



TOWN OF CHAPEL HILL

Town Council Meeting Agenda

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

Mayor Pam Hemminger
Mayor pro tem Michael Parker
Council Member Jessica Anderson
Council Member Allen Buansi
Council Member Hongbin Gu

Council Member Tai Huynh
Council Member Amy Ryan
Council Member Rachel Schaevitz
Council Member Karen Stegman

Wednesday, January 22, 2020 7:00 PM

RM 110 | Council Chamber

OPENING

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.

ANNOUNCEMENTS BY COUNCIL MEMBERS

CONSENT

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

1. Approve all Consent Agenda Items. [\[20-0055\]](#)
By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.
2. Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY [\[20-0056\]](#)

- 2019-20.
- By enacting the budget ordinance amendment, the Council adjusts the General Fund, Grants Fund, and the Library Gift Fund FY 2020 budgets. By enacting the project ordinance amendments, the Council adjusts the Transitional Housing Fund and the Housing Capital Grants Fund project budgets.
- 3.** Approve the Housing Advisory Board's Recommended Funding Plan for the Affordable Housing Development Reserve. [\[20-0057\]](#)
- By adopting the resolution, the Council approves the Housing Advisory Board's recommended funding plan for the Affordable Housing Development Reserve December 2019 funding cycle.
- 4.** Continue the Public Hearing for the Code of Ordinances Text Amendment to Chapter 11A and Land Use Management Ordinance Text Amendment to Section 5.9 Pertaining to Off-Street Parking and Payment-in-Lieu Policy to March 4, 2020. [\[20-0058\]](#)
- By adopting the resolution, the Council continues the public hearing to be opened at 7:00 p.m. on Wednesday, March 4, 2020.
- 5.** Authorize the Town Manager to Submit Design Work to NCDOT for the West Franklin Street Lane Reallocation Project. [\[20-0059\]](#)
- By adopting the resolution, the Council authorizes the Town Manager to submit design work to NCDOT for the West Franklin Street Lane Reallocation Project.
- 6.** Adopt Minutes from the September 25, 2019 and October 2 and 16, 2019 Meetings. [\[20-0060\]](#)
- By adopting the resolution, the Council approves the summary minutes of past meetings which serve as official records of the meetings.

INFORMATION

- 7.** Receive Upcoming Public Hearing Items and Petition Status List. [\[20-0061\]](#)
- By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.
- 8.** Receive a Report Regarding LED Conversion Options for Outdoor Lighting. [\[20-0062\]](#)
- By accepting this report, the Council receives information regarding

LED conversion options for outdoor lighting.

- 9.** Receive Update on the Short Term Rental Task Force. [\[20-0063\]](#)

By receiving this update, the Council accepts information from staff regarding the Short Term Rental Task Force.

DISCUSSION

- 10.** Approve On-Street Parking Regulations in the Burch Kove Neighborhood. [\[20-0064\]](#)

PRESENTER: Matthew J. Sullivan, Fire Chief

RECOMMENDATION: That the Council enact an ordinance that establishes "no parking anytime" on several streets, and establishes an area in which special parking permits are required in the Burch Kove neighborhood in response to residents' request.

- 11.** Consider Adopting a Resolution for a Path Forward Process to Further Assess the Greene Tract and a Resolution Authorizing the Town Manager to Execute an Interlocal Agreement for Greene Tract Environmental Assessment Cost Share with Carrboro and Orange County. [\[20-0065\]](#)

PRESENTER: Judy Johnson, Interim Planning Director

RECOMMENDATION: That the Council consider adopting the attached resolutions which would establish a process for the Towns of Chapel Hill and Carrboro and Orange County to move forward in their pursuit of development on the Greene Tract; and authorize the Town Manager to execute an Interlocal Agreement for Environmental Assessment Cost Share with Carrboro and Orange County.

- 12.** Authorize the Town Manager to Execute an Amended Interlocal Agreement for Installation of Private Sewer Laterals for Low and Moderate Income Homeowners in the Rogers Road Community. [\[20-0066\]](#)

PRESENTER: Judy Johnson, Interim Planning Director

RECOMMENDATION: That the Council adopt Resolution A, authorizing the Town Manager to sign the attached amended interlocal agreement between Orange County, Carrboro, and Chapel Hill.

- 13.** Charting Our Future - Consider Amending the Project Charter. [\[20-0067\]](#)

PRESENTER: Alisa Duffey Rogers, LUMO Project Manager

RECOMMENDATION: That the Council adopt the Resolution amending the Land Use Management Ordinance Rewrite Project Charter (Option 3) to extend the Project schedule, to acknowledge the expansion of the Future Land Use Map phase of the Project, and to change the scope for rewriting the Land Use Management Ordinance to include additional visioning for each Focus Area and options for implementing Town goals.

- 14.** Receive an Update on the Climate Action and Response Plan. [\[20-0068\]](#)

PRESENTER: John Richardson, Community Resilience Officer

RECOMMENDATION: That the Council receive the update and provide direction to staff.

- 15.** Open the Public Hearing and Consider Applying Town of Chapel Hill Zoning to Property at 7516 Sunrise Road Formerly Zoned by Orange County. [\[20-0069\]](#)

PRESENTER: Corey Liles, Principal Planner

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record.
- b. Introduction and preliminary recommendation
- c. Recommendation of the Planning Commission
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to adjourn the Public Hearing
- g. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- h. Motion to enact an Ordinance to rezone the property.

RECOMMENDATION: That the Council open the Public Hearing, receive public comment, close the public hearing, adopt a Resolution of Consistency with the Comprehensive Plan, and enact Ordinance A to rezone the property.

- 16.** Consider Establishing Town of Chapel Hill Fund for Criminal Justice Debt. [\[20-0070\]](#)

PRESENTER: Megan Johnson, Police Crisis Unit Supervisor

RECOMMENDATION: That the Council consider establishing a Criminal Justice Debt Relief Fund.

- 17.** FY 2019 Financial Update and Audit Results. [\[20-0071\]](#)

PRESENTER: Brandi Fesperman, Senior Accountant, Martin Starnes & Associates, CPAs, P.A.

Amy Oland, Business Management Director

RECOMMENDATION: That the Council receive this report on the Town's CAFR for FY 2019 and financial update presentation.

APPOINTMENTS

- 18.** Appointments to the Board of Adjustment.

[\[20-0072\]](#)

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



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
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Item Overview

Item #: 1., **File #:** [20-0055], **Version:** 1

Meeting Date: 1/22/2020

Approve all Consent Agenda Items.

Staff:

Sabrina M. Oliver, Director/Town Clerk
Amy T. Harvey, Deputy Town Clerk

Department:

Communications and Public Affairs

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



Recommendation(s):

That the Council adopt the various resolutions and ordinances.

Fiscal Impact/Resources: Please refer to each agenda item for specific fiscal notes.



Attachments:

- Resolution

**A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES
(2020-01-22/R-1)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the following resolutions and ordinances as submitted by the Town Manager in regard to the following:

2. Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2019-20. (O-1)(O-2)(O-3)
3. Approve the Housing Advisory Board's Recommended Funding Plan for the Affordable Housing Development Reserve. (R-2)
4. Continue the Public Hearing for the Code of Ordinances Text Amendment to Chapter 11A and Land Use Management Ordinance Text Amendment to Section 5.9 Pertaining to Off-Street Parking and Payment-in-Lieu Policy to March 4, 2020. (R-3)
5. Authorize the Town Manager to Submit Design Work to NCDOT for the West Franklin Street Lane Reallocation Project. (R-4)
6. Adopt Minutes from September 25, 2019 and October 2, and 16, 2019 Meetings. (R-5)

This the 22nd day of January, 2020.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

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



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
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Item Overview

Item #: 2., File #: [20-0056], Version: 1

Meeting Date: 1/22/2020

Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2019-20.

Staff:

Amy Oland, Director
Matt Brinkley, Assistant Director

Department:

Business Management

Overview: After the Council approves the annual budget, periodic changes require the Town to amend the original budget.



Recommendation(s):

That the Council enact the attached budget ordinance amendment to adjust the General Fund, Grants Fund, and the Library Gift Fund, and enact the attached project ordinance amendments to adjust the Transitional Housing Fund and Housing Capital Grants Fund.

Key Issues:

- **General Fund**

Structural Firefighting Gear - Each year Orange County reserves a small portion of the fire tax funds from each of the rural fire districts to offset losses if a property defaults on its tax obligations. Chapel Hill Fire Department has a reserve with the County for our rural coverage area in South East Orange County. The reserve grows over the years, and when the reserve has sufficient cash flow, the Town can request a portion of the funds for specific Fire Department needs.

The Fire Department will request \$30,000 from Orange County to purchase personal protective equipment for non-structural firefighting response. Enactment of the attached budget ordinance amendment for the General Fund recognizes and appropriates the \$30,000 from Orange County for the purchase of the equipment.

Duke Energy Tree Planting Grant - The Duke Energy Foundation's Powerful Communities Nature Grant awarded the Town \$20,000 to purchase and plant trees, and to cover watering expenses for one year. This grant supports our goal of planting 200 trees in the community, celebrating the Town's 200th birthday. Trees are a vital part of the Town's community character; they also help achieve the Town's climate goals around carbon reduction and community resilience. Enactment of the attached budget ordinance amendment for the General Fund recognizes and appropriates the \$20,000 grant from Duke Energy Foundation for the tree planting project.

Duke Energy All Access Grant - Duke Energy awarded the Town \$4,000 for the Chapel Hill All Access Program. The Chapel Hill All Access Program will improve public safety by reducing language access barriers during emergency events. This grant helps the Town advance multilingual emergency messages, and implement the language access strategies in the Building

Integrated Communities <<https://www.townofchapelhill.org/town-hall/departments-services/housing-and-community/community-programs/chapel-hill-bic-project-proyecto-chapel-hill->

Pritchard Park Outdoor Sculpture - Kim Kelly would like to donate \$30,000 to the Town to create an outdoor sculpture. The Town will commission Paris Alexander <<http://www.parisalexander.org/>> to sculpt the piece and install it in Pritchard Park, in memory of Ms. Kelly's daughter. The budget for the piece is estimated at \$30,000, inclusive of design, fabrication, delivery, and installation. Upon acceptance of this gift, the Town's Community Arts and Culture division will enter into a contractual agreement with the artist to oversee the project. Enactment of the attached budget ordinance amendment for the General Fund recognizes and appropriates the \$30,000 donation for the sculpture.

- **Grants Fund**

Triad Foundation Grant - The Triad Foundation awarded the Town \$92,200 to fund two police patrol efforts in downtown. Of the total award, \$72,200 will fund extra-duty police officer patrols in and around our central business district through the end of the academic year (May 8th). This funding supplements existing on-duty patrols for enhanced visibility and safety and provides enhanced officer presence in areas where students are walking and biking in the evening hours and on busy weekends. The remaining \$20,000 will be used to purchase four e-bikes for downtown patrols. These bikes allow for quiet, highly visible, and comprehensive patrol coverage in our downtown area, often allowing bike officers to arrive at emergency calls more quickly than those in vehicles. Enactment of the attached budget ordinance amendment in the Grants Fund recognizes and appropriates the \$92,200 grant from the Triad Foundation for the increased patrol efforts in downtown.

- **Library Gift Fund**

Library Kids' Room - The FY 2019 Library Gift Fund budget appropriated \$24,000 from fund balance to design and implement improvements to children's services in the library kid's room at the Library. This work was not completed in FY 2019 due to time constraints. The Library would like to carryforward \$19,500, the remaining balance of unused project funds, to the FY 2020 budget for fixtures, furniture, signage, and small equipment upgrades. Enactment of the attached budget ordinance amendment in the Library Gift Fund appropriates \$19,500 of fund balance for the library kid's room project.

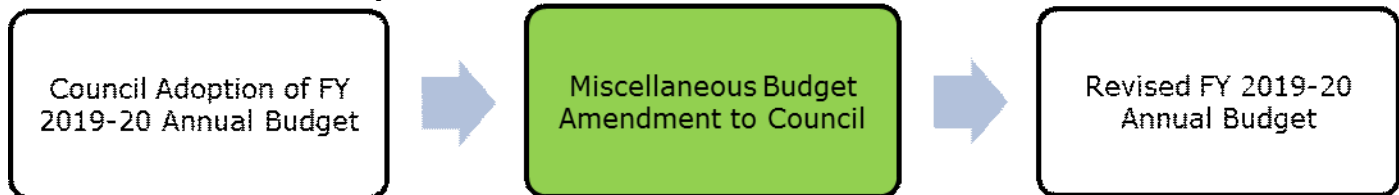
- **Transitional Housing Fund**

501 Sykes Street - The Chapel Hill Police Department (CHPD) was using 501 Sykes Street as a police substation. In 2018, CHPD moved out and transferred ownership back to the Housing and Community Department. This two-bedroom house is currently in the Town's Transitional Housing Program. The Transitional Housing program is for families wanting to move from the Town's public housing to private market housing, homeownership, or private rental housing. Families are in the Transitional Housing program for five years. During the five year period, they receive one-on-one support from a case manager to work towards their personal financial and housing goals, have access to classes and programs with local agency partners, and 20% of their rent goes into an escrow account for the purchase of a home or market rate rental housing in the future. Enactment of the attached project ordinance amendment for the Transitional Housing Fund recognizes and appropriates program income (rent revenue) in the amount of \$4,387 to maintain the 501 Sykes Street property.

- **Housing Capital Grants Fund**

2019 Housing Capital Fund Grant - The U.S. Department of Housing and Urban Development (HUD) determined that there is additional Capital Funding available for award. As a result, HUD's Office of Capital Improvements revised the amounts of all 2019 Capital Fund Program (CFP) Formula Grants to distribute an additional \$13,321,360 in capital Funds to all agencies who received funding. Public Housing Agencies (PHA) will see an increase in their 2019 CFP Formula Grant awards, and these adjustments will be about 0.5% of the 2019 original grant award for most PHAs. The Town's increase is \$4,120 and is committed to continued improvement and maintenance on public housing units. Enactment of the attached project ordinance amendment for the Housing Capital Grants Fund recognizes and appropriates the \$4,120 in additional HUD funding towards housing maintenance.

Where is this item in its process?



Attachments:

- Budget Ordinance
- Project Ordinance - Transitional Housing Fund
- Project Ordinance - Housing Capital Grants Fund

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2019" (2020-01-22/O-1)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 2019" as duly adopted on June 12, 2019, be and the same is hereby amended as follows:

ARTICLE I

APPROPRIATIONS	Current Budget	Increase	Decrease	Revised Budget
GENERAL FUND				
Mayor/Council	\$ 475,446	\$ -	\$ -	\$ 475,446
Town Manager/CaPA	2,850,025	-	-	2,850,025
Human Resource Dev't	1,964,992	-	-	1,964,992
Business Management	2,311,665	-	-	2,311,665
Technology Solutions	2,389,043	-	-	2,389,043
Attorney	386,581	-	-	386,581
Planning & Sustainability	2,097,143	-	-	2,097,143
Building and Development Services	2,164,364	-	-	2,164,364
Housing and Community	842,475	4,000	-	846,475
Public Works	13,399,670	-	-	13,399,670
Police	13,936,251	-	-	13,936,251
Fire	9,670,559	30,000	-	9,700,559
Parks and Recreation	7,253,099	20,000	-	7,273,099
Library	3,856,421	30,000	-	3,886,421
Non-Departmental	6,142,321	-	-	6,142,321
	<u>\$ 69,740,055</u>	<u>\$ 84,000</u>	<u>\$ -</u>	<u>\$ 69,824,055</u>
GRANTS FUND				
Triad Foundation Grant	-	92,200	-	92,200
	<u>\$ -</u>	<u>\$ 92,200</u>	<u>\$ -</u>	<u>\$ 92,200</u>
LIBRARY GIFT FUND				
Other Expenses	\$ 266,055	\$ -	\$ -	\$ 266,055
Library Kid's Room Project	-	19,500	-	19,500
	<u>\$ 266,055</u>	<u>\$ 19,500</u>	<u>\$ -</u>	<u>\$ 285,555</u>

REVENUES	ARTICLE II			Revised Budget
	Current Budget	Increase	Decrease	
GENERAL FUND				
Other Revenues	\$ 69,740,055	\$ -	\$ -	\$ 69,740,055
Orange County Contribution	-	30,000	-	30,000
Duke Energy Tree Planting Grant	-	20,000	-	20,000
Duke Energy All Access Grant	-	4,000	-	4,000
Community Arts & Culture Donation	-	30,000	-	30,000
	<u>\$ 69,740,055</u>	<u>\$ 84,000</u>	<u>\$ -</u>	<u>\$ 69,824,055</u>
GRANTS FUND				
Triad Foundation Grant	-	92,200	-	92,200
	<u>\$ -</u>	<u>\$ 92,200</u>	<u>\$ -</u>	<u>\$ 92,200</u>
LIBRARY GIFT FUND				
Other Revenues	\$ 237,468	\$ -	\$ -	\$ 237,468
Appropriated Fund Balance	28,587	19,500	-	48,087
	<u>\$ 266,055</u>	<u>\$ 19,500</u>	<u>\$ -</u>	<u>\$ 285,555</u>

This the 22nd day of January, 2020.

AN ORDINANCE TO AMEND THE TRANSITIONAL HOUSING PROGRAM PROJECT ORDINANCE (2020-01-22/O-2)

BE IT ORDAINED by the Council of the Town of Chapel Hill that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the Transitional Housing Program Projects Ordinance for various capital projects funded from a variety of sources is hereby amended to read as follows:

"SECTION I

The project authorized is the Transitional Housing Program for Public Housing Families as approved by the Town Council on April 23, 2001.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with the project within the rules and regulations of the program, and the budget contained herein.

SECTION III

The following revenue is available to complete the project:

	Current Budget	Revised Budget
HOME Program	\$ 165,776	\$ 165,776
Orange County Contribution	75,000	75,000
Program Rental Income	219,740	219,740
Return of Program Income	(60,363)	(60,363)
Interest Income	853	853
Rent Revenue	590	590
Miscellaneous Revenue	393	393
Transfer from Housing Loan Trust Fund	17,500	17,500
Community Development Program Income	-	4,387
Total Revenues	\$ 419,489	\$ 423,876

SECTION IV

The following amounts are appropriated for the project:

	Current Budget	Revised Budget
Operations	\$ 123,065	\$ 123,065
Acquisitions	296,424	296,424
501 Sykes Street	-	4,387
Total Expenditures	\$ 419,489	\$ 423,876

SECTION V

The Business Management Director of the Town of Chapel Hill is hereby directed to maintain within the Project Fund sufficient detailed accounting records to provide the accounting to Orange County as

required by the HOME Program.

SECTION VI

The Town Manager is directed to report annually on the financial status of the project in the Section IV and on the total revenues received.”

This the 22nd day of January, 2020.

AN ORDINANCE TO AMEND A CAPITAL FUND PROGRAM (CFP) PROJECT ORDINANCE (2020-01-22/O-3)

BE IT ORDAINED by the Council of the Town of Chapel Hill that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby amended as follows:

"SECTION I

The project authorized is the Housing Capital Fund Project budget as approved by the Council on April 24, 2019.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation with the project within the terms of the Contract document(s), the rules and regulations of the U.S. Department of Housing and Urban Development, and budget contained herein.

