to build a place of worship and associated residential units there. Most of the approximate 15.5-acre site fell outside the Town's Urban Services Boundary but would not affect agreements that the Council had with other jurisdictions regarding that area, he said. He recommended that the Council hear the applicant's presentation and adopt Resolution-4, which would transmit comments to the applicant.

Dianne Martin, representing Holy Trinity Church, provided information on the church's history in Chapel Hill. It had moved several times since 2012 and had been renting space across from Southern Village since November 2021, she said. She described the kinds of social justice issues that the congregation of about 250 people took on. She said that they had been searching for a permanent home and had recently entered a collaboration with a local developer to buy approximately 50 acres and carve out 12 of those for the church.

Ms. Martin said that the Holy Trinity had been in discussion with PeeWee Homes and others about building transitional housing on the property as well. Doing so would be part of a two-phased project in which the developer would install water and sewer and approximately 150 townhomes, she said. She expressed enthusiasm about being part of an entirely new community.

Developer Dan Jewell, of Thomas and Hutton, described a U-shaped site with very steep slopes and said that poor soil made it suitable for a place of worship due to its lower water needs. He presented a proposed layout that showed a relatively compact footprint and parking for church needs and other anticipated uses. He indicated where the tiny homes, townhomes, and stormwater management facility would be located. He showed a plan for driveways at Wave Road and Old Lystra Road and said that the applicant was committed to installing a gate due to neighborhood

concerns about cut-through traffic.

Council Member Berry asked if the water and sewer boundary could be expanded if Chapel Hill, Orange County, and the Orange Water and Sewer Authority (OWASA) agreed to it, and Mr. Liles offered to return with specific language regarding exceptions. Mayor Anderson ascertained that the number of tiny homes that could be built near the stormwater pond would be driven by the amount of soil needed for a septic field there.

Mayor pro tem Ryan characterized the concept as solid and a good use for the area, considering the land's challenges. Council Member Miller-Foushee said that the concept was exciting and praised church members for their social justice initiatives. Council Member McCullough expressed concern, though, over the amount of pavement and the number of trees that would need to be removed from a very steep slope. Council Member Nollert said that he was excited about the initiative but would be looking for parking that interfered with the natural environment as little as possible.

Several Council Members raised concerns about un-used pavement during the week, and Mayor Anderson proposed that the applicant find a shared use with another community activity, such as daycare. The Council talked about whether or not the residents of PeeWee Homes would have cars and wondered how they would access services from that location if they did not. They asked the applicant to provide information on what type of transportation those residents would have.

Council Member Berry asked staff to return with information on the possibility of hooking up to OWASA rather than having a septic system. Council Members asked the applicant to look into the possibility of sharing parking with another use during the week. Mr. Jewell agreed to do so, but pointed out that a day care business would generate a lot of traffic and probably would double the water usage.

Council Members Searing and Stegman said that a stronger commitment by the applicant toward the tiny home idea would allow them to feel more flexible regarding other aspects of the plan. Mayor Anderson remarked that the plan seemed a bit hazy and disjointed. She understood the wish to address neighbors' interests, but she was not a fan of gated housing and wondered if there was a way to be more open and welcoming, she said. Overall, the use was fine but that the plan could be a little more integrated and welcoming, she said.

A motion was made by Council Member Berry, seconded by Council Member Miller-Foushee, that the Council adopt R-4. The motion carried by a unanimous vote.

ADJOURNMENT

This meeting was adjourned at 9:08 p.m.