SECTION III

The following revenue is available to complete the project:

	Current Budget	Revised Budget
Capital Fund Program	\$ 821,793	\$ 825,913
Total Revenues	\$ 821,793	\$ 825,913

SECTION IV

The amounts appropriated for the project are amended as follows:

	Current Budget	Revised Budget
Public Housing Renovations	\$ 639,793	\$ 643,913
Public Housing Master Plan	50,000	50,000
Professional Services	50,000	50,000
Administrative Costs	82,000	82,000
Total Expenditures	\$ 821,793	\$ 825,913

SECTION V

The Finance Officer of the Town of Chapel Hill is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to provide the accounting to the U.S. Department of Housing and Urban Development as required by the Annual Contributions Contract and federal regulations.

SECTION VI

Funds may be advanced from General funds for the purpose of making payments as due. Reimbursement requests should be made to HUD in an orderly and timely manner.

SECTION VII

The Manager is directed to report annually on the financial status of each project in Section IV and on the total revenues received.”

This the 22nd day of January, 2020.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By enacting the budget ordinance amendment, the Council adjusts the General Fund, Grants Fund, and the Library Gift Fund FY 2020 budgets. By enacting the project ordinance amendments, the Council adjusts the Transitional Housing Fund and the Housing Capital Grants Fund project budgets.



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
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Item Overview

Item #: 3., File #: [20-0057], Version: 1

Meeting Date: 1/22/2020

Approve the Housing Advisory Board's Recommended Funding Plan for the Affordable Housing Development Reserve.

Staff:

Loryn B. Clark, Executive Director
Sarah Osmer Viñas, Assistant Director

Department:

Housing and Community

Overview: The purpose of this item is to share the Housing Advisory Board's (HAB) funding recommendation for the second FY 2019-20 funding cycle of the Affordable Housing Development Reserve (AHDR).



Recommendation(s):

That the Council approve the Housing Advisory Board's funding recommendation for the Affordable Housing Development Reserve (AHDR) applications received in December 2019.

Background

- On [March 23, 2015 <http://chapelhill.granicus.com/MetaViewer.php?view_id=7&clip_id=2346&meta_id=102236>](http://chapelhill.granicus.com/MetaViewer.php?view_id=7&clip_id=2346&meta_id=102236), the Council approved recommendations by staff and the HAB to use the affordable housing funds in the FY15 budget to establish an [Affordable Housing Development Reserve <http://www.townofchapelhill.org/town-hall/departments-services/housing-and-community/funding/affordable-housing-development-reserve>](http://www.townofchapelhill.org/town-hall/departments-services/housing-and-community/funding/affordable-housing-development-reserve).
- The AHDR is dedicated exclusively to the development and preservation of affordable housing and focuses on four priority project areas:
 1. land bank and land acquisition
 2. rental subsidy and development
 3. homeownership development and assistance
 4. future development planning
- Since its creation in 2015, the AHDR has supported the development of over 100 units and the preservation of five affordable housing units in Chapel Hill, with approximately 85 additional units in the pipeline. Please see the attached list of AHDR allocations to date.

Overview of Second FY 2019-20 AHDR Funding Cycle

- Staff announced the second FY20 AHDR Request for Proposals (RFP) in October 2019 via the Town website, a news release, and email notification of local affordable housing developers. We received two applications by the December 4th deadline:
 - 1. EmPOWERment Inc. - Land Acquisition**
 - Amount of Request: \$101,000
 - Proposed Use: Land acquisition for future affordable rental housing development at 107 Johnson Street in the Pine Knolls Neighborhood
 - Projected Number of Units: 8-12
 - 2. Town of Chapel Hill - Future Development Planning**
 - Amount of Request: \$150,000
 - Proposed Use: Future development planning activities for the development of an estimated

400 units on Town-owned land at various locations: Homestead Road, Jay Street, Bennett Road, and Dogwood Acres Drive.

- Projected Number of Units: 405

Housing Advisory Board Funding Recommendation

- On December 10, 2019, the Housing Advisory Board unanimously recommended funding both requests
- Staff supports the HAB's recommendation, as it is consistent with Council's affordable housing goals and will contribute an estimated 400+ units to the inventory of permanently affordable housing in Chapel Hill.

Fiscal Impact/Resources:

- The Town Council allocated \$688,395 in the FY20 Budget for the Affordable Housing Development Reserve.
- So far, in fiscal year 2020, the Town has committed \$190,000 from the AHDR to Self Help to support the implementation of the Northside Neighborhood Initiative.
- The current balance of the Affordable Housing Development Reserve is \$498,395. If Council approves the HAB's funding recommendations, the balance of the AHDR would be \$247,395 for this fiscal year.

**Attachments:**

- Resolution
- Affordable Housing Development Reserve Allocation Strategy
- Affordable Housing Development Reserve Funding Summary
- Affordable Housing Development Reserve Applications

A RESOLUTION APPROVING FUNDING FROM THE AFFORDABLE HOUSING DEVELOPMENT RESERVE (AHDR) (2020-01-22/R-2)

WHEREAS, in Fiscal Year 2015 the Council approved the establishment of an Affordable Housing Development Reserve (AHDR), which established the processes and parameters for dispersal of this affordable housing funding; and

WHEREAS, in Fiscal Year 2020 the Council allocated \$688,395 in new funding for to the AHDR.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the Housing Advisory Board's recommended funding plan for the AHDR December 2019 funding cycle:

1. EmPOWERment Inc. - \$101,000
2. Town of Chapel Hill - \$150,000

This the 22nd day of January, 2020.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council approves the Housing Advisory Board's recommended funding plan for the Affordable Housing Development Reserve December 2019 funding cycle.

Affordable Housing Development Reserve (AHDR)

Allocation Strategy

Introduction

On February 21, 2018, the Council approved a resolution to pursue an Affordable Housing Bond referendum in November, 2018. At that time, the Council also adopted a resolution identifying eligible activities and priorities for use of affordable housing bond funds.

Staff proposes that these funds be used exclusively on development and preservation of affordable housing and that their use align with the strategy statement of the Town's Affordable Housing Strategy:

The Town of Chapel Hill's goal is to increase the availability of and access to housing for households and individuals with a range of incomes, from those who are homeless to those in middle-income households. The Town of Chapel Hill will work with for-profit and non-profit housing providers to offer a variety of housing opportunities that will promote socioeconomic diversity; provide individuals with the ability to remain in Chapel Hill through different stages in their lives; and support employee recruitment and retention.

The Council also approved the following priorities for eligible projects:

- Rental projects that serve households with incomes 60% and below the Area Median Income (AMI);
- Rental housing serving vulnerable populations (i.e. disabled, homeless, elderly)
- Long-term affordability;
- Located near transit services; and
- High leverage from other resources.

The guiding documents that were used to put together this allocation strategy include the [Affordable Housing Strategy \(AHS\)](#)¹, [Affordable Rental Housing Strategy \(ARHS\)](#)², the [Northside and Pine Knolls Community Plan \(CP\)](#)³, and the 2016-18 Council Goals.

Priority Projects

1. Land Acquisition

Description: Funds could be used to purchase property to be used to create new or preserve existing affordable housing.

¹ <http://www.townofchapelhill.org/town-hall/departments-services/housing-and-community/affordable-housing-policy/affordable-housing-strategy>

² <http://www.townofchapelhill.org/town-hall/departments-services/housing-and-community/affordable-housing-policy/affordable-rental-housing-strategy>

³ <http://www.townofchapelhill.org/town-hall/departments-services/housing-and-community/affordable-housing-policy/northside-and-pine-knolls-community-plan>

Related Strategies and Goals:

- a. Acquire and preserve vacant land along transit corridors for future affordable development. (ARHS)
- b. Address the development pressures of the Pine Knolls and Northside neighborhoods by supporting a housing and cultural preservation program in the neighborhoods. (ARHS)

Eligible Activities: Property and land acquisition and associated program expenses with emphasis in Northside and Pine Knolls neighborhoods and along transit corridors.

2. Home Repairs and Comprehensive Rehabilitation

Description: The Town's Affordable Housing Strategy states a goal of increasing the availability and access to housing for households and individuals with a range of income, from those who are homeless to middle-income. Eligible projects support the development of owner occupied housing opportunities to create and preserve affordable housing opportunities for households earning up to 120% of the AMI. Priority will be given to those with incomes below 80% AMI.

Related Strategies and Goals:

- a. Address the development pressures of the Pine Knolls and Northside neighborhoods by supporting a housing preservation program in the neighborhoods. (AHS)
- b. Middle Income/Workforce Housing Second Mortgage Assistance Program. (CP)
- c. Major and minor rehabilitation of existing housing. (CP)

Eligible Uses: Programs involving new construction, renovation, and redevelopment of existing units and second mortgage assistance programs.

3. Construction of new affordable housing units

Description: Eligible projects include strategic and master planning activities for specific areas to serve a community purpose, with a goal of creating inclusive, mixed income neighborhoods.

Related Strategies and Goals:

- a. Partner for ambitious development that includes affordable rental housing on Greene Tract. (ARHS)
- b. Initiate future development planning for the Greene Tract with ownership partners. (Council Goal 2016)

Eligible Activities: Pre-development costs, community engagement programs, and professional services for strategic and master planning.

Funding Allocation Process

- Accept applications three times per year (approximately every four months), syncing funding application deadlines with existing processes.
 - February, award in April
 - June, award in September
 - October, award in January
- Application review process to be coordinated by Town staff with review and recommendation of the Housing Advisory Board. Final review and approval are required by Council.
- Funds typically will be allocated on a reimbursement basis once projects have been completed.
- Evaluation of applications will be based on a scoring rubric.
- During each evaluation period, the Housing Advisory Board and the Council will consider retaining a portion of the annual appropriation for an “opportunity fund” that is reserved for future large-scale/highest priority projects.

Affordable Housing Development Reserve (AHDR) Funding Summary

UPDATED 12/18/19

FY15 (first year, only one cycle)

	Request	Approved	Total Available Budget	Notes
Habitat for Humanity - Northside Land Acquisition and Second Mortgage Assistance Project	\$270,000	\$270,000		
Empowerment Inc. - Home Purchase	\$27,000	\$27,000		
Opportunity Fund	\$68,395	\$68,395		
Self Help - Northside Neighborhood Initiative	\$100,000	\$100,000		
	\$465,395	\$465,395	\$688,395	
<u>FY16</u>				
Jackson Center - Promise of Home Home Repair Program	\$75,000	\$75,000		
Community Home Trust - Ramsley Development	\$57,000	\$57,000		
DHIC - Greenfield Commons	\$450,000	*\$450,000		*Alternate Source Identified FY16 Installment Financing
Habitat for Humanity - Affordable homeownership	\$55,000	\$55,000		
Habitat for Humanity - A Brush with Kindness	\$25,000	\$0		
Empowerment - Purchase of eight affordable rental units on Shepherd Lane	\$250,000	\$0		
Self Help - Northside Neighborhood Initiative	\$150,000	\$150,000		
	\$1,062,000	\$337,000	\$688,395	
<u>FY17</u>				
Habitat - Affordable homeownership	\$55,000	\$55,000		
Church of the Advocate - Tiny house development	\$70,000	\$70,000		
CASA - Merrit Mill Rd multi-family development	\$330,810	\$330,810		
Empowerment - Purchase of affordable rental home in Northside	\$54,128	\$54,128		
Rebuilding Together - Home repair program	\$40,000	\$0		
Self Help - Northside Neighborhood Initiative	\$200,000	\$200,000		
	\$749,938	\$709,938	\$688,395	
<u>FY18</u>				
Community Home Trust - Single Family Home Acquisition	\$165,000	\$165,000		
Self Help - Tiny Home	\$60,521	\$60,521		
Self Help - Northside Neighborhood Initiative	\$150,000	\$150,000		
DHIC - Greenfield	\$700,000	\$700,000		
Community Home Trust - Courtyards	\$100,000	\$100,000		
	\$1,175,521	\$1,175,521	\$688,395	
<u>FY19</u>				
Self Help - Northside Neighborhood Initiative	\$150,000	\$150,000		
Town of Chapel Hill - Future Development Planning	\$150,000	\$150,000		
Community Home Trust - Master Lease	\$97,324	\$97,324		
Community Home Trust - Chandler Woods	\$90,000	\$90,000		
Habitat for Humanity - Weavers Crossing	\$375,000	\$266,797		
	\$862,324	\$754,121	\$688,395	
<u>FY20</u>				
Self Help - Northside Neighborhood Initiative	\$190,000	\$190,000		
Town of Chapel Hill - Future Development Planning	\$150,000	\$150,000	<i>Requested</i>	
Empowerment Inc. - Pine Knolls Acquisition	\$101,000	\$101,000	<i>Requested</i>	
	\$441,000	\$441,000	\$688,395	
Total Budget of AHDR FY15-20 (since inception in Fiscal Year 2015)	\$4,130,370			
Total Allocations AHDR FY15-20	\$3,631,975			
Current Balance of AHDR	\$498,395			

COVER PAGE

Organization Contact InformationLegal Name: EmPOWERment, Inc.

Tax ID Number: 56-1965772

Physical Address: 109 North Graham St, Ste. 200 Chapel Hill, NC, 27516Mailing Address: 109 N. Graham St, Ste. 200, Chapel Hill, NC 27516Organization's Website: empowermentinc.org

Date of Incorporation: 1996

Executive Director Name: Delores BaileyTelephone Number: 919-967-8779E-Mail: empowermentincnc@gmail.com**Funding Request**

Project Name: 107 Johnson Street Apartments Development Phase 1: Land Banking

Total Number of Units Included in Funding Request:

Later phases of the project will build 8 to 12 housing units. Phase 1: Land Banking project will acquire two adjacent buildable lots, identified by GIS PIN numbers 9788030899 and 9788030940.

Total Project Cost: \$128,000. (Phase 1: Land Banking)

Total Amount of Funds Requested: \$101,000 (Phase 1: Land Banking)

Please specify the **type** and **amount** of funding requested:

- | | | |
|--|---|-------------------------------|
| <input type="checkbox"/> Affordable Housing Bond: \$_____ | <input type="checkbox"/> Grant | <input type="checkbox"/> Loan |
| <input type="checkbox"/> Affordable Housing Fund: \$_____ | <input type="checkbox"/> Grant | <input type="checkbox"/> Loan |
| <input checked="" type="checkbox"/> Affordable Housing Development Reserve: <u>\$101,000</u> | <input checked="" type="checkbox"/> Grant | <input type="checkbox"/> Loan |

Proposed Use of Funds Requested (*provide a concise description, not to exceed 100 words*):**Type of Activity.** Please check the category under which your project falls.

- Acquisition; Land-banking
- Predevelopment activities
- Infrastructure/site improvements
- Rental housing subsidy
- New construction for homeownership
- New construction for rental housing
- Owner-occupied rehabilitation
- Rental rehabilitation
- New construction of emergency shelter
- New construction of transitional/supportive housing
- Rental/utility connection assistance
- Second Mortgage Assistance

Other (specify): Site development and building removal

To the best of my knowledge and belief all information and data in this application is true and current. The document has been duly authorized by the governing board of the applicant.

Signature: Delores Bailey
Executive Director

12-1-19
Date

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST AND NON DISCRIMINATION CLAUSE

Are any of the Board Members or employees of the organization which will be carrying out this project, or members of their immediate families, or their business associates?

YES NO

- a) Employees of or closely related to employees of the Town of Chapel Hill?
- b) Members of or closely related to members of the governing bodies of the Town of Chapel Hill?
- c) Current beneficiaries of the program for which funds are being requested?
- d) Paid providers of goods or services to the program or having other financial interest in the program?

If you have answered YES to any question, please provide a full explanation below.

Board member and Treasurer, Jabe Hunter, is the Assistant Chief for the Chapel Hill Police Department.

NON-DISCRIMINATION

Provider agrees as part of consideration of the granting of funds by funding agencies to the parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner of these basis of race, color, gender, national origin, age, handicap, religion, sexual orientation, gender identity/expression, familial status or veterans status with reference to any activities carried out by the grantee, no matter how remote.

To the best of my knowledge and belief all of the above information is true and current. I acknowledge and understand that the existence of a potential conflict of interest does not necessarily make the program ineligible for funding, but the existence of an undisclosed conflict may result in the termination of any grant awarded.

Signature: Delores Bailey
Executive Director

12-1-19
Date

ORGANIZATION INFORMATION

1. Organization Mission (*no more than a few sentences*): EmPOWERment, Inc.'s mission is to empower individuals and communities to achieve their destiny through community organizing, affordable housing, and grass roots economic development.

1. Organization Staff: Please provide names of staff, contractors, and/or volunteers that will be involved with the project. Describe their responsibilities with the project and track record in successful completion of similar projects in the past.

of FTE – Full-Time Paid Positions: 4

of FTE Part-Time (less than 40 hours/wk.) Paid Positions: 1

Ms. Delores Bailey (Executive Director) Ms. Bailey has served as Executive Director of EmPOWERment Inc. since 2005. Early in 2006, she envisioned EmPOWERment Inc.'s affordable residential rental program as meeting an urgent and growing community need. The Recession of 2008 proved her to be right. Since that time, the EmPOWERment Board has tasked her to research, negotiate, and acquire affordable rental properties. As of this application date, EmPOWERment owns 54 units with funding to add five more. The growth has been steady under Ms. Bailey's leadership. She is skilled at identifying properties, arranging financing through grants and mortgages, and completing the acquisition process. She has shown her skill at managing the organization's financial well-being by combining public funds with responsible borrowing; the affordable rental program is and will continue to be financially stable.

As a member of the Piedmont Collaboration, an initiative of non-profit affordable rental owners from Raleigh, Durham and Sanford, supported by Z. Smith Reynolds Foundation, Ms. Bailey stays abreast of trending policies relating to affordable rentals in the Triangle. She had been a HUD certified housing counselor and is responsible for incorporating counseling rental clients in the rental program.

Prior to focusing on affordable residential rental properties, EmPOWERment, Inc. developed new homes for home ownership. Ms. Bailey oversaw the new construction of seven properties and numerous renovations, beginning with land acquisition and ending with the sale of the home to a qualifying family. She is familiar with Chapel Hill's development regulations, with planning and design work, with working with general contractors.

Ms. LaTanya Davis (Operations Manager) Ms. Davis has a B.S in Economics, a Master's in Business Management, a licensed real estate broker and broker-in-charge. She has over eight years of property management experience with EmPOWERment.

Ms. Davis is responsible for the development and implementation of EmPOWERment Inc.'s strategic plans and policies, and to provide leadership and direction to the managers, other staff and vendors. She works directly with Executive Director to oversee the acquisitions and administration of construction projects. Consults with Special Projects/Construction Manager on property development and consults with the Property Manager for leasing of properties. Ms. Davis was the financial manager of EmPOWERment for three years prior to becoming property manager. She had prior financial management experience, as well.

Property Manager, Ms. Thompson oversees the everyday operations of the Rental Property program, which includes but is not limited to: rental counseling, apartment turnovers, maintenance and negotiating with vendors and rent collection. Ms. Thompson prepares and delivers timely monthly reports to the EmPOWERment board; quarterly reports to The Town of Chapel Hill and Orange County; and annual reports to the Town of Carrboro concerning the rental program.

Ms. Sarita Nwachukwu (Director of Community Programs) Ms. Nwachukwu has a B.S. in Psychology, and a Master’s in Public Administration. She has more than 25 years of experience working in upper management/ administration and has managing annual budgets in excess of \$20 million. Ms. Nwachukwu spends 30% of her time assisting with the Rental Program. She has been with EmPOWERment since 2010. She brings her years of management skills to the rental program daily. She assists the Finance Manager verifying timeliness of payments. She handles registration of walk-in clients, phone calls, follow-ups and rent collections.

Ms. Laurie Weller (Financial Manager) Ms. Weller has an Associate degree in Accounting. She brings more than 35 years of experience in finance management. Ms. Weller joined EmPOWERment in the fall of 2012. She owns her own accounting business. She has been a HUD certified Housing Counselor.

2. Agency Track Record: Please provide a brief description of your organization’s past achievements in carrying out similar projects and evidence of successful record of meeting proposed budgets and timetables (*in 100 words or less*).

Since 1996, EmPOWERment, Inc. has acquired and managed affordable rental housing, currently 54 units with 5 more to be acquired in 2019/20. EmPOWERment has also served as developer for more than 75 houses sold to qualifying families. Experience and achievements include predevelopment work, land acquisition, hiring general contractors, supervising the work to completion, meeting all code and other specifications.

For all projects for which you have received Town funding within the last 5 years, please provide the information below. If you have not received Town funding within the last 5 years, or ever, please complete for comparable projects.

	<i>Insert responses here.</i>
Project Name	320 McMasters
Total Project Cost	\$170,795.00
Amount of Town Funding Award	\$ 54,128.00
Funding Source (<i>Oak Foundation & EmPOWERment</i>)	\$116,667.00
Date of Funding Award Approval	March 2018
Date of Project Completion	March 2018
Project completed within projected schedule:	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No
Project completed within original budget:	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No

If no, how much over or under budget was the project? \$

Notes:

	<i>Insert responses here.</i>
Project Name	338 McMasters
Total Project Cost	\$ 138,000.00
Amount of Town Funding Award	\$ 27,000.00
Funding Source (HOME and EmPOWERment)	\$ 110,000.00
Date of Funding Award Approval	April 2017
Date of Project Completion	September 2018
Project completed within projected schedule:	
	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No
Project completed within original budget:	
	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No
If no, how much over or under budget was the project?	\$

Notes:

**Copy and paste chart as needed to reflect additional projects that have received funding within the last 5 years.*

PROJECT INFORMATION

3. Project Description: Please provide a general overview of your project, including what you are planning to produce and how you are planning to carry out the project. *(in 100 words or less)*. The grant for the 107 Johnson Street Apartments Development Project Phase 1 will fund the land-banking acquisition of two adjacent lots on Johnson Street. The lots are identified by PIN numbers 9788030899 and 9788030940 and are connected to Town owned lots. The long-term goal of the project’s later phases is to build 8 to 12 rental units for families earning less than 80% of the area median income. Later phases of the project will be predevelopment, site development, and general contracting, all stages leading to and through occupancy. The EmPOWERment Rental Program has a proven track record of implementing safe, clean affordable places for low to moderate income families.

4. Long-Term Affordability. Is the proposed project permanently affordable (99 year affordability term)?
 Yes
 No
 If no, what is the affordability term of the proposed project?

Briefly describe any methods to ensure long-term affordability of housing units, including subsidy recapture, equity sharing, and deed restrictions:

EmPOWERment is bound by the following documents to ensure long term affordability of housing units:

- Deed Restrictions
- Performance Agreements
- Development Agreements

5. Leverage: How much funding is committed at the time of submission of this application? \$27,500
 What percentage of funding for the proposed project would be leveraged from sources other than the Town? 21% (Please provide documentation of how you calculated leverage as well as funding commitment letters if applicable). (See Program Budget)

6. Project Profile

Location <i>(insert address if available)</i>	107 Pine Knolls				
Size <i>(insert acreage of development site)</i>	.69 acres				
Total Number of Units	# of Total Housing Units	# of Bathrooms	Square Footage	Proposed Rent or Sale Price Per Unit	Projected Cost Per Unit Including Utilities
	8 to 12 (see note)		Total 10,000 Square feet Projected (see note)	See Attached	See Attached
One-bedroom	4 (see note)	1	600 - 700	\$750-800	\$902
Two-bedroom	5 (see note)	2	700 to 800	\$850-900	\$1055
Three-bedroom	1 (see note)	2	800 to 1,000	\$1150-1200	\$1435
Four-bedroom					
Area Median Income Served <i>(insert # of units by AMI)</i>					
<30%					
31-60%	90% of units				
61-80%	10% of units				
81-100%	0 % of units				
>100%					
Target Population <i>(check all that apply)</i>					
Families	<input checked="" type="checkbox"/>				
Older Adults (Age 55+)	<input checked="" type="checkbox"/>				
Disabled	<input checked="" type="checkbox"/>				
Homeless	<input checked="" type="checkbox"/>				
Veterans	<input checked="" type="checkbox"/>				
Other <i>(specify)</i>	<input type="checkbox"/>				

ADA Accessibility (<i>insert # of total units</i>)	Units will be ADA-compliant
Per Unit Subsidy	\$ 0 / unit
Town Planning Approvals Received (<i>as of the date of application</i>)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA

***NOTE: The later phases of the project will refine the number of units to be built. We anticipate several studio apartments, several one, two, and three bedroom units.**

7. **Energy Efficiency:** Will the proposed project meet the standards and requirements of [Energy Star 2.0](#) as verified by an independent, third party expert?

Yes
 No

If not, please briefly describe the energy efficiency features included in the proposed project:

8. **Universal Design:** Please briefly describe the universal design features included in the proposed project: Units will be ADA-compliant.

9. **Involvement of Beneficiaries:** Please describe how you have involved the intended beneficiaries of the proposed project in the planning and design process (*in 100 words or less*). EmPOWERment has been an owner and manager of affordable rental property for more than two decades. Through daily interaction with tenants and regular tenant meetings, we are well aware of the needs of the population we serve. We conduct semiannual surveys and will seek advice/suggestions from tenants and potential tenants when they come in to complete an application. We will also include suggestions to the immediate community and from other non-profit housing and service providers.

10. **Alignment with Town Goals and Strategies.** Please explain how the proposed project aligns with the [Town Council Goals](#) and adopted [affordable housing strategies](#).

A specific goal of the Town's Affordable Housing Development Reserve is land-banking, as shown on the website, <https://www.townofchapelhill.org/town-hall/departments-services/housing-and-community/funding/affordable-housing-development-reserve>.

107 Johnson Street Apartments Development Phase 1 is aligned with the Land-banking goal of the AHDR.

Future phases of the project will provide additional affordable rental housing. Empowering people through affordable housing is a core part of EmPOWERment, Inc.'s mission. The organization aligns with The Town of Chapel Hill's Affordable Housing Strategy, adopted by the Town Council in June 2011. EmPOWERment, Inc. provides clean, safe, affordable housing for seniors, for veterans, for the handicapped, for families with children, for households of one or two people. As a matter of policy, our tenants earn less than 80% of the Area Median Income; in reality, our tenants earn between 20% and 60% of the AMI. We serve the "full spectrum" of people in need of safe, well-maintained, affordable rental housing.

Our mission dovetails perfectly with the Town Council's goal for 2020-2022, "to increase access to housing for individuals across a range of incomes, and to constantly strive for more equitable

outcomes and opportunities for historically underserved populations,” and specifically to Objective 1: “Increase availability of affordable housing for all incomes.”

EmPOWERment, Inc. matches these specific points in Chapel Hill’s Affordable Rental Housing Strategy:

- The Town of Chapel Hill’s goal is to increase the availability of and access to housing for households and individuals with a range of incomes, from those who are homeless to those in middle-income households.
 - EmPOWERment, Inc.’s Pine Knolls Affordable Housing Development project will add 8 to 12 affordable rental units when fully built out.
 - Rents will be affordable to people earning less than 80% of AMI by policy. In practice, EmPOWERment’s tenant base earns below 60% of AMI, often significantly below.
 - Subsidy – these units have been priced at the Housing Choice Voucher Central amounts instead of HUD market value.
- Goal Statement 1.C, Focus on the development of affordable rental housing for a variety of lifestyles, which includes studio units, supportive housing units, universal access units, and units for families
 - Floor plans will be determined in Phase II of the project.
- Goal Statement 2.C, Link affordable housing policies with transportation needs and costs
 - The 107 Johnson Street Apartments Development Project will be within walking distance to major employers (UNC, UNC Hospitals, businesses within the downtown area), as well as to at least one school, medical facilities, and downtown Chapel Hill shopping and services.
 - The development will be close to bus lines for access to RTP employers, shopping and services that are farther from Chapel Hill.

Affordable Housing Common Funding Application



Affordable Housing Bond

Affordable Housing Development Reserve

Affordable Housing Fund



Town of Chapel Hill Office for Housing and Community

housingandcommunity@townofchapelhill.org

919-969-5079

www.townofchapelhill.org/town-hall/departments-services/housing-and-community/funding

GENERAL INFORMATION & APPLICATION INSTRUCTIONS

OVERVIEW

Thank you for your interest in the Town of Chapel Hill's Affordable Housing funding sources! This application is used for funding requests for all of the Town's local funding sources for affordable housing projects (Housing Bond, Affordable Housing Development Reserve, and Affordable Housing Fund). To learn more about each of these sources and eligible uses, see the Attachments Section.

INCOME ELIGIBILITY

In general, projects for the Town's affordable housing sources must serve households with income below 80% of the area median income as defined by the U.S. Department of Housing and Urban Development, adjusted for family size, though projects may be approved that serve households of higher incomes. Please see the Attachments for additional information about income limits.

PROJECT REPORTING AND MONITORING

Organizations must submit progress reports to the Town quarterly to monitor progress and performance, financial and administrative management, and compliance with the terms of the performance agreement. Please submit reports using the template linked on the Town website and in the Attachments section electronically to: housingandcommunity@townofchapelhill.org.

ORIENTATION MEETING

Applicants are invited to attend an optional orientation session prior to applying for funding, which will be held once per year and provide an overview of all of the Town's affordable housing sources.

Applicants are also invited to participate in a pre-application meeting, which is a one-on-one session during which applicants can discuss their funding proposal with Town staff. To schedule a pre-application meeting, contact Sarah Vinas at 919-969-5079 or svinas@townofchapelhill.org.

SUBMISSION INSTRUCTIONS

Submit applications electronically in PDF form to: housingandcommunity@townofchapelhill.org. If you have questions, please contact: Sarah Vinas at 919-969-5079 or svinas@townofchapelhill.org

Applications may not be considered for the following reasons:

1. Projects that do not align with the eligibility criteria for the funding source
2. Applicant has demonstrated poor past performance or compliance with funding guidelines
3. Incomplete or late applications

CHECKLIST OF REQUIRED DOCUMENTATION

Application:

- | | | |
|--------------------------|-------------------|--|
| <input type="checkbox"/> | Section 1: | Cover Page |
| <input type="checkbox"/> | Section 2: | Disclosure of Potential Conflicts of Interest |
| <input type="checkbox"/> | Section 3: | Organization Information |
| <input type="checkbox"/> | Section 4: | Project Information |
| <input type="checkbox"/> | Section 5: | Attachments |

COVER PAGE

Organization Contact InformationLegal Name: Town of Chapel HillTax ID Number: 56-6001199Physical Address: 405 Martin Luther King Jr. Boulevard, Chapel Hill, NC 27514Mailing Address: Same as aboveOrganization's Website: www.townofchapelhill.orgDate of Incorporation: 1819Executive Director Name: Loryn ClarkTelephone Number: 919-969-5076E-Mail: lclark@townofchapelhill.org**Funding Request**Project Name: Town of Chapel Hill Future Development Planning

Total Number of Units Included in Funding Request:

Future Development Planning Activities will support planning activities for the development of an estimated 405 units. Broken down by site this may include:

- 2200 Homestead Rd: 120 units
- Jay Street: 50 units
- Bennett Road: 60 units
- Dogwood Acres Drive: 175

Total Project Cost: **Preliminary** project cost estimates by development project are provided below:

- 2200 Homestead Rd: \$23M
- Jay Street: \$7M
- Bennett Road: \$11M
- Dogwood Acres Drive: \$26M

Total Amount of Funds Requested: \$150,000Please specify the **type** and **amount** of funding requested: Affordable Housing Bond: \$_____ Grant Loan Affordable Housing Fund: \$_____ Grant Loan Affordable Housing Development Reserve: \$150,000 Grant LoanProposed Use of Funds Requested (*provide a concise description, not to exceed 100 words*):If awarded the requested funds, the Town would continue its work related to analyzing development potential on each of the sites by assessing physical constraints, evaluating market demand, and exploring project costs and potential funding sources. The Town would also design and implement strategies to engage key stakeholders and implement community visioning efforts. Finally, the funds would support any costs associated with finalizing site design, securing necessary entitlements, and identifying development partners.

1. Type of Activity. Please check the category under which your project falls.

- Acquisition
 Predevelopment activities
 Infrastructure/site improvements
 Rental housing subsidy
 New construction for homeownership
 New construction for rental housing
 Owner-occupied rehabilitation
 Rental rehabilitation
 New construction of emergency shelter
 New construction of transitional/supportive housing
 Rental/utility connection assistance
 Second Mortgage Assistance
 Other (*specify*): _____

**To the best of my knowledge and belief all information and data in this application is true and current.
The document has been duly authorized by the governing board of the applicant.**

Signature: Debra B. Clark Date: 12/4/19
Executive Director

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST AND NON DISCRIMINATION CLAUSE

Are any of the Board Members or employees of the organization which will be carrying out this project, or members of their immediate families, or their business associates: N/A

YES NO

- a) Employees of or closely related to employees of the Town of Chapel Hill?
 b) Members of or closely related to members of the governing bodies of the Town of Chapel Hill?
 c) Current beneficiaries of the program for which funds are being requested?
 d) Paid providers of goods or services to the program or having other financial interest in the program?

If you have answered YES to any question, **please provide a full explanation below.**

NON-DISCRIMINATION

Provider agrees as part of consideration of the granting of funds by funding agencies to the parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner of these basis of race, color, gender, national origin, age, handicap, religion, sexual orientation, gender identity/expression, familial status or veterans status with reference to any activities carried out by the grantee, no matter how remote.

To the best of my knowledge and belief all of the above information is true and current. I acknowledge and understand that the existence of a potential conflict of interest does not necessarily make the program ineligible for funding, but the existence of an undisclosed conflict may result in the termination of any grant awarded.

Signature: 
Executive Director

12/4/19
Date

ORGANIZATION INFORMATION

1. Organization Mission *(no more than a few sentences)*: The Town of Chapel Hill's Office for Housing and Community's mission is to create partnerships, catalyze affordable housing, and build community. Our vision is to support a vibrant and inclusive Chapel Hill where all residents have access to affordable housing and opportunities to thrive.

2. Organization Staff: Please provide names of staff, contractors, and/or volunteers that will be involved with the project. Describe their responsibilities with the project and track record in successful completion of similar projects in the past.

of FTE – Full-Time Paid Positions: 5

of FTE Part-Time (less than 40 hours/wk) Paid Positions: 0

Emily Holt, the Town's Affordable Housing Development Officer, will be the project manager for the projects described in this application. Emily has been managing the Town's affordable housing development projects since joining the Town in 2018. During that time she has helped to facilitate progress on the Town's flagship affordable housing development project and to initiate predevelopment activities on three additional Town-owned sites that Council has prioritized for affordable housing. Prior to joining the Town, she helped to manage public housing redevelopment and neighborhood revitalization planning efforts in communities around the U.S., implement affordable housing and community development research and evaluation projects, and provide technical assistance to public agencies to design and implement affordable housing strategies and programs. Emily has a Bachelors and a Masters Degree in Public Policy.

Nate Broman-Fulks, the Town's Affordable Housing Manager, will oversee the predevelopment activities proposed in this application. Nate has expertise managing local government affordable housing efforts as the Affordable Housing Manager for the Town of Chapel Hill and previously managing the affordable housing efforts for the Town of Carrboro. This management experience includes development site identification and analysis, implementation of affordable housing strategic plans, creating and monitoring performance measurement systems and communication tools, and building community collaboration. Nate has a Bachelors in Political Science, and Masters Degrees in Public Administration and International Studies.

Loryn Clark, the Town's Executive Director of the Office for Housing and Community, and Sarah Vinas, the Town's Assistant Director of the Office for Housing and Community, will serve as advisors for the project. Together, Loryn and Sarah bring over 30 years of affordable housing, community development, and planning experience to the project. Renee Moye, the Town's Community Development Program Manager will also advise the team on affordable housing funding.

Town staff are currently working with a design and engineering consulting team to assist in predevelopment planning for the Homestead Road mixed income development project. This consulting team is comprised of members from local firms MHAworks and Coulter Jewell Thames that have extensive design, planning, and engineering experience in Chapel Hill and the surrounding Triangle Area. The Town is also in the process of finalizing a Memorandum of Understanding to negotiate a development agreement for the Homestead Road project, comprised of four local affordable housing development partners: Self Help Ventures Fund, CASA, Community Home Trust, and Habitat for Humanity of Orange County. The Town anticipates bringing in additional partners to plan and implement the four proposed development projects, including affordable housing consultants, additional architecture and/or engineering firms, additional affordable housing development partners, and/or predevelopment planning consultants.

3. **Agency Track Record:** Please provide a brief description of your organization’s past achievements in carrying out similar projects and evidence of successful record of meeting proposed budgets and timetables (*in 100 words or less*).

Affordable Housing Development

- The Town currently owns and operates 336 units of public housing built between 1967 and 1994 which carry an average occupancy rate of 96% (excluding 40 units at Trinity Court which is considered uninhabitable) and a standing waiting list of nearly 300.
- In 2014 the Town partnered with DHIC to develop 149 affordable housing units in two projects: Greenfield Place and Greenfield Commons. The Town donated a 10-acre parcel of land to DHIC and provided substantial financial support to the project and shepherding the project through the Town’s development review process to ensure tight deadlines were met. The projects received two competitive 9% Low Income Tax Credit awards, were completed on time, are now fully occupied, and consistently receive praise from the community as a successful model for developing affordable housing through a public-private partnership.
- The Town actively supports the efforts of its affordable housing partners. In FY2019, the Town awarded nearly \$1M in grants and loans to 5 affordable housing partners, \$635,000 of which funded the development of new affordable housing in Town.

Predevelopment Planning

In 2017 the Town initiated a new strategy to develop affordable housing on Town-owned land. Over the past two years the Town’s Affordable Housing Team has made great strides in this work, initiating predevelopment planning on four Town-owned sites and establishing processes and procedures for future activities and additional development projects. Specific progress and accomplishments include:

- 2200 Homestead Road:
 - In 2018, Town staff and its design and engineering team developed a Concept Plan based on community and stakeholder input and received positive feedback from the Town’s Advisory Boards and Council.
 - In 2019, Town and its team conducted additional site and infrastructure planning, engaged potential end users about their interest and housing needs, explored potential funding sources, and identified a team of development partners.
- Other Prioritized Affordable Housing Sites:
 - In spring 2019, Town staff partnered with an engineering firm to conduct a feasibility study that identified potential development scenarios and cost estimates for each of the three sites.
 - In fall 2019, Council indicated support for the results of the study and the suggested next steps that Staff presented and authorized the Manager to identify a development partner for the Jay Street site.

For all projects for which you have received Town funding within the last 5 years, please provide the information below. If you have not received Town funding within the last 5 years, or ever, please complete for comparable projects.

N/A Town received an AHDR grant for Future Development Planning activities in FY2019 Q1. Those activities are still being implemented. The Town has not pursued this type of project before.

	<i>Insert responses here.</i>
Project Name	
Total Project Cost	\$
Amount of Town Funding Award	\$
Funding Source	

Date of Funding Award Approval	
Date of Project Completion	
Project completed within projected schedule:	<input type="checkbox"/> Yes
	<input type="checkbox"/> No
Project completed within original budget:	<input type="checkbox"/> Yes
	<input type="checkbox"/> No
If no, how much over or under budget was the project?	\$
Notes:	

***Copy and paste chart as needed to reflect additional projects that have received funding within the last 5 years.**

PROJECT INFORMATION

4. Project Description: Please provide a general overview of your project, including what you are planning to produce and how you are planning to carry out the project. *(in 100 words or less).*

The Town plans to continue its future development planning activities for four parcels of Town-owned land. Activities may include additional site analysis, key stakeholder and community engagement, site design, and permit applications and approvals. Specific activities will vary by site depending on the stage each falls in the planning process (See Attachment 7 Development Timelines by Site):

- 2200 Homestead Rd: work with the Town’s design and engineering team and development partners to finalize the development plan, submit development applications, and lead development applications through the development review process
- Jay Street: identify a development partner, conduct additional site analysis and design work, and initiate community engagement activities.
- Bennett Road: design and implement a comprehensive community-led design initiative
- Dogwood Acres Drive: continue to explore development possibilities on the site, engage key stakeholders.

5. Long-Term Affordability. Is the proposed project permanently affordable *(99 year affordability term)*?

- Yes
 No

If no, what is the affordability term of the proposed project?

Briefly describe any methods to ensure long-term affordability of housing units, including subsidy recapture, equity sharing, and deed restrictions.

While no official decisions have been made on the method of ensuring permanent affordability, potential methods may include:

- execution of a 99-year ground lease on the land with a developer partner
- deed restrictions on land sold that stipulates the affordability period or gives the Town right of first refusal when the new owner seeks to sell the land.

6. **Leverage:** How much funding is committed at the time of submission of this application? \$___N/A___
 What percentage of funding for the proposed project would be leveraged from sources other than the Town? ___% (Please provide documentation of how you calculated leverage as well as funding commitment letters if applicable).

The Town’s development projects have not yet secured funding beyond the Town’s 2018 AHDR grant for \$150,000 that supports the preliminary development planning activities currently under way.

The 2200 Homestead Rd project has identified a list of potential funding sources that would supplement any Town funds that support the project. These sources are included in Attachment 3: 2200 Homestead Detailed Preliminary Project Budget. Funding sources proposed for 2200 Homestead Road include the following, which total to a preliminary proposed leverage ratio of 1:5:

- Private foundation grant
- Private fundraising
- NCHFA funding
- Bank loans
- Sale proceeds from townhomes

The Town’s other development projects have not yet explored potential sources of leverage. However, the Town expects to seek high leverage due to the limited amount of Town development funds anticipated for these projects.

7. Project Profile *Insert project information below*

Project information on the type, affordability, and target population of units in these projects is not yet determined in this early planning stage. The Homestead Road project has a preliminary housing program that reflects Council’s interest in pursuing mixed income housing, including very low income and up to market rate. All projects will address the Town’s affordable housing priorities of supporting rental housing for households earning less than 60% AMI, housing serving vulnerable populations, and homeownership opportunities for households earning less than 80% AMI.

Location *(insert address if available)*

- 2200 Homestead Road
- Jay Street
- Bennett Road/Mt Carmel Church Rd
- Dogwood Acres Drive and US 15-501

Size *(insert acreage of development site)*

- 2200 Homestead Road: 15 acres
- Jay Street: 7 acres
- Bennett Road: 7 acres
- Dogwood Acres Drive: 24 acres

Total Number of Units					
	Estimated # of Housing Units	# of Bathrooms	Square Footage	Proposed Rent or Sale Price Per Unit	Projected Cost Per Unit Including Utilities
	- 2200 Homestead Rd: 120	TBD	TBD	TBD	TBD
	- Jay Street: 50				
	- Bennett Road: 60				
	- Dogwood Acres Dr: 175				
	Total: 405				
	Unit Mix TBD				
Studios					
One-bedroom					
Two-bedroom					
Three-bedroom					

Four-bedroom	
Area Median Income Served <i>(insert # of units by AMI)</i>	2200 Homestead (AMI for other sites is TBD)
<30%	
31-60%	50%
61-80%	32%
81-100%	
>100%	18%
Target Population <i>(check all that apply)</i>	TBD 2200 Homestead population has a goal to provide rental housing to vulnerable populations
Families	<input type="checkbox"/>
Older Adults (Age 55+)	<input type="checkbox"/>
Disabled	<input type="checkbox"/>
Homeless	<input type="checkbox"/>
Veterans	<input type="checkbox"/>
Other <i>(specify)</i>	<input type="checkbox"/>
ADA Accessibility <i>(insert # of total units)</i>	TBD
Per Unit Subsidy	\$ TBD / unit
Town Planning	<input type="checkbox"/> Yes
Approvals Received <i>(as of the date of application)</i>	X No
	<input type="checkbox"/> NA
	<input type="checkbox"/>

8. **Energy Efficiency:** Will the proposed project meet the standards and requirements of Energy Star 2.0 as verified by an independent, third party expert?

X Yes
 No

If not, please briefly describe the energy efficiency features included in the proposed project:
Note – the design features of these projects has not been confirmed. However for the 2200 Homestead Rd project the development partners all have experience building to either Energy Star or System Vision standards. The Town will require development at the other sites to meet Energy Star standards and requirements.

9. **Universal Design:** Please briefly describe the universal design features included in the proposed project: All units have universal design features. We also anticipate incorporating ADA accessible units into the proposed developments on Town sites.

10. **Involvement of Beneficiaries:** Please describe how you have involved the intended beneficiaries of the proposed project in the planning and design process *(in 100 words or less)*.

The Town conducted extensive outreach for the 2200 Homestead Road parcel, including two community engagement meetings in 2018 designed to gather input from potential beneficiaries of the development as well as partners, neighbors, and the Chapel Hill Community. Additional community engagement will be planned during the refinement and presentation of the development plan. Throughout the planning process the Town has met with parties representing potential target

populations of the site and continues to meet with these groups as the site design and housing program evolve.

In 2018, Town staff gathered feedback on the other Town-owned sites from residents of manufactured home communities under threat of redevelopment. As the planning process progresses for these sites, the Town will engage the communities surrounding these three sites as well as key stakeholders and representatives of potential end users of housing developed at those sites.

- 11. Alignment with Town Goals and Strategies.** Please explain how the proposed project aligns with the Town Council Goals and adopted affordable housing strategies.

This project is directly aligned with the Town Council's FY2020-2022 Strategic Goals and Objectives. Specifically: **Goal 4: Affordable Housing:** to increase access to housing for individuals across a range of incomes, and to constantly strive for more equitable outcomes and opportunities for historically underserved populations.

This project is also aligned with the Town's Affordable Housing Workplan. In particular, it meets the goals of **Developing Town-Owned Property at 2200 Homestead Road**, as well as **Pursuing Affordable Housing on Prioritized Town Properties**.

ATTACHMENTS

Description of Required Attachments

1. Financial Audit

A recent financial audit that should cover **CY 2017**, for calendar year agencies, and **FY 2017-18**, for fiscal year agencies. For organizations with prior year revenues totaling \$500,000 or more a financial audit, prepared by a certified public accountant is required. Agencies with prior year revenues of less than \$500,000 may submit a completed Schedule of Receipts and Expenditures form (see application materials), in lieu of an audit/report. Agencies with a certified audit/report do not need to complete the form. See Attachment 1-2

2. Organization Budget

Please complete the Organizational Budget Template or submit your own budget file (as long as it contains the same information as the template). See Attachment 1-2

3. Project Budget

Please complete the Project Budget Template or you submit your own budget file (as long as it contains the same information as requested in the provided template). See Attachment 3

4. Articles of Incorporation N/A

5. List of Board of Directors

Provide the following information about each board of director's member: name, occupation or affiliation of each member, and officer positions. See Attachment 5

6. Pro Forma

If you are developing rental housing, please attach a 20-year operating pro-forma showing estimated income, expenses, net operating income, debt service, and cash flow. See Attachment 6

7. Project Information

For all projects, please submit a detailed timeline showing when each work task will be completed over the duration of the project. See Attachment 7

For development and renovation projects, please submit the following:

- A.** Site map showing lot boundaries, locations of structure(s), and other site features See Attachment 7A
- B.** General location map (at least ½ mile radius) See Attachment 7B
- C.** Floor plan(s) **N/A**
- D.** Elevation(s) **N/A**
- E.** Property Appraisal (available for Homestead Rd. only) See Attachment 7E
- F.** Evidence of zoning compliance **N/A**
- G.** Map showing proximity to bus stops, grocery store, schools and other amenities (including distance in miles from project site and amenities) See Attachment 7G



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 4., File #: [20-0058], Version: 1

Meeting Date: 1/22/2020

Continue the Public Hearing for the Code of Ordinances Text Amendment to Chapter 11A and Land Use Management Ordinance Text Amendment to Section 5.9 Pertaining to Off-Street Parking and Payment-in-Lieu Policy to March 4, 2020.

Staff:

Judy Johnson, Interim Director

Department:

Planning

Overview: In response to Council's request to support parking for an economically vibrant downtown, staff began exploring a Parking Payment-in-Lieu program. At its [November 20, 2019](#) [meeting](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4244241&GUID=1858B2CC-911B-4BC6-8D9F-9A8E43AA8A69&Options=ID|Text|&Search=parking), Council adopted a resolution calling a public hearing for work associated with the Parking Payment-in-Lieu program for February 12, 2020. Due to Council meeting scheduling changes, relevant staff are not available to present.



Recommendation(s):

That the Council adopt the resolution continuing the public hearing related to a Parking Payment-in-Lieu program to March 4, 2020.



Attachments:

- Resolution

A RESOLUTION CONTINUING THE PUBLIC HEARING FOR THE CODE OF ORDINANCES TEXT AMENDMENT TO CHAPTER 11A AND LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT TO SECTION 5.9 PERTAINING TO OFF-STREET PARKING AND PARKING PAYMENT-IN-LIEU POLICY TO MARCH 4, 2020 (2020-01-22/R-3)

WHEREAS, on November 20, 2019, the Town Council called a Public Hearing for Code of Ordinance Text Amendment and Land Use Management Ordinance Text Amendment associated with the Parking Payment-in-Lieu program for February 12, 2020; and

WHEREAS, an amended Council meeting schedule creates the need to reschedule the opening of this public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council continues the Public Hearing, to be opened at 7:00 p.m. on Wednesday, March 4, 2020 in the Chapel Hill Town Council Chamber.

This the 22nd day of January, 2020.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council continues the public hearing to be opened at 7:00 p.m. on Wednesday, March 4, 2020.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 5., File #: [20-0059], Version: 1

Meeting Date: 1/22/2020

Authorize the Town Manager to Submit Design Work to NCDOT for the West Franklin Street Lane Reallocation Project.

Staff:

Bergen Watterson, Transportation Planning Manager

Department:

Planning Department

Overview: This memorandum provides background, overview, and next steps for the proposed West Franklin Street Lane Reallocation project. Many lane reallocation projects result in an increased number of pedestrians and bicyclists, more customers and higher sales revenues for local businesses, and decreases in speeding and crashes along the redesigned corridors.



Recommendation(s):

That the Council adopt the resolution, authorizing the Town Manager to submit design work to NCDOT for the West Franklin Street Lane Reallocation Project.

Background

Town staff have been considering redesigning the lanes on West Franklin Street for a number of years, and it is a recommended project in the 2017 Mobility and Connectivity Plan. The North Carolina Department of Transportation (NCDOT) will be resurfacing the road between May and August of 2020, which provides an opportunity to add bike lanes by changing the pavement markings on West Franklin at a fraction of the cost that it would normally be. Additionally, the Town of Carrboro is evaluating a lane reallocation on East Main Street, which, if implemented, would provide important connectivity for bicycles between the towns.

In October 2019 Town Council asked staff to proceed with the traffic analysis and pavement marking plans required by NCDOT to determine whether a lane reallocation on West Franklin Street would function adequately.

Overview

The West Franklin Street Lane Reallocation, if approved by Town Council and NCDOT, would extend from Columbia Street to Merritt Mill Road. The exact design is not known at this time, but it would likely include bike lanes of some sort, additional on-street parking, and a center turn lane. The analysis will also include consideration of loading/delivery vehicles and transit needs.

Next Steps

Staff will work with HNTB to update the traffic counts and capacity analysis for West Franklin Street performed in 2015. Because the traffic counts and analysis are building off of work done several years ago, it will be completed faster and require less funding than if we started from scratch. Ramey-Kemp will design the pavement marking alternatives, create visualizations, and conduct public outreach in coordination with staff. The cost of design is expected to be approximately \$50,000. All of this work is expected to be complete and handed over to NCDOT for approval by April 1, 2020.



Attachments:

- Resolution

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SUBMIT DESIGN WORK TO NCDOT FOR THE WEST FRANKLIN STREET LANE REALLOCATION PROJECT (2020-01-22/R-4)

WHEREAS, Town staff have been considering redesigning the lanes on West Franklin Street for a number of years, and it is a recommended project in the 2017 Mobility and Connectivity Plan; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) will be resurfacing the road between May and August of 2020; and

WHEREAS, in October 2019 Town Council asked staff to proceed with the traffic analysis and pavement marking plans required by NCDOT to determine whether a lane reallocation on West Franklin Street would function adequately.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to proceed with and submit the design work to NCDOT for approval and execution of the West Franklin Street Lane Reallocation project.

This the 22nd day of January, 2020.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council authorizes the Town Manager to submit design work to NCDOT for the West Franklin Street Lane Reallocation Project.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 6., **File #:** [20-0060], **Version:** 1

Meeting Date: 1/22/2020

Adopt Minutes from the September 25, 2019 and October 2 and 16, 2019 Meetings.

Staff:

Sabrina M. Oliver, Director
Amy Harvey, Deputy Town Clerk
Nikki Catalano, Transcriptionist

Department:

Communications and Public Affairs

Overview: These minutes are prepared for the meetings listed below.



Recommendation(s):

That the Council approve the attached summary minutes of past meetings.



Attachments:

- Resolution
- September 25, 2019 Regular Meeting
- October 2, 2019 Regular Meeting
- October 16, 2019 Work Session

A RESOLUTION TO ADOPT SUMMARY MINUTES OF COUNCIL MEETINGS (2020-01-22/R-5)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts summary minutes for meetings held on September 25, 2019 and October 2 and 16, 2019.

This the 22nd day of January, 2020.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council approves the summary minutes of past meetings which serve as official records of the meetings.



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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, September 25, 2019 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 Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Police Officer Rick Fahrer, Fire Inspector Donnie Morrissey, Communications Specialist Mark Losey, Interim Planning Director Judy Johnson, Principal Planner Corey Liles, Community Resilience Officer John Richardson, Traffic Engineering Manager Kumar Neppalli, Senior Planner Jake Lowman, Business Management Director Amy Oland, Public Works Director Lance Norris, Senior Ombuds Jim Huegerich, Planner II Becky McDonnell, and Deputy Town Clerk Amy Harvey.

OPENING

0.01 Celebrating Success Video: Go Chapel Hill! [\[19-0792\]](#)

Mayor Hemminger opened the meeting at 7:00 p.m. and introduced a Celebrating Successes video about Go Chapel Hill, the Town's transportation management program. The video reminded all that carpooling is a way to enjoy the journey and reduce greenhouse gas emissions. The Mayor pointed out that Go Chapel Hill had recently been named the best transportation demand management program in the nation. She thanked Transportation Demand Community Manager Len Cone for her creativity, hard work and passion.

0.02 Proclamation: Diaper Need Awareness Week. [\[19-0793\]](#)

Council Member Buansi read a proclamation for Diaper Need Awareness Week that described the adverse effects on families not being able to afford a sufficient supply of diapers. He read about work the Diaper Bank of North Carolina had done to address that need and proclaimed the week of September 23-29 to be Diaper Need Awareness Week in Town. Council

Member Buansi encouraged citizens to donate to diaper banks, diaper drives, and organizations that distribute diapers to families in need.

Kelley Massengale, representing Diaper Bank, provided background on the organization's history and goals. She said that one in three families struggle to afford diapers and that the Diaper Bank had provided 4.3 million diapers statewide last year.

0.03 Proclamation: National Walk to School Day. [\[19-0794\]](#)

Mayor Hemminger read a proclamation declaring October 2, 2019 to be Walk to School Day in Chapel Hill and presented the proclamation to teachers Christy Thompson and Emma Scott. The proclamation pointed out that returning to 1959 levels of walking and biking to school would be equal to keeping 250,000 cars off the road for a year. Mayor Hemminger stressed the physical and mental health benefits of exercise and encouraged all to consider the safety and health of children on October 2nd and every day.

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

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

1. Glen Heights/Windsor Circle Neighborhood Request to Exclude the Neighborhood from the South Martin Luther King, Jr. Boulevard Future Land Use Area. [\[19-0772\]](#)

Gary Baum spoke on behalf of the Windsor Circle/Glen Heights neighborhood regarding a petition to remove them from the South Martin Luther King Jr. Boulevard focus area in the Town's Future Land Use Map (FLUM). He described the neighborhood and said that preserving it in its current form would conform to FLUM principles.

Mayor Hemminger replied that there had been much recent discussion about creating new wording regarding the character of that neighborhood. Staff would work with the petitioners to determine what that would look like, she said.

Mr. Baum pointed out that Windsor Circle was asking to have the current

wording removed and replaced with a description that would preserve it along with other Town neighborhoods.

A motion was made by Council Member Schaevitz, seconded by Mayor pro tem Anderson, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

1.01 Chapel Hill Downtown Partnership Request Regarding Franklin Street Restriping. [\[19-0795\]](#)

Matt Gladdeck, executive director at Downtown Partnership, petitioned the Council to conduct a traffic impact analysis of West Franklin Street for the possibility of striping it differently and perhaps adding bike lanes. He said that slower-moving traffic enhances outside dining and shopping and would make it safer to cross the street. The current time would be a good opportunity to make such changes because the NC Department of Transportation was planning to repave that street, so re-striping part of it would not cost anything, Mr. Gladdeck said.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

ANNOUNCEMENTS BY COUNCIL MEMBERS

1.02 Mayor Hemminger Regarding Eastowne Meeting. [\[19-0796\]](#)

Mayor Hemminger said that representatives from a Council subcommittee and UNC Healthcare would meet on October 4th at 9:00 a.m. in the Chapel Hill Public Library to continue discussions regarding the Eastowne Master Plan.

1.03 Mayor Hemminger Regarding Banned Book Week. [\[19-0797\]](#)

Mayor Hemminger noted that book covers designed by local artists for the Banned Books Project had been made into posters and trading cards in order to educate the public on their right to read whatever they wish.

1.04 Mayor Hemminger Regarding Chapel Hill Transit's 45th Birthday. [\[19-0798\]](#)

Mayor Hemminger announced a rolling birthday celebration for Chapel Hill Transit over the next several months. The first would be held on October 1st, from 10:00 a.m. to noon, in front of the Carolina Coffee Shop, she said.

1.05 Mayor Hemminger Regarding Special Meeting. [\[19-0799\]](#)

Mayor Hemminger noted a closed special meeting of the Town Council at 5:30 p.m. on October 2nd in the first floor conference room at Town Hall.

1.06 Mayor Hemminger Regarding DACA Amicus Brief. [\[19-0800\]](#)

Mayor Hemminger said that she had signed onto the DACA Amicus Brief (Dreamers Act) on behalf of the Council.

1.07 Mayor Hemminger Regarding Solar Tax Credit. [\[19-0801\]](#)

Mayor Hemminger said that she had signed onto a Solar Tax Credit as part of the Town's Climate Action Plan and would provide more information about that and the DACA item soon.

Council Member Stegman pointed out that an NC Pride celebration would take place on Duke University's campus on September 28th, beginning at 10 a.m. The Town would be represented in the parade for the first time in a while, she said.

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

A motion was made by Mayor pro tem Anderson, seconded by Council Member Buansi that R-2 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

2. Approve all Consent Agenda Items. (Requires two motions) [\[19-0773\]](#)

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

3. Approve the Miscellaneous Budget Ordinance Amendments to Adjust Various Fund Budgets for FY 2019-20. [\[19-0774\]](#)

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

4. Adopt Resolutions Related to Proposed Refunding of Outstanding Build America Bonds (BABs). [\[19-0775\]](#)

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

5. Adopt Minutes from November 28, 2018 and December 5, 2018 and January 7, 9, 16, and 30, 2019 and February 13 and 20, 2019, and March 4, 2019 Meetings. [\[19-0776\]](#)

Mayor Hemminger pointed out that #4 required two separate actions (R1 and R2).

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

INFORMATION

6. Receive Upcoming Public Hearing Items and Petition Status List. [\[19-0777\]](#)

This information Item was received and filed

DISCUSSION

7. Presentation: University of North Carolina at Chapel Hill Semi-Annual Campus Development Report. [\[19-0778\]](#)

Gordon Merklein, Associate Vice Chancellor for Real Estate Operations at the University of North Carolina - Chapel Hill (UNC) gave an update on the design process for Porthole Alley. He said that UNC 's visitors center was being temporarily relocated there and that the goal was to make that its permanent location along with UNC Admissions.

Mr. Merklein described a four-building plan for Porthole Alley, which he said would be similar to Carolina Square. The University had issued a request for proposals and the process would include a series of community workshops prior to a concept plan, he said.

The Council confirmed with Mr. Merklein that UNC hoped to begin workshops at the end of the year and was envisioning a four- to six-month process. Mr. Merklein said that any uses other than an admissions office and a visitor's center would be the type that draw people to Downtown. UNC was committed to maintaining a retail presence along the front of that project, he said.

Council members verified that UNC was committed to preserving aspects of buildings if their structural integrity allowed that. The Council would be involved with the workshops, Mr. Merklein said. The Council verified that the buildings were owned by The Endowment, The Foundation, and the state of North Carolina and included different zoning types. Mayor Hemminger pointed out that rezoning would require a public process beyond the workshops.

Evan Yaasky, director of University Facilities Planning and Design, gave a six-month update on UNC projects that were in design or under construction. He said that a list had been sent to the Council and that he would address some of the feedback he had received.

Mr. Yaasky said that UNC was committed to a "Three Zeros" mandate, which referred to zero greenhouse gas emissions, zero net waste to landfills, and zero net water use. He said that the University had made progress toward that and its capital program fit into those goals. Sustainability remained a major UNC concern, he said.

With regard to Council questions about a new 450-space parking deck that was under design, Mr. Yaasky said that many spaces would be replacing others that were being lost and that the net gain would be approximately 200 spaces. He provided an update on overall campus parking and said that those spaces were part of an approximate 500-space increase toward the allowed cap.

Mr. Yaasky also provided information regarding projects that had been completed over the last six months. These included central campus athletics projects and a media communications building. He gave an update on projects in construction: UNC Healthcare's surgical tower, Odum Village clearing and demolition, a Chapel Creek Wetlands and Outdoor Education Center, related retention pond and the aforementioned project to move the Visitors Center to Porthole Alley. Mr. Yaasky also provided updates on projects in design: a residents hall upgrade, a solar and battery storage demonstration project, a new medical education building, and a new journalism and media building.

Council members asked about next steps if the solar panel "demonstration project" were to succeed and Mr. Yaasky said that UNC hoped to get funding to expand it in some way that had not yet been clearly defined. The Council also verified with him that a study had projected no loss of student beds with the elimination of three dorms and that UNC was hoping to have a slight bed gain at the end.

Mayor Hemminger pointed out that a joint UNC/Town student housing needs assessment would begin the following week.

With regard to a question from Council about any potential interaction between Carolina North and bus rapid transit (BRT), Mr. Yaasky said that UNC had been engaged in the BRT planning process and that the lack of activity in Carolina North was being taken into account in conversations regarding that part of the bus route.

The Council confirmed that the University had identified Odum Village as a potential area for entrepreneurial/start up uses, but did not have any new projects to describe. Mr. Yaasky said that a mass transit solution was necessary for that area. BRT might be part of that and UNC was still "banking on" some transit solutions for its campus and the Town in general, Mr. Yaasky said.

With regard to questions from the Council about traffic and transportation impacts, Mr. Yaasky said that the surgical tower would add new users and a transportation impact analysis would be required for those site development permits. Traffic was being addressed on a case-by-case basis, since the University was not ready to start on large scale planning without knowing what the overall transit solutions would be, he said.

Mayor Hemminger said that there had been extensive collaboration and communication among the Town and UNC on a regular basis.

This matter was received as presented.

8. Receive an Update on the UNC Health Care Eastowne Development Agreement Proposal.

[\[19-0779\]](#)

Interim Planning Director Judy Johnson gave a brief PowerPoint presentation regarding UNC Healthcare's (UNC-HC) 50-acre Eastowne site, located along Highway 15-501. She reminded the Council that it had adopted six design principles for the site that pertained to place making, suitable public infrastructure, sustainable design, walkable design, enhanced natural environment, and support for community prosperity. Work over the summer had included a variety of community, Council and advisory board meetings, she said.

Ms. Johnson explained that next steps would include Town consultants reviewing an ecological assessment and working on a traffic impact analysis (TIA) and a community meeting to discuss project scope. She said that staff had been working with a technical review team to develop standards and metrics and would engage a financial analyst to help review the work that UNC-HC had been doing.

Ms. Johnson noted that the process was nearing the end of the second of four phases. The item would return to the Council on November 13, 2019 when it moved into Phase 3, and the Council would select a preferred alternative, she said. She provided a list of upcoming meetings and said that the development agreement (DA) would be crafted in early spring 2020.

The Council confirmed with Ms. Johnson that its six adopted principles had been the basis for planning. Staff had been developing standards and metrics to support those guidelines and was providing those to UNC-HC, she said.

The Council raised questions about the iterative process in which some decisions would be made before related studies were available. Council members confirmed with Ms. Johnson that standards and metrics to support the six principles were being provided to UNC-HC.

Ms. Johnson said that the process was not following a straight linear plan in the way that many other development projects had. Plans might have to be revised along the way, she said, adding that the "preferred" alternative would not necessarily mean the "final" one. She said that a preferred scenario would represent a combination of elements and that consultants would help the Council understand the trade-offs.

Council Member Gu expressed frustration over the lack of specifics from UNC-HC regarding elements such as types of uses, building height, and environmental protection. She said that the Council needed to see an ecological assessment, TIA, and financial analysis before the end of Phase 2 in order to make an intelligent decision.

Simon George, Vice President of Real Estate and Development at UNC, gave a PowerPoint update on the project's current status and said that UNC-HC had been reviewing three different scenarios. It had received much feedback from the Council, the Council Committee, the public and Town advisory boards, he said, noting that UNC-HC had led or participated in 22 events over the prior seven months.

Mr. George reviewed an environmental assessment and noted that there had been discussion about what to do with a natural heritage area containing old growth that was unusual. There had been a disagreement regarding other areas and UNC-HC hoped to bring related information to the Council Committee at the end of the week, he said.

John Martin, representing Elkus Manfredi Architects, reviewed the project's goals and aspirations, showed photos of similar places, and said that scenarios currently being developed would be more visual. He commented on the site's difficulties, but said there could be no better location than at the intersection of Highway 15-501 and Interstate 40. He stressed the importance of developing the project at a level of density that would support anticipated growth over 20-30, and said he would provide specific numbers when working through the scenarios.

Mr. Martin listed the project's key components: providing clinical health and research, include more administrative office space, allow living within walking distance of work, and providing a variety of market rate and affordable housing options. All of that would need to be supported by service/convenience/amenity retail and a hotel, which would be a logical use of that land, he said.

Mr. Martin discussed three options, which would increase density by 1.5 million, 1.8 million and 2.8 million square feet, respectively. He said that UNC-HC had no intention of building 2.8 million square feet over the next three years but was thinking about it as a ceiling 30 years out. He pointed out, though, that such a floor/area ratio would allow UNC-HC to

meet the Town's six principles even better.

Mr. Martin said that next steps would include taking Council feedback and refining the concept scenario plans and looking at options for street networks. They would provide more information regarding block sizes, building mass/height, street networks, and so forth through October and November, he said. The amount of affordable housing, community benefits, and transit support would be determined over the next few months, said Mr. Martin. Once the Council had selected a preferred alternative, UNC-CH would develop a more detailed financial model, he said.

The Council determined that a comparable project had not been found because the idea of using clinical out-patient healthcare as an economic driver to create a place such as Eastowne was a new and emerging concept. They discussed the benefits of having commercial space and confirmed that UNC-HC would not need to use all of it. They asked about the percentage of affordable housing, and Mr. Martin said that the Town's Inclusionary Zoning Ordinance required 15 percent. However, there was an opportunity for more affordable housing with more housing in general, he pointed out.

Mr. Martin said that the Town's Housing Advisory Board had been a strong voice since the start of the process. The Sustainability Advisory Board had seen the wisdom of co-locating housing and workplace together, and literally every Town board had mentioned housing as a desired component, he said. The project was being envisioned as an all multi-family, dense semi-urban housing development that would discourage cars and encourage people to use mass transit, he said.

In response to Council questions regarding parking, Mr. Martin said that surface parking would be the default option if land for it were available. He said that having all structured parking would not be the highest and best use of the land and that the Council Committee had said loud and clear that the number of cars and the physical presence of garages should be minimized with the lowest possible parking ratios.

The Council verified with Mr. Martin that UNC-CH understood that the built space absolutely needed to be complemented by a variety of open space, a preserved stand of hardwoods, parks and green areas, places to sit, places to shop, pedestrian-friendly sidewalks, tree canopy, crosswalks, and more.

Stormwater Management Utility Advisory Board Chair Pamela Schultz read from a memo to Council regarding significant natural community occurrences and important linkages between natural areas in Duke Forest and Jordan Lake. Board members felt that UNC-HC would demonstrate

good environmental stewardship, promote public health and safety, and model fiscal responsibility by preserving the site, she said.

Ramon Fernandez, a Chapel Hill resident, said that quality of life issues had not really been addressed and that developers had been redefining the family unit. High density was more like "public storage", absent of yards, gardens, and places for privacy, he said. A Town surrounded by educational institutions should be able to define the best environment for cultivating people, Mr. Ramirez said.

This matter was received as presented.

9. Authorize the Town Manager to Enter into an Agreement with Duke Energy to Convert All Chapel Hill Street Lights to Energy-Saving LED Fixtures. [\[19-0780\]](#)

Community Resilience Officer John Richardson presented the staff's recommendation to authorize the Town Manager to execute an agreement with Duke Energy to convert Town street lights to LED. He outlined three options which had different payment terms and installation schedules and recommended Option 1. This option would mean signing an agreement with Duke Energy, ordering lights, and beginning implementation of both standard and decorative lights in January 2020, he said.

Mr. Richardson described how LED lights look and feel in comparison to the Town's current lights. He discussed the 5.5 percent decrease in carbon emissions that they would yield and mentioned safety and visibility benefits as well. The Town had sufficient funding to cover standard light conversion costs and to make monthly payments toward the transition costs for the decorative lights but did not have enough to pay the decorative light transition costs up front, he said.

Mayor Hemminger proposed a third option (Option C) which would mean changing to standard LED lights in Town parks rather than changing the decorative neighborhood lights at the current time. She proposed that staff evaluate the cost of doing that, park by park, and compare it to the cost of changing decorative lights.

Council Member Parker commented on how Duke Energy's fees were increasing even though conversion to LED saves energy. Mayor Hemminger agreed that Duke would be saving money. She hoped the conversation would change as more municipalities convert to LED and light bulb prices decline, she said.

Council members discussed the pros and cons of the three options and confirmed that Mr. Richardson thought paying the decorative lights off all at once would be the better financial decision. Duke Energy had said that adding the fee into the bill would mean having it there in perpetuity, Mr. Richardson said.

The Council confirmed that Duke Energy would work with the Town on shielding and angling lights. They verified with staff that whatever payment method the Town chose would not determine when the switch to LED would begin and that information regarding parks would come back in late October/early November.

Mayor Hemminger pointed out that Duke Energy was replacing burned out lights with LED lights whether they were decorative or not, and the Council voted unanimously for Option C.

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

10. Update on Climate Action and Response Plan.

[\[19-0781\]](#)

Mr. Richardson gave a PowerPoint overview of a proposed Climate Action and Response Plan. He said that staff would also share a community engagement strategy in November and return in the spring with the 10 most meaningful actions the Town could take by 2025. He reviewed a four-step preliminary schedule that included community engagement and ended with bringing a draft plan to Council in May or June 2020.

Mr. Richardson listed several desired outcomes and said that next steps would include placing a consultant under contract, beginning data gathering, continuing to engage partners, and sharing information through sustainchapelhill.org.

Council members stressed the importance of integrating the Town's climate action plan into the LUMO and working with partners, such as the Town of Carrboro and Orange County, to find commonalities and leverage work that had already been done. They confirmed with Mr. Richardson that the top 10 options would look at transportation and waste in Town operations and community-wide. The Council verified that the greenhouse gas inventory would look at different models and include variables. Council members suggested shortening the timeline, if possible, and they confirmed that staff would let the Council know if some Town action did not align with the Climate Action Plan.

Council Member Stegman asked if the Orange County Climate Tax would be for the County only or shared, and Mayor Hemminger offered to find that out at an upcoming Leadership meeting. Mayor Hemminger described a Town focus on reducing single use plastics in October. The Town would be asking places of business to switch and would highlight those that do, she said.

Council Member Schaevitz said that she had been partnering, on behalf of the Town, with a Capstone Course at UNC. That work was still in progress

but it looked as though it would be about community action and perhaps focus on commercial and business, she said. That final report would be presented on December 3rd and the full Council was invited, said Council Member Schaevitz.

This matter was received as presented.

11. Adopt a Resolution Committing to Plan for Chapel Hill to Transition to 100% Clean, Renewable Energy Community-wide by 2050.

[\[19-0782\]](#)

Mr. Richardson noted that the Council had received petitions from the Orange-Chatham Sierra Club and the Climate Realty Group, asking the Town to make a long-term commitment toward transitioning to 100 percent renewable energy. The resolution before the Council committed the Town to 80 percent clean, renewable energy by 2030 and 100 percent by 2050, he said. Mr. Richardson said that the near-term costs would be outlined in the Climate Action and Response Plan that he had described in Item 10.

The Council confirmed that the transition would be a community-wide effort and that staff had not yet done a local analysis. They noted that climate change was an existential crisis and praised staff for taking the lead and developing aspirational goals. Council members discussed the importance of determining realistic steps and addressing the issue comprehensively.

Council Member Gu pointed out that the Town produced only 2 percent of carbon emissions and asked what tools it had to require the other 98 percent to pledge. She loved aspirational goals but did not see change happening without encourageable pathways, she said. She argued that the plan's scope was too small and said that the Town needed a broader approach.

Town Manager Maurice Jones pointed out that the Town did not know what all the pathways would be on the way to 2050. Staff understood that it did not control decisions being made at other levels, and an understanding of that had been built into the resolution, he said.

Council Member Parker commented that if the Town could get to 80 percent in 10 years then it ought to be able to reach 100 percent sooner than 2050. He agreed that the lobbying aspect would mean joining forces with other municipalities and entities to get authority from the state legislature and break down some of the barriers.

Mr. Jones replied that this was something the Town had been doing. He acknowledged that it should be articulated in the Action Plan.

Kim Piracci, a local climate activist, expressed support for the resolution. "We do this or we're dead," she said.

Ed Harrison, a Chapel Hill resident, said that he strongly supported the "very well written" resolution. He stressed that there was a current climate emergency.

Mr. Fernandez said that people had created the climate problem and people would have to solve it. Citizens would respond to being told the truth, he said, and he encouraged the Council to turn public fear into action.

Megan Clark, a Chapel Hill resident, asked the Council to work with homeowners associations toward allowing residents to add solar panels. Her community had not allowed her to install them, she said.

Ms. Schultz said that the other 98 percent would follow if the Council set the tone and led by example.

Mayor Hemminger shared that Chapel Hill had been cooperating with MetroMayors on finding ways for everyone to go solar. She encouraged people to go to the annual North Carolina Energy Conference and see the innovative ideas and projects that would be presented there. Some companies had complete renewable energy and zero waste, she said. She wanted the entire Town to be aspirational and engaged and to make real progress, said the Mayor.

Council Member Schaevitz left the meeting at 10:51 pm.

A motion was made by Council Member Oates, seconded by Council Member Parker, that R-11 be adopted. The motion carried by a unanimous vote.

12. Blue Hill Semiannual Report #10.

[\[19-0783\]](#)

Planner Corey Liles gave a PowerPoint presentation on the Blue Hill District (BHD) semi-annual report and provided updates on the Elliott Road Flood Storage and Elliott Road Extension projects as well as code updates related to incentivizing enhanced stormwater treatment. He also reported on projects being developed: Tarheel Lodging and Park Apartments, Phase 1. Projects in construction: Hillstone Apartments and Fordham Boulevard Apartments and the recent completion of Greenfield Commons.

Mr. Liles said that the Town had more than 1,400 units that were new or in the pipeline. He pointed out that property tax revenue was expected to increase in about two years by an estimated \$800,000 annually and had already exceeded debt service payments. The cost of service was difficult to estimate and staff members were interested in discussing that with Council, he said.

Mr. Liles discussed associated community benefits, such as a payment in lieu for affordable housing, payments toward bus stop improvements, less

post-construction impervious surface, several miles of new sidewalks/trails/bike lanes, 1.7 acres of outdoor amenity space currently under construction, and a new greenspace associated with the flood storage facility. He said that staff would report on affordable housing strategies in early 2020 and asked the Council to adopt Resolution A, calling for an October hearing on massing and permeability standards in the BHD.

The Council asked Mr. Liles to bring back at least a conservative estimate of the potential cost of services, and from a holistic perspective. They stressed the need to look at integrated parking solutions in the BHD and mentioned the Town's desire for more commercial development there.

Mr. Liles said that staff hoped to address parking issues in the massing standards and would think about reevaluating the current minimums and maximums if the Council were interested in doing so. He pointed out that the option of shared parking would involve encouraging partnerships among different owners and developers. He said that Tarheel Lodging was making use of shared parking and that multiple-use projects of that scale would present opportunities.

Mr. Liles said that it would be interesting to see what happens when commercial properties redevelop as residential or mixed-use projects. He pointed out that the tax value of a new hotel was at least three times that of the commercial space it was replacing. However, staff had not seen any project that proposed to follow the 10 percent commercial requirement that the Town had recently added, he said.

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

ADJOURNMENT

The meeting was adjourned at 11:16 p.m.



TOWN OF CHAPEL HILL

Town Council Meeting Minutes - Draft

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, October 2, 2019 **7:00 PM** **RM 110 | Council Chamber**

Roll Call

Present: 8 - Mayor Pam Hemminger, 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

Absent: 1 - Mayor pro tem Jessica Anderson

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Communications Manager Catherine Lazorko, Police Officer Rick Fahr, Fire Inspector Donnie Morrissey, Interim Planning Director Judy Johnson, Traffic Engineering Manager Kumar Neppalli, Patrol Captain Donnie Rhoads, LUMO Project Manager Alisa Duffey Rogers, Community Resilience Officer John Richardson, Executive Director for Technology and CIO Scott Clark, Police Chief and Executive Director for Community Safety Chris Blue, and Deputy Town Clerk Amy Harvey.

OPENING

0.01 Mayor's Salute: Colleen Minton of TerraVita Food and Drink Festival. [\[19-0826\]](#)

Mayor Hemminger opened the meeting at 7:00 p.m., and said that Mayor pro tem Anderson was away on business. She expressed gratitude to Colleen Minton, TerraVita Food and Drink Festival founder, for putting 10 years of passion and hard work into celebrating healthy eating and earth-friendly food practices.

Ms. Minton thanked the Town for its support and said that Chapel Hill was a perfect environment for events that honor farms, the environment, chefs, and beverage producers.

0.02 Proclamation: Reduce Single Use Plastics Month. [\[19-0827\]](#)

Council Member Schaevitz read the proclamation regarding local efforts to

Town Council

Meeting Minutes - Draft

October 2, 2019

reduce single use plastics. She declared October 2019 to be Reduce Single Use Plastics Month in Chapel Hill and urged all residents to reduce consumption of those products.

Christian Lutz, representing NC Public Interest Research Groups (NCPiRG), expressed support for the Town's sustainability efforts and said that NCPiRG intended to help businesses understand how to operate more sustainably while still being profitable.

Mayor Hemminger said that the Town would be working with NCPiRG to develop a resource guide for businesses and that more information was available at sustainchapelhill.org.

0.03 Proclamation: Cyber Security Awareness Month. [\[19-0828\]](#)

Council Member Bell read the proclamation regarding the Town Council's agreement with the U.S. Department of Homeland Security and other national organizations to declare October 2019 to be Cyber Security Awareness Month. The proclamation discussed the role of technology in citizens' lives, the increasing threat of cyber-attack, and the loss of privacy from spyware, identity theft and fraud.

Chief Information Security Officer Robert Reynolds thanked the Council for the proclamation, which illustrated the Town's commitment to cyber-security and raising awareness.

0.04 Breast Cancer Awareness Month. [\[19-0829\]](#)

Mayor Hemminger pointed out that Town staff members were wearing pink to help raise awareness regarding the importance of having mammograms.

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.

0.05 Susan Smith Request Regarding Advisory Board Vote Policy. [\[19-0830\]](#)

Susan Smith, a Historic District Commission (HDC) member, petitioned the Council to modify the Town statute to allow a majority vote, if necessary,

to uphold board decisions. The current HDC had only five members, and changing the rule would be preferable to rushing to appoint three new members, she said.

A motion was made by Council Member Oates, seconded by Council Member Parker, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

0.06 Daniel Dunn Request Regarding Government Transparency. [\[19-0831\]](#)

Daniel Dunn, a Chapel Hill resident and former Town employee, said he had received no response to his inquiry about why Town employee salary data was not available on the Town's open data portal. In the interest of transparency, such information should be open by default and published consistent with open records law, he said.

A motion was made by Council Member Parker, seconded by Council Member Schaevitz, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

1. Parks, Greenways, and Recreation Commission Request to Permit Current Commission Officers to Serve an Additional Year and a Recommendation to Change the Policy. [\[19-0802\]](#)

Renuka Soll, representing the Parks Greenways and Recreation Commission, petitioned the Council to permit existing Commissioners to serve for an additional year and to amend the policy allowing additional years of service in the event that no other board member was able to serve as an officer. The Commission's chair and vice chair had reached their two-year limit and no other member had agreed to replace them for the 2019-2020 term, he explained.

Mayor Hemminger said that the Council Committee on Boards and Commissions would be bringing back a related recommendation.

A motion was made by Council Member Buansi, seconded by Council Member Schaevitz, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

2. Parks, Greenways, and Recreation Commission Request to Reconsider the Designation of a Cemetery Champion Seat on the Commission. [\[19-0803\]](#)

Wesley McMahan, Parks Greenways Recreation and Cemetery Commission chair, said that his Commission had voted unanimously to request that the Council change the seat reserved for a Cemetery champion to a regular seat. He described several attempts to fill the seat and said that Commissions were capable of representing Cemetery interests without

having a designated seat.

A motion was made by Council Member Schaevitz, seconded by Council Member Stegman, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

ANNOUNCEMENTS BY COUNCIL MEMBERS

2.01 Mayor Hemminger Regarding Changes in Agenda. [\[19-0832\]](#)

Mayor Hemminger said that Item 13 had been removed from the agenda and would return at a later date. In addition, Item 16 was being moved ahead to follow Item 12, she said.

2.02 Mayor Hemminger Regarding Orange County Job Fair. [\[19-0833\]](#)

Mayor Hemminger said that a recent Job Fair had the largest pre-registration and attendance to date. She described the event and congratulated Orange County for its hard work.

2.03 Mayor Hemminger Regarding Transportation Impact Analysis Study at Eastowne Meeting. [\[19-0834\]](#)

Mayor Hemminger said that a public input session regarding the traffic impact analysis at Eastowne would be held from 6:30-8:00 p.m. on October 3rd at the Seymour Center.

2.04 Mayor Hemminger Regarding Council Committee on Economic Sustainability Meeting. [\[19-0835\]](#)

Mayor Hemminger announced that the Council Committee on Economic Sustainability would hold a public meeting on October 4th at 8:00 p.m. at the Public Library. The agenda would address redevelopment trends for malls and would include recommendations from the Community Design Commission for changes to the concept plan process, she said.

2.05 Mayor Hemminger Regarding Wegmans Street Improvements Public Meeting. [\[19-0836\]](#)

Mayor Hemminger announced that a public meeting regarding street improvements at Wegmans would be held on October 7th at 5:15 p.m. at Town Hall.

2.06 Mayor Hemminger Regarding Weaver Crossing Meeting. [\[19-0837\]](#)

Mayor Hemminger said that a community meeting on the proposed Weaver Crossing subdivision would be held on October 9th at 5:30 p.m. at the Public Library.

2.07 Mayor Hemminger Regarding Festifall. [\[19-0838\]](#)

Mayor Hemminger reminded all that Festifall would begin in Downtown

Chapel Hill at 11:00 a.m. on October 12th.

2.08 Mayor Hemminger Regarding Walk to School Day. [\[19-0839\]](#)

Mayor Hemminger said that she and Council Member Stegman had participated in Walk to School Day that morning at Ephesus Elementary School and that Council Member Gu had done the same at Estes Elementary School.

2.09 Council Member Schaevitz Regarding 919 Film Festival. [\[19-0840\]](#)

Council Member Schaevitz noted that Filmfest 919 would begin on October 9th at the Silver Spot Theater. She said that seven of the films screened there last year had gone on to win Academy Awards, including best picture. More information was available at filmfest919.com, she said.

CONSENT

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

Approval of the Consent Agenda

A motion was made by Council Member Parker, seconded by Council Member Schaevitz, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

3. Approve all Consent Agenda Items. [\[19-0804\]](#)

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

4. Call a Public Hearing on November 13, 2019 for Amendments to [\[19-0805\]](#)

Land Use Management Ordinance Articles 3, 4, and 6 Pertaining to Conditional Zoning.

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

5. Adopt Minutes from March 6, 13, and 20, 2019 and April 10, 17, and 24, 2019, and May 1 and 8, 2019 Meetings. [\[19-0806\]](#)

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

INFORMATION

6. Receive Upcoming Public Hearing Items and Petition Status List. [\[19-0807\]](#)

This item was received as presented.

7. Receive Annual Compliance Reports for July 1, 2018 - June 30, 2019 for the Carolina North, Glen Lennox, Fire Station #2, and [\[19-0808\]](#)

Obey Creek Development Agreements.

This item was received as presented.

8. Receive Orange County Human Services Center Report. [\[19-0809\]](#)

This item was received as presented.

DISCUSSION

9. Presentation: Chapel Hill/Orange County Visitors Bureau on its 2019/20 Strategic Plan. [\[19-0810\]](#)

Laurie Paolicelli, Orange County Visitors Bureau executive director, gave a PowerPoint presentation on the Town's tourism industry, which she said was strong and had been growing consistently over the past five years. She said that a recent study about changing perceptions of Chapel Hill would be unveiled in November 2019. She outlined some of what respondents liked most about the Town as well as what deterred visitors.

Ms. Paolicelli mentioned growing opportunities in culinary tourism and achievement travel such as classes, races, and walking tours and said she was examining the relevance of having a welcome center. She described several upcoming promotional activities and noted evolving approaches to promotion, such as placing stories on Google.

This item was received as presented.

10. Presentation: Orange Water and Sewer Authority (OWASA) Agua Vista Web Portal. [\[19-0811\]](#)

Ruchir Vora, OWASA board chair, gave a PowerPoint presentation with a background on the Aqua Vista Web Portal, a project that had begun in March 2019 to provide nearly real-time water information, eliminating the need to manually read meters.

Mary Tiger, OWASA sustainability manager, demonstrated how Agua Vista worked and said that OWASA was expecting a 10-year payback on its \$5.3 million investment. She said that 31.1 percent of eligible accounts had already registered, and she outlined efforts to increase those numbers.

Town Sustainability Officer John Richardson commented on the benefits of being able to immediately detect water leaks. Aqua Vista was revealing how residents use water and how this would lead to better management, he said.

Mayor Hemminger said that the Town would continue to promote the program. Aqua Vista had been saving water, costs, and had been installed ahead of schedule, she said.

This item was received as presented.

11. Amend Chapter 21 of the Code of Ordinances on Turn Regulations to Prohibit Right Turns on a Red Signal at Several Intersections. (Reissued from September 11, 2019) [\[19-0733\]](#)

Chapel Hill Police Department Captain Donnie Rhodes, Special Operations Unit supervisor, addressed a petition from the Council and the North Carolina Department of Transportation (NC DOT) to review 16 traffic intersections in Town that might benefit by having a prohibition on right turns at red lights. The University of North Carolina-Chapel Hill (UNC) and the Town's Transportation and Connectivity Board had approved the proposed changes, he said.

Traffic Engineer Kumar Neppalli outlined the criteria that had been used to make the staff's recommendation. He showed where the 16 intersections were located, noted variations among them, and pointed out that most were in the Downtown area. Mr. Neppalli said that a traffic impact analysis had found that five intersections would have lower levels of service at peak hours as a result of the change. However, those changes were acceptable levels, and he recommended approval.

Chapel Hill residents Sheila Kannappan and Geoff Green, both of whom ride bikes to work in Town, expressed support for the change. Ms. Kannappan asked that the list include the intersection of Pittsboro Street and Cameron Avenue, which she described as highly dangerous.

Jason Merrill, Transportation and Connectivity Advisory Board chair, said that his board had strongly supported the change. "All road users deserve safe streets; no loss of life on a road is acceptable; and injury or death are not an inevitable price to pay for mobility," he said.

The Council confirmed with Mr. Neppalli that "No Turn On Red" signs would be installed beside signal heads and that the Town would need permission from the NC DOT to include the Pittsboro Street/Cameron Avenue intersection in the ordinance. They ascertained from Captain Rhodes that bicyclists were expected to follow the same rules as vehicles.

Some Council members shared experiences of having felt vulnerable themselves while riding bicycles on Town streets and/or walking bikes across intersections. Mayor Hemminger pointed out that North Carolina was the ninth most populated state in the nation and had the highest number of pedestrian/vehicle deaths. Most of those deaths were not in Chapel Hill, but there was a huge effort being made toward using seat belts and making interactions with bikes and pedestrians safer, she said.

Council Member Oates said that she saw the issue from both sides. She pointed out that the change would make traffic jams worse, and that it would have climate implications because more cars would be idling while

waiting to turn. It was a hard decision, but she could not support the change, she said.

A motion was made by Council Member Parker, seconded by Council Member Bell, and Council Member Schaevitz offered a friendly amendment to include the Greensboro Street/Cameron Avenue intersection, if the NC DOT approved it, that O-1 be enacted as amended. The motion carried by the following vote:

Aye: 7 - Mayor Hemminger, Council Member Bell, Council Member Buansi, Council Member Gu, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

Nay: 1 - Council Member Oates

A motion was made by Council Member Gu, seconded by Council Member Oates, that a traffic analysis be conducted in a year's time. The motion carried by a unanimous vote.

12. Charting Our Future - Update on Engagement Efforts and Consideration of Revisions to the Draft Focus Area Maps & Principles. [\[19-0812\]](#)

Land Use Management Ordinance (LUMO) Project Manager Alisa Duffey Rogers provided a brief update on efforts to engage the public in conversations about the draft Focus Area Maps and Principles. She said that she had talked with approximately 325 community members and that feedback included a petition from the Glen Heights neighborhood, asking that they be removed from the focus area. She pointed out that a new character type could be created that would better reflect the individual homes at Glen Heights.

Ms. Duffey Rogers said that some had suggested that character types be less prescriptive. She said that community members appeared to be conflicted about a future vision for the Town. She reported that UNC had requested that a 56-acre parcel adjacent to Meadowmont be included in the NC 54 Focus Area. In addition, Southern Village had asked that areas adjacent to South Columbia Street and at the Market Street intersection be included as well, she said.

Ms. Duffey Rogers recommended that the Council adopt Resolution 4, authorizing the Town Manager to remove Glen Heights from the South Martin Luther King Jr. Boulevard Focus Area. Developing a new character type would be Resolution 5, she said. She also recommended adding the parcels adjacent to Meadowmont and Southern Village to the appropriate focus area maps. Ms. Duffey Rogers said she would return to the Council before the end of the calendar year with the results of further public engagement.

Council members confirmed with Ms. Duffey Rogers that their approval would merely open the discussion about the Southern Village (SV) parcel, which was currently designated as open space and what it would be in 2049. Designations for the portions of SV that run along Market Street could potentially change, she said.

The Council confirmed that a new character type for Glen Heights would apply only to that neighborhood, according to the current proposal (R-4). In response to a question from Council, Ms. Duffey Rogers agreed to return with a spectrum of options for "less prescriptive" character types. The Council confirmed with her that adding new parcels would not create significant delay.

The Council ascertained that a nearby church shared ownership with SV of the property along Market Street and that Allen Rental owned the piece along South Columbia Street. They verified that former Council had denied an application to develop the Meadowmont parcel because the land there had been deemed too environmentally sensitive for the project that had been proposed.

Glen Heights/Windsor Circle residents Heather Hille, Val Martinez, Robert Schreiner and Gary Baum described feelings of surprise and shock when they learned that their neighborhood was being recommended for "characterization". They said that the proposed change would threaten their quality of life, and they asked the Council to remove Glen Heights from the South Martin Luther King Jr. Boulevard Focus Area.

Julie McClintock, a Chapel Hill resident and former Council member, confirmed that the Meadowmont parcel had been deemed too ecologically sensitive for development in the past. She suggested that the Council contact neighbors at The Cedars to learn the history of that parcel before considering it as a focus area.

Council Member Schaevitz suggested sending the SV parcel to the Focus Area Subcommittee for analysis, and the Council discussed the need for an environmental analysis of the Meadowmont site. There was some agreement on Resolution-5, and for having a larger policy discussion about creating a character type that would preserve other neighborhoods as well. However, Council Member Parker expressed support for removing Glen Heights because he did not think the FLUM would provide the protection those neighbors were seeking. Council Member Oates asked staff to bring back options for preserving Glen Heights and other such neighborhoods.

There was some disagreement among Council members regarding the Meadowmont and SV parcels. Council Member Oates said that adding SV to the FLUM at the current time could lead to conflict. She argued that the Meadowmont property should be removed as well, pending an environmental study.

Council Member Buansi said he thought that Meadowmont should be added, but agreed that background information was needed first. He pointed out that the Focus Area Subcommittee would be thinking holistically about the entire SV area. Council Member Parker then proposed including the SV parcels in the SV Focus Area with the understanding that the Subcommittee would recommend how they were to be designated.

Mayor Hemminger said that the Council seemed to be split (4/4) on the Glen Heights issue. She expressed support for leaving it in while finding a way to preserve that character type when development pressures become more intense. She did not want to set a precedent by removing it from the Future Land Use Map she said. With regard to the Meadowmont parcel, Mayor Hemminger said that the Council wanted more information before making a decision. Most Council members seemed okay with having the Focus Area Subcommittee return with a recommendation on the SV parcels, she said.

Council Member Gu moved that a new character type be developed that would consider the characteristics of communities in the transit-oriented development corridor. Council Member Oates seconded that, but other Council members raised questions and Council Member Gu ultimately proposed amending R-5 to include developing a new character type for Glen Heights. The motion failed by the following vote:

Aye: 4 - Mayor Hemminger, Council Member Gu, Council Member Oates, and Council Member Schaevitz

Nay: 4 - Council Member Bell, Council Member Buansi, Council Member Parker, and Council Member Stegman

A motion was made by Council Member Parker, seconded by Council Member Stegman, that the section of R-4 that would remove Glen Heights from the S. MLK Focus Area, as residents had requested, be adopted. The motion failed by the following vote:

Aye: 4 - Council Member Bell, Council Member Buansi, Council Member Parker, and Council Member Stegman

Nay: 4 - Mayor Hemminger, Council Member Gu, Council Member Oates, and Council Member Schaevitz

A motion was made by Council Member Bell, seconded by Council Member Parker, that the section of R-4 that would add the two SV parcels to the SV Focus Area be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Gu, seconded by Council Member Oates, that the section of R-4 that would exclude the Meadowmont parcel until an environmental assessment had justified its feasibility for development be adopted. The motion carried by the following vote:

Aye: 5 - Mayor Hemminger, Council Member Buansi, Council Member Gu, Council Member Oates, and Council Member Schaevitz

Nay: 3 - Council Member Bell, Council Member Parker, and Council Member Stegman

Ms. Duffey Rogers said she would return to Council with different ranges and options for character types along the South Martin Luther King Jr. Boulevard corridor.

A motion was made by Council Member Parker, seconded by Council Member Gu, that the section of R-4 that would authorize the Town Manger to investigate and return to Council with options for less-prescriptive Character Types be adopted. The motion carried by a unanimous vote.

13. Receive the Affordable Housing FY 19 Annual Report. [\[19-0813\]](#)

This item was deferred to November 20, 2019.

CONTINUED DISCUSSION

16. Response to a Request to Limit the Scope of the Proposed Special Use Permit Modification Application for Wegmans Food Market, 1810 Fordham Blvd. [\[19-0816\]](#)

Principal Planner Judy Johnson summarized a staff recommendation to limit the scope of a Special Use Permit (SUP) modification review regarding a realignment of a US 15-501 Service Road. She showed the area across from State Employee Credit Union property on an area map.

Council members confirmed with Ms. Johnson that approval would not necessarily imply that the Town was open to developing two parcels in the area. They verified that the Service Road belonged to NC DOT, which would make the decision regarding driveway permits. However, the Council could stipulate a preference and approve the realignment without indicating driveway cuts, Ms. Johnson said.

Council Member Gu raised questions about a change to Wegmans's plans that would reduce the size of its building but leave the same number of parking spaces.

Mayor Hemminger said that the Council had voted to discuss only the Service Road and not the entire SUP, but Council Member Gu replied that the Council was also being asked to consider whether or not to have a

more general conversation about the SUP. Allowing excessive parking would be inconsistent with the Town's vision for the US 15-501 corridor, Council Member Gu said.

Council Member Parker characterized the proposed configuration for the Service Road as a vast improvement. He confirmed with Ms. Johnson that not granting that limited request could lead to the applicant abandoning the idea.

Council Member Buansi spoke in support of keeping a limited scope as well, but Council Member Gu continued to argue in favor of having a discussion, at least, about reducing parking at Wegmans.

Town Manager Maurice Jones offered to revisit the parking issue with Wegmans outside of the current SUP discussion, and Mayor Hemminger said that the Council would appreciate that. She pointed out that the Town had discussions with Wegmans about developing parts of the parking lot in the future. She agreed that there was an enormous amount of parking, but said that two years of conversations had led to road options being proposed. Mayor Hemminger encouraged the Council to vote in favor of the proposed modification.

Council Member Schaevitz moved R-9, and refused a friendly amendment from Council Member Oates to erase the driveway cuts.

A motion was made by Council Member Schaevitz, seconded by Council Member Parker, that R-9 be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Hemminger, Council Member Bell, Council Member Buansi, Council Member Oates, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

Nay: 1 - Council Member Gu

17. Consider Modifying the Process to Interview Applicants to the Boards with Semi-Autonomous Authority. [\[19-0817\]](#)

This item was deferred and will return to the Town Council on October 30, 2019.

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.

14. Concept Plan Review: University Place, 201 S. Estes Drive [\[19-0814\]](#)
(Project #19-108).

Ms. Johnson explained that a current SUP on the University Place site had last been modified in 2000. Staff was expecting that the new owner, Ram Realty, would submit a Conditional Zoning (CZ) application, she said, adding that the Community Design Commission had reviewed the concept plan. She recommended that the Council hear the applicant's presentation and adopt Resolution 9, transmitting their comments to the applicant.

Ashley Saulpaugh, representing Ram Realty, gave a PowerPoint presentation on the evolution of American shopping malls and how University Place (which currently had only a 51 percent interior occupancy) would need to change in order to thrive. He said that Ram Realty had bought the property with the intention of changing it into a vibrant, open air, town center.

Mr. Saulpaugh described a plan to flip the mall's space from interior to exterior, create a better pedestrian environment, add green gathering spaces and spaces for events, and create a place for the Chapel Hill Farmers Market. He described a mixed-use environment, a commitment to sustainability and energy efficiency, and a reduction in impervious surface. He mentioned some of the site's limitations, such as current tenants having leases and the property being located in a floodplain.

Mr. Saulpaugh said that Ram's current efforts included looking at demolishing about 40,000 square feet, which would allow additional exterior storefronts to create a green, more walkable, main street atmosphere. A high priority would be to reconfigure an area along Estes Drive and create a multi-use path there that would include an area where greenway trails would connect, he said.

Mr. Saulpaugh described a five-block plan similar to that used at The Edge and Carraway Village. It would be a multi-phased development, with the current focus on a 3-5 year horizon, he said. He showed renderings of what phase one could look like and said that details regarding long-term development would be defined in the CZ application.

In response to Council questions, Mr. Saulpaugh showed two locations where the Farmers Market could be located. He also explained his intent to seek a single entitlement and said that CZ would allow open dialogue about the best way to do that. The Council asked staff to return with information on how many stories the land could support. They confirmed that the applicant had talked with a nearby church about its parking needs.

Ms. McClintock raised stormwater concerns and presented a visual that showed water flow in the area. She noted the high number of other development projects that had already been approved and said that they would amount to 3-4 million square feet of additional impervious surface. Ms. McClintock stressed the importance of thinking about future flooding in the area.

Pamela Schultz, Stormwater Advisory Board chair but speaking only for herself, pointed out that the chances of flooding grew greater with each passing year. She stressed the need to be careful with how University Place was developed, noting that in-fill in one place could lead to more flooding elsewhere.

Wesley McMann, Greenways Parks and Recreation chair but speaking only for himself, commended the applicant for involving the Estes Greenway in the plan and for proposing a connection to Bolin Creek. He recommended designating a way for bikes to go into the property.

Linda Brown, a Chapel Hill resident, commended the applicant for the plan and said that having space that was green and shaded would help the floodplain. However, the concept was missing an opportunity to create housing for University students, she said, and she showed pictures of similar town centers that had apartments and condos above retail.

Council members expressed enthusiasm for the concept's green aspects, connectivity plans, gathering spaces, and general approach. They raised concerns about potential flooding and expressed their desire for a greater reduction in parking and impervious surface. Several Council members mentioned the Farmers Market's quest for a permanent home, and Council Member Gu said she wanted to see a master plan with a guiding vision for the entire project.

Individual Council members' suggestions included having a splash pad, green roofs and solar panels, a large gathering space, designated bikeways, and a bike fix-it station. The Council asked the applicant to

bring back pictures of what could really be built, given the property's flood conditions.

Mr. Saulpaugh said that Ram Realty intended to do what it could to soften the parking area, but he pointed out that much of that was protected by current tenants' leases. He was showing a 3-5 year plan, but those parking areas would be freed as leases began to end, he said.

A motion was made by Council Member Parker, seconded by Council Member Schaevitz, that R-6 be adopted. The motion carried by a unanimous vote.

15. Concept Plan Review: 136 E. Rosemary Street/137 E. Franklin Street (Project #19-109). [\[19-0815\]](#)

Ms. Johnson explained the applicant's proposal regarding a property that was zoned Town Center-2 on Rosemary Street and Town Center-1 on the Franklin Street side. She said that the applicant was required to bring the request to add about 5,000 square feet of new floor area to the Council because it exceeded what was allowed under existing zoning. She showed pictures of the building and a rendering of what it would look like after improvements. Ms. Johnson recommended that the Council adopt Resolution 7, transmitting Council comments to the applicant, and Resolution 8, which would limit the scope of the SUP modification review.

Joe Dye, representing Grubb Properties, provided background information on the property, which had been purchased in April 2019. He said that the Franklin Street side had already been renovated, and he showed a rendering of how the Rosemary Street side would look after renovation had been completed.

Council members asked the applicant to consider improving a brick wall that faced a parking garage. They confirmed that people would still be able to cut through the building from Rosemary to Franklin Street and verified that there would be adequate parking in the area.

Mayor Hemminger said that the Council was excited about the opportunity to have the more functional and better looking building that was being proposed. She suggested incorporating some form of signature art on the Rosemary Street side and said that the Council accepted the limited scope and hoped to expedite the process.

Council Members Oates and Gu raised questions about environmental standards pertaining to buildings with as much glass as was being proposed. Council Member Oates suggested that the applicant consult with the Environmental Stewardship Advisory Board.

Ms. Johnson pointed out that Council policy required applicants to submit energy management plans as part of the SUP process.

A motion was made by Council Member Parker, seconded by Council Member Schaevitz, that R-7 be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Parker, seconded by Council Member Stegman, that R-8 be adopted. The motion carried by a unanimous vote.

APPOINTMENTS

19. Appointments to the Short Term Rental Task Force. [\[19-0819\]](#)

The Council appointed Shelley Def Osset, Jamine Ifedi, James Parrott, Sally Persing, John Quintero, Manish Atma, Anthony Carey, Steven Whitlow, Nathan Ligo, Alexa Nota, and Alternate members: Jennifer Hoffman and Mary Stowe.

18. Appointments to the Board of Adjustment. [\[19-0818\]](#)

The Council made a recommendation to the Orange County Board of Commissioners to appoint Thomas Wortman and Michael Murphy to the two County positions and appointed Enton Hito and Ian Morse to the Town Alternate seats.

A motion was made by Council Member Parker, seconded by Council Member Gu, that R-11 be adopted as amended. The motion carried by a unanimous vote.

ADJOURNMENT

The meeting was adjourned at 11:18 p.m.



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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, October 16, 2019 6:30 PM Library Meeting Room A

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 Rachel Schaevitz, and Council Member Karen Stegman

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Housing and Community Executive Director Loryn Clark, Transit Director Brian Litchfield, Transit Development Manager Matt Cecil, Mayoral Aide Jeanne Brown, Transportation Planning Manager Bergen Watterson, Patrol Captain Donnie Rhoads, Interim Director of Planning Judy Johnson, Affordable Housing Manager Nate Broman-Fulks, Communications and Public Affairs Director and Town Clerk Sabrina Oliver.

AGENDA ITEMS

0.01 Mayor pro tem Anderson Regarding Public Meeting for Christ Community Church. [\[19-0868\]](#)

Mayor pro tem Anderson opened the meeting at 6:30 p.m. She said that Mayor Hemminger was at a Climate Leaders meeting and would arrive later.

Mayor pro tem Anderson announced that a public meeting regarding a Christ Community Church special-use permit request would be held on October 17th at 5:15 p.m. at Town Hall.

0.02 Mayor pro tem Anderson Regarding Public Workshop on 15-501 Corridor Study. [\[19-0869\]](#)

Mayor pro tem Anderson said that a public workshop regarding a multi-modal infrastructure between Ephesus Church Road and University Drive would be held from 6:00-8:00 p.m. on October 17th at Chapel Hill

Bible Church on Erwin Road.

0.03 Mayor pro tem Anderson Regarding Public Information Meeting on Blue Hill Massing. [\[19-0870\]](#)

Mayor pro tem Anderson announced a public information meeting on proposed improvements to Blue Hill District massing to be held on October 21st from 5:15 to 6:30 p.m. at Town Hall.

0.04 Mayor pro tem Anderson Regarding Haunted Hill. [\[19-0871\]](#)

Mayor pro tem Anderson noted that the Town's annual Halloween event would occur on the coming weekend at the Town Community Center.

0.05 Mayor pro tem Anderson Regarding Chapel Hill Historical Society Celebration of Howard and Lillian Lee. [\[19-0872\]](#)

Mayor pro tem Anderson said that the Chapel Hill Historical Society would celebrate Town residents Howard and Lillian Lee at the Binkley Baptist Church on Sunday, October 20th.

1. North-South Bus Rapid Transit Traffic Analysis. [\[19-0854\]](#)

Transit Development Manager Matt Cecil gave a PowerPoint presentation on the proposed North-South Bus Rapid Transit (BRT) line. He provided background on the project, outlined a traffic analysis, and discussed the potential for doing a full road conversion. Staff had shared its preliminary results with the North Carolina Department of Transportation (NC DOT), which controlled that corridor, he said.

Mr. Cecil said that the Town had applied for a Federal Transit Authority (FTA) rating on August 23, 2019 and hoped to receive that in late fall. He said that the 30 percent design plans would be presented to the FTA for review and feedback. Mayor pro tem Anderson confirmed with him that there would be no financial impact on the Town at that stage.

Kevin Bauman, a traffic engineer with Kimley Horn & Associates, reviewed options for converting a lane versus constructing one at two specific intersections: Cameron Avenue/Columbia Street and Martin Luther King Jr. Boulevard/Estes Drive. He said that engineers had identified the Columbia Street/Cameron Avenue intersection as a choke point for both buses and vehicles if a lane were eliminated there. He described a potential alternative that would have both vehicles and buses using two traffic lanes in that vicinity.

Mr. Bauman then described what a typical morning commute would look like through the Martin Luther King Jr. Boulevard/Estes Drive intersection if one lane were converted for BRT. For general purpose vehicles, conversion would more than double travel times in both directions while construction

would leave travel times as they were, he said.

Mr. Bauman said that the current conversation was about trade-offs such as possible delays in travel times for vehicles versus potential time benefits for those on the bus. He directed the Council's attention to the level of service predictions for regular vehicles and pointed out that the conversion scenario would put traffic in an unacceptable range in some locations. The Estes Drive intersection, for example, would go from Level D to Level F at peak hours, he said.

The Council confirmed with Mr. Bauman that the analysis was based on existing traffic and did not take future growth into account. They also confirmed that converting an outside bus lane to a general purpose lane would leave the Cameron/Columbia area as it currently was, with no exclusive bike lane on that portion of road. The Council verified that conversion would increase travel time for cars but could save time on the BRT by one or two minutes in some areas. Mr. Bauman said that both options included sidewalks, bike lanes, and signalized crossings.

Jeff Koontz, representing AECOM, said that widening the road in some areas would create some challenges but that planners had not yet spent much time looking at the level of detail that would be involved.

Mayor Hemminger arrived at 7:06 p.m.

Council members verified with Mr. Bauman that NC DOT had indicated that service levels of E and F would be unacceptable to them. They pointed out, however, that the worst case scenario assumed that citizens would not change their behavior and use alternative transportation.

The Council asked for more information about the effects of BRT in other parts of the country and how many people could reasonably be expected to change their mode of transportation.

Mr. Cecil pointed out that the Town's existing passenger load in the N-S BRT corridor was about 6,000 riders per day, which was about 12 percent beyond capacity. Projections for opening day of BRT was about 7,500 people, and that number would be closer to 12,000 within 10 years, he said. Mr. Cecil said that a required NC DOT analysis that was currently underway would provide specific information. Alternatives for future development and growth would be part of a future traffic analysis, he pointed out.

Mr. Koontz explained the differences between construction and conversion from a design point of view. He displayed pictures that showed different potentials at the same location but with different scenarios. Bike and pedestrian improvements were inherent in either design, he said.

Council members verified that lanes could not be narrower than 11 feet, due to safety issues, and that any decision to lower the speed limit would have to come from NC DOT. They also confirmed that right-of-ways would be needed with either option. The Council encouraged planners to think about operational changes, such as having reversible lanes rather than laying more asphalt. An idea was raised about prioritizing buses at peak hours to see if that would improve traffic conditions, but Mr. Cecil pointed out that there might not be enough time to do that before applying for federal funds in the spring.

Mr. Bauman said that planners had been evaluating options for improving signal timing and had found that timing changes alone would not make conversion all the way through downtown acceptable from an operational standpoint.

The Council asked for staff to bring back "what if" scenarios, such as what level of service would actually get people out of cars and using an alternate mode of transportation. They asked for details on the potential for adding more bike lanes along the UNC campus route. The Council confirmed that staff was working on the economic development/place-making aspect of BRT.

2. Overview of Rental Development Finance. [\[19-0855\]](#)

Executive Director for Housing and Community Loryn Clark introduced Real Estate and Finance Professor David Hartzell, of the UNC Kenan-Flagler School of Business, to give a presentation on the rental development principles and factors that private developers consider when evaluating a potential project, and how affordable housing interests impact their decisions.

In a PowerPoint presentation, Dr. Hartzell analyzed a hypothetical development project, beginning with the stage of making assumptions and projections. The two most important factors that developers look at are market value and potential profits, he said. Using the case of a market-rate, multiple family rental project, he explained how a developer would consider zoning regulations, cost of land, construction costs, interest rates, potential leverage, operating expenses, expected vacancy rate, leverage, potential income, and more. A developer's goal would be to minimize costs at the beginning and minimize time once the land has been purchased, he said.

Dr. Hartzell said that developers look at whether or not a project would compensate him/her for the risk. He addressed how Town interests in affordable housing (AH) impact those decisions, and said that developers prefer the certainty of a payment in lieu to the uncertainty of having their AH contribution based on rents, which might change in the future.

Council members confirmed with Dr. Hartzell that the developers' comfort with AH was related to how comfortable they were with their original assumptions. An appropriate payment in lieu would be derived on what the developer would need to pay an equity investor as a percent return, he said.

The Council confirmed with Dr. Hartzell that any developer would spend his/her own money early on and that most would include that in their construction budgets. It was "fairly likely" that they would be paid back later on, he said. A Council member asked how costs and benefits related to the Town were calculated, and Dr. Hartzell recommended contacting the UNC School of Government for such information.

Mayor Hemminger mentioned Town efforts to attract commercial developers while resisting luxury apartment projects, and Dr. Hartzell replied that developers prefer more density because it reduces the cost of land. Mayor Hemminger asked if there was an equation that the Council should look at differently for middle housing, and Council Member Parker replied that land in Chapel Hill was being priced at what developers assume they could do with it rather than what it was actually zoned for.

Council Member Parker asked if stating that the Town would not make zoning changes might drive land prices down, and Dr. Hartzell replied that land sellers had an intrinsic feel for what their properties were worth.

3. Bicycle and Pedestrian Transportation - From Idea to Project.

[\[19-0856\]](#)

Transportation Planning Manager Bergen Watterson gave a PowerPoint presentation on current bike and pedestrian projects, funding streams, the Town's implementation process, and allocations. She provided status updates on projects at Estes Drive, Old Durham-Chapel Hill Road, Fordham Boulevard, Homestead and Sewell School Roads, the Bolin Creek Greenway, the Morgan Creek Greenway, the Morgan Creek Bridge, and others. The Town prioritized implementation according to several of its adopted plans, she said.

Ms. Watterson stated that NC DOT's updated Complete Streets process should speed up those projects that provide the best level of safety and connectivity. She pointed out that the Town sometimes received infrastructure enhancements along with development projects and/or when NC DOT resurfaced roads.

In response to a question from the Council regarding public comments related to Bolin Creek, Ms. Watterson said that staff and management were going through those comments and would take them into consideration. Mayor Hemminger and Council Member Parker commented on the benefits of being able to have shovel-ready projects, since the federal government had put a timeline on spending and could reclaim

unspent funds. Mayor Hemminger said that the Town had recently benefited from having had a few of those projects.

Ms. Watterson said that NC DOT would build projects that were on a Town-adopted plan on any state road as part of a highway project, and at no cost to the Town. If a project were not in an adopted plan, but there was an obvious need for it, NC DOT would develop a cost-sharing arrangement, she said.

The Council and Ms. Watterson discussed Town projects that might be eligible such as the Weaver Dairy/Interstate 40 change-up, NC 54, and NC 15-501. They discussed how NC DOT would not do projects that were exclusively bike and pedestrian, however.

Ms. Watterson said that the primary funding sources for bike and pedestrian projects came from the federal government through NC DOT, the Metropolitan Planning Organization, and Town bond funds. She provided background on the Town's experience with funding sources and mentioned that there were many requirements attached to federal funding.

The Council and Town Manager Maurice Jones discussed how having annual Town funds available for small projects such as re-stripping roads, would be part of upcoming Town discussions regarding its five-year budget strategy.

Ms. Watterson indicated on a handout the breakdown of projects that had received bond funds. Projects had been coming in much higher than had been estimated, and the Town was not even receiving bids on some of the smaller ones, she said. She said that staff received a constant stream of requests to do small projects, such as safety improvements.

Ms. Watterson explained that issues impacting bike and pedestrian implementation included lack of an annual dedicated funding stream, federal funding being difficult to obtain, and including many restrictions that requiring staff time and resources. She pointed out that striping was typically done when roads were being resurfaced.

Ms. Watterson said that staff had been looking at the possibility of reallocating lanes on West Franklin Street, as the Downtown Partnership had recently requested. There would be an opportunity to do so in May-August 2020 when NC DOT would be resurfacing that area, she said. In order to qualify, the Town would need to provide NC DOT with a current traffic analysis and engineering drawings, which would cost between \$35,000 and \$50,000, she said. Ms. Watterson said that the application deadline would be April 1st, since the approval process would take about four months. The estimated cost of doing that project without NC DOT

was \$500,000, she pointed out.

Mayor Hemminger said that the Town had good relations with NC DOT, which had recently found money outside its own budget to do a bike and pedestrian project in Town. She expressed strong support for going ahead with the study and updating the Town's plan. West Franklin Street was like a freeway, and the Town needed to do something better there, she said.

Council members confirmed that there was a chance NC DOT would not agree, even after the Town had invested in a traffic study. There would still be resurfacing and striping done, but it might not be what the Town desired, Ms. Watterson said. Council members commented on the "perennial conflict" of having a 25 MPH speed limit on Franklin Street, which really was a four-lane highway. They confirmed that staff was working on finding safer options for delivery trucks to park on Rosemary Street, and they recommended that staff include that issue in its report to NC DOT.

The Council confirmed that staff had been doing a trial run on a stretch of Cameron Avenue, and Mr. Jones stressed the need for publicity regarding such changes. In response to a question from Council about how long it would take to do a mobility plan, Mr. Jones said that the Town needed to discuss things holistically with its five-year plan and develop a way to get there. The Council confirmed with him that temporary striping could be done in some areas to provide data on how it actually works, and several Council members expressed interest in doing that.

Mayor Hemminger confirmed that the consensus of Council was to have staff bring the West Franklin Street traffic study forward at a future Council meeting in order to get bids and make NC DOT's April 1, 2020 deadline.

ADJOURNMENT

The meeting was adjourned at 9:33 p.m.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 7., File #: [20-0061], Version: 1

Meeting Date: 1/22/2020

Receive Upcoming Public Hearing Items and Petition Status List.

Staff:

Sabrina Oliver, Director and Town Clerk
Amy Harvey, Deputy Town Clerk

Department:

Communications and Public Affairs



Recommendation(s):

That the Council accept the reports as presented.

Background:

Two pages on our website have been created to track:

- public hearings scheduled for upcoming Council meetings; and
- petitions received, including their status and who you can call for information.

The goal is to provide, in easily available spaces, information that allows people to know when Council will be seeking their comments on a particular topic of development and to know the status of a petition submitted at Council meetings.

In addition to being on the website, these pages will be included in each agenda for Council information,

Fiscal Impact/Resources: Staff time was allocated to create the semi-automated web pages, and additional staff time will be needed for maintenance.



Attachments:

- Scheduled Public Hearings <<http://www.townofchapelhill.org/town-hall/mayor-and-council/council-minutes-and-videos/scheduled-agenda-items>>
- Status of Petitions to Council <<http://www.townofchapelhill.org/town-hall/mayor-and-council/council-minutes-and-videos/petition-status>>

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

Scheduled Public Hearings

This webpage lists public hearings that are scheduled for a *specific Council meeting date*, although periodically, some may be continued to a future date. Public hearings may relate to the Land Use Management Ordinance (LUMO), Residential or Commercial Development, Budget, Transportation, or Housing issues. Meeting materials are posted at [Council Meeting Agendas, Minutes and Videos](#).

Interested in a development project not yet scheduled for Council review? See the [Development Activity Report](#) for the project's current status.

January 22

- Open the Public Hearing and Consider Applying Town of Chapel Hill Zoning to Property Formerly Zoned by Orange County (7516 Sunrise Road)

February 19

- Consider a Land Use Management Ordinance Text Amendment for [Blue Hill Massing and Permeability](#)
- Open the Public Hearing for Amendments to Land Use Management Ordinance Articles 3, 4, and 6 Pertaining to Conditional Zoning

STATUS OF PETITIONS TO COUNCIL

Petitions submitted during the Town Council meetings are added to the list below, typically within five business days of the meeting date.

To contact the department responsible, click on the department name. Meeting materials are posted at [Council Meetings, Agendas, Minutes and Videos](#).

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
01/08/2020	Northwood Ravin	Request for Limited SUP Review for Carraway Village SUP Modification.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
01/08/2020	Parks, Greenways, and Recreation Commission	Request for Park Maintenance Funding.	Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785	Staff is preparing information to respond to this request.
01/08/2020	Carl Schuler	Regarding Advisory Board Attendance Policy.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Staff is preparing information to respond to this request.
01/08/2020	Beth Waldron	Request Regarding Revising the Deer Management Program.	Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785 Police Chris Blue , Police Chief Phone: 919-968-2766	Staff is preparing information to respond to this request.
01/08/2020	Renuka Soll	Request for an Improved Petition Process.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
01/08/2020	Jeff Mallett	Request for Ordinance Review.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
11/20/2019	John Morris	Request Regarding Local & Regional Transit Planning.	Transit Brian Litchfield , Transit Director Phone: 919-969-4908	Staff is preparing information to respond to this request.
11/13/2019	Sylvia Steere	Regarding Fordham Side Path.	Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785 Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	The Council will consider options for the Fordham Side Path Project at an upcoming meeting.
10/30/2019	Julie McClintock	Regarding MPO Plans for 15-501	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	The Council will receive an update on this project in early 2020.
10/30/2019	Chapel Hill Public Library Advisory Board	Request Regarding Library Fines	Library Susan Brown , Library Director Phone: 919-969-2034 Business Management Amy Oland , Business Management Director Phone: 919-969-5017	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
10/02/2019	Parks, Greenways, and Recreation Commission	Request to Reconsider the Designation of a Cemetery Champion Seat on the Commission.	Communications & Public Affairs Sabrina Oliver , Communications & Public Affairs Director Phone: 919-968-2757	Staff is preparing information to respond to this request.
10/02/2019	Daniel Dunn	Request Regarding Government Transparency.	Technology Solutions Scott Clark , CIO Phone: 919-968-2735 Communications & Public Affairs Sabrina Oliver , Communications & Public Affairs Director Phone: 919-968-2757	Staff is preparing information to respond to this request.
10/02/2019	Parks, Greenways, and Recreation Commission	Request to Permit Current Commission Officers to Serve an Additional Year and a Recommendation to Change the Policy.	Communications & Public Affairs Sabrina Oliver , Communications & Public Affairs Director Phone: 919-968-2757	At their 11/13/19 meeting, the Council adopted a resolution amending the Advisory Board Membership Policy to adjust term limitations for advisory board officers.
10/02/2019	Susan Smith	Request Regarding Advisory Board Vote Policy.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	At their 11/20/19 meeting, the Council enacted an ordinance amending Land Use Management Ordinance sections that included a change related to Historic District Commission quorum and voting.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
09/25/2019	Chapel Hill Downtown Partnership	Request Regarding Franklin Street Restriping.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Staff shared information with the Council at the Council's 10/16/19 work session. Staff will request scopes and cost estimates from engineering firms to complete a traffic analysis and prepare design alternatives prior to NCDOT's April 1, 2020 deadline.
09/11/2019	East Franklin Neighborhood Steering Committee & Neighbors	Request Regarding Neighborhood Preservation.	Police Chris Blue , Police Chief Phone: 919-968-2766 Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
06/26/2019	Community Design Commission	Request to Authorize the CDC to Create and Facilitate a Chapel Hill Design Award Program.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	At their 10/04/19 meeting, the Council Committee on Economic Sustainability received a staff update on the response to this request.
06/26/2019	Community Design Commission	Request for Modifications to the Concept Plan Review Process.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	At their 10/04/19 meeting, the Council Committee on Economic Sustainability received a staff update on the response to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
06/26/2019	Julie McClintock	Request Regarding the Blue Hill Form Based Code.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
06/26/2019	Burwell Ware	Request to Place a Moratorium on the Construction of New Fast-Food Drive-Throughs Until Future Town Councils Decide to Repeal the Moratorium.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
05/08/2019	Rebecca Cerese	Regarding Resolution in Support of HR1384.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707 Mayor Pam Hemminger , Mayor Phone: 919-968-2714	Staff is preparing information to respond to this request.
04/24/2019	Cobb Terrace Residents	Petition Regarding Rooming Houses in the R-3 Zoning Districts.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff shared some preliminary information with the Council at the 06/07/19 Council Committee on Economic Sustainability meeting.
04/24/2019	Board of Adjustment	Request Regarding Neighborhood Conservation District Ordinances.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
04/17/2019	Amy Ryan for Planning Commission	Commission Regarding Site Plan Review Process.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
03/20/2019	Cheri Hardman	Request to Explore Local Control over Transit Planning and Funding.	Transit Brian Litchfield , Transit Director Phone: 919-969-4908	The public comment period for the FY20 Work Plan closed 05/30/19. The Town also submitted a funding request for North South BRT project from the Orange County Transit Plan; all of the governing bodies (Orange County, GoTriangle, and DCHC MPO) approved it.
03/06/2019	Environmental Stewardship Advisory Board	Request to Modify the Blue Hill Form Based Code to Include a Requirement for Installing Roof-Mounted Solar Energy Systems	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	As discussed at the 04/24/19 Council meeting, staff will develop options aimed at achieving the Council's energy efficiency goals for new development.
02/13/2019	David Adams and Julie McClintock	Regarding Evaluation of Town Transportation Needs.	Transit Brian Litchfield , Transit Director Phone: 919-969-4908 Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	The Town's request for an additional \$8 million from the Orange County Transit Plan for the North South Bus Rapid Transit Project was approved by the OC Board of Commissioners, the GoTriangle Board, and the DCHC MPO.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
02/13/2019	Citizens	Request Regarding Coal Use and Coal Ash.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	The Town plans to fund interim remedial measures based on recommendations from the human health and ecological risk assessment performed at the coal ash site. The Town continues to monitor NC Division of Air Quality's review of the power plant permit.
01/16/2019	John Morris	Regarding GoTriangle Meetings and Materials.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Transit Brian Litchfield , Transit Director Phone: 919-969-4908	Staff is preparing information to share with GoTriangle.
12/05/2018	Paul Pritchard	Request to Defer Reforestation at Cleland, Rogerson, and Oakwood Intersection.	Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785	This topic was added to the 01/15/19 agenda of the Parks, Greenways and Recreation Commission, with time allocated for the neighbors to speak. Another public meeting will be scheduled later in the year.
10/24/2018	Justice in Action Committee	Request Regarding a New Location for the Teen Center of Chapel Hill.	Housing & Community Loryn Clark , Executive Director Phone: 919-969-5076 Community Arts and Culture	A staff workgroup, in coordination with the Mayor's Office, has been gathering data and seeking input from teens, service providers, and other stakeholders. The Council received an update on this initiative at their 01/30/19 business meeting.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
10/24/2018	Jeff Charles	Regarding Extended Speaking Time for Individuals with Disabilities.	Mayor Pam Hemminger , Mayor Phone: 919-968-2714 Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Staff met with the petitioner and will update the "Comment at Council Meetings" web page to clarify the Town's willingness to extend speaking time and how to request this extension.
10/10/2018	Jeff Charles	Regarding Creating Citizen Advisory Board for Seniors.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	The petitioner is representing the Town on Orange County board and will provide updates to the Town as needed.
09/19/2018	Julie McClintock of CHALT	Regarding Land Use Intensification.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	The Town's Resiliency Map is part of the map series for the Future Land Use Map. On 06/12/19, the Council received a presentation on the Town's Stormwater program. Staff is preparing information to respond to the additional requests in this petition.
06/27/2018	Susanne Kjemtrup / Brian Hageman	Transportation and Connectivity Advisory Board Request for an Electric Vehicle Provision in the Land Use Management Ordinance.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Referred to the Future Land Use Map and Land Use Management Ordinance rewrite process, which began in Fall 2017 and is expected to be completed in 2020.
06/13/2018	Ondrea Austin	CHALT's Request to Revise the Tree Ordinance.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
06/13/2018	Mayor Pam Hemminger	Regarding Reviewing Policies, Procedures, and Practices for Development.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	A Town web page with TIA exemption requests is available. Staff continues to look for ways to apply the LUMO clearly and consistently for all stakeholders in the development process.
06/13/2018	Mayor pro tem Jessica Anderson	Request to Amend Bus Advertising Policy.	Transit Brian Litchfield , Transit Director Phone: 919-969-4908	At their 01/22/19 meeting, the Chapel Hill Transit Public Transit Committee considered the draft nonpublic forum transit advertising policy in order to provide feedback to the Chapel Hill Town Council on the option of amending the policy.
03/14/2018	Council Members Anderson, Gu, and Schaevitz	Request Regarding Addressing Blue Hill District Community Interests.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	The Council enacted ordinance amendments to improve outcomes for stormwater management and affordable housing, to encourage non-residential development, and to address building size. Staff will return to Council in Fall 2019 to discuss building massing.
09/06/2017	Tom Henkel from the Environmental Stewardship Advisory Board	Request for Modification to the Ephesus-Fordham Form-Based Code for the Purposes of Energy Efficiency.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Where feasible, modifications will be considered as part of the development process for the Blue Hill Design Guidelines.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
01/23/2017	Transportation and Connectivity Advisory Board	Request to Support Low/No Vision Guidelines to be Included in the Town's Engineering Manual as Stated in the April 11, 2016 Petition to Council	<p>Public Works Lance Norris, Public Works Director Phone: 919-969-5100</p> <p>Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078</p>	Request incorporated into process to update Public Works Engineering Design Manual.
11/07/2016	Mayor Hemminger	Regarding Parking and Transit Needs in Downtown Area.	<p>Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078</p> <p>Police Chris Blue, Police Chief Phone: 919-968-2766</p> <p>Public Works Lance Norris, Public Works Director Phone: 919-969-5100</p>	Recent actions include replacing parking pay stations, implementing Downtown Ambassadors program, and including additional parking with required Wallace Parking Deck repairs. Next steps include parking payments-in-lieu and public/private partnerships.
05/09/2016	Stormwater Management Utility Advisory Board	Request for Orange County Commissioners to Increase Staffing in Soil and Erosion Control Division and Improve Efficiency of Temporary Soil Erosion and Sediment Controls During Construction.	<p>Public Works Lance Norris, Public Works Director Phone: 919-969-5100</p>	Petition forwarded to Orange County. Consider changes to soil erosion and sediment control as part of Public Works Engineering Design Manual updates.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
04/11/2016	Transportation and Connectivity Advisory Board	Request to Incorporate Proposed No-Vision and Low-Vision Pedestrian Facilities Guidelines into Design Manual and Development Code as Required	Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Request incorporated into process to update Public Works Engineering Design Manual.
04/11/2016	Transportation and Connectivity Advisory Board	Request for Senior Citizen Pedestrian Mobility and Complete Street Implementation	Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Request incorporated into process to update Public Works Engineering Design Manual.

Last modified on 1/17/2020 3:15:07 AM



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 8., File #: [20-0062], Version: 1

Meeting Date: 1/22/2020

Receive a Report Regarding LED Conversion Options for Outdoor Lighting.

Staff:

John Richardson, Community Resilience Officer
Phil Fleischmann, Director
Lance Norris, Director
Kumar Neppalli, Traffic Engineering Manager

Department:

Manager's Office
Parks & Recreation
Public Works

Overview: The Council strives to lower the amount of energy we use throughout town. On September 25, 2019, the Council adopted a [resolution <https://chapelhill.legistar.com/View.ashx?M=F&ID=7914933&GUID=209FE6B7-B120-41C7-BA86-77EDBC0626ED>](https://chapelhill.legistar.com/View.ashx?M=F&ID=7914933&GUID=209FE6B7-B120-41C7-BA86-77EDBC0626ED) asking the Manager to change all standard street lights to LED (light emitting diode), which will result in 50% less energy usage for the 2,000 lights that are being replaced. As part of this action, the Council also asked the Manager to return with information comparing the costs and benefits of converting other outdoor lighting to LED, such as decorative street lights, park athletic field lights and outdoor facility lights. The attached technical memorandum compares each of these options, summarizes the results and lists some possible next steps for pursuing them.

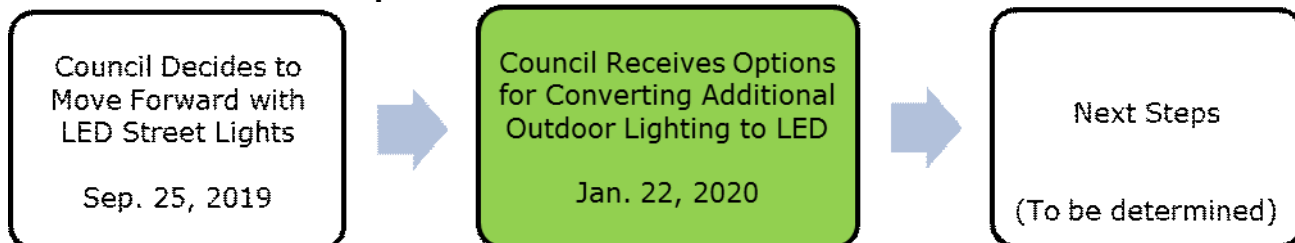


Recommendation(s):

That the Council receive the staff's technical report.

Fiscal Impact/Resources: There are no fiscal impacts associated with this item.

Where is this item in its process?



Attachments:

- Technical Memorandum

Technical Memorandum

January 16, 2020

Prepared by Town Staff from Parks & Recreation,
Public Works and the Manager's Office

Key Findings

- Changing all of the decorative street lights, park athletic field lights, and outdoor lights at Town facilities to LED would lower the carbon footprint from Town operations by about 3%, or a reduction of 404 metric tons.
- An investment in LED lighting will save energy and reduce carbon emissions for each of the three lighting types; but there are no long-term cost savings. Outdoor lights at facilities have the best environmental benefit for the lowest cost.
- The Council can consider these lighting options within the context of the 5-year budget strategy, which includes a broader range of carbon-reduction options. These options may also be part of what the Council considers with the Climate Action and Response Plan.

Table 1. Cost-Benefit Comparison: What would it mean to change different outdoor lights to LED?

Light Type	Number of Lights	Transition Cost (\$)	Ongoing Cost (\$/year)	Energy Savings (kilowatt hours/year)	Carbon Reduction (metric tons of carbon/year)
Decorative Street Lights	1,157	\$365,234	\$37,164	285,077	202
Park Athletic Field Lights	312	\$1,361,000	(\$23,628)	133,680	95
Outdoor Lights at Facilities	329	\$12,904	\$1,043	151,157	107
Totals	1,798	\$1,739,138	\$14,579	569,914	404

Definitions:

- Transition cost (\$) - one-time charge to replace the current hardware with LED lighting.
- Ongoing cost (\$/year) - additional amount the Town will pay in electricity each year. A positive value indicates that the Town will pay more for electrical service. A negative number indicates that the Town will save money on electricity and avoided maintenance costs.
- Energy savings (kilowatt hours/year) - amount of energy that would be saved in one year by switching to LED.
- Carbon reduction (metric tons of carbon) - measure of how many tons of carbon emissions would be avoided per year by changing to LED.

- The number shown in **bold** represents the best value for that category (e.g., lowest cost).

Based on Table 1, changing decorative street lights to LED would generate the most energy savings and carbon reduction. Table 2 (below) explores what kind of benefits the Town would receive for each investment. The table also shows the total costs for each lighting project over a 25-year period, which is approximately how long the park athletic field lighting is expected to last before it needs to be replaced.

Table 2. Environmental Impact Comparison: How much carbon is reduced for every \$1,000 the Town invests in different types of outdoor LED lighting? What is the total cost of each project to the Town?

Light Type	Number of Lights	Metric Tons of Carbon Reduced for Every \$1,000 Spent on New LED Hardware (one-time)	Metric Tons of Carbon Reduced for Every Light Replaced (annual)	Total Cost of Ownership / Lease* (25-year Period)
Decorative Street Lights	1,157	0.55	0.17	\$1,294,334
Park Athletic Field Lights	312	0.07	0.30	\$593,986
Outdoor Lights at Facilities	329	8.29	0.32	\$38,980

About the table:

- The higher the number of metric tons reduced, the more environmental benefit the Town receives for its investment.
- The last column shows that by converting each of the three lighting types to LED, the Town is projected to pay more than it saves in utility bills over the 25-year period.
- (*) The Town has an agreement with Duke Energy to lease the decorative street lights and outdoor lights shown in the table above. The Town owns and maintains the park athletic field lights and pays Duke Energy for the electricity.
- The number shown in **bold** represents the best value for that category (e.g., greatest environmental benefit).

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By accepting this report, the Council receives information regarding LED conversion options for outdoor lighting.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 9., File #: [20-0063], Version: 1

Meeting Date: 1/22/2020

Receive Update on the Short Term Rental Task Force.

Staff:

Judy Johnson, Interim Director
Corey Liles, Principal Planner
Anya Grahn, Senior Planner

Department:

Planning

Overview: On [September 11, 2019 <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4126810&GUID=F8BA0754-AAA2-474C-B0EB-4D344C4711C9&Options=&Search=>](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4126810&GUID=F8BA0754-AAA2-474C-B0EB-4D344C4711C9&Options=&Search=>), the Town Council created a Task Force, charged with developing a set of final recommendations for a dedicated Short Term Rentals (STRs) ordinance. The STR Task Force met on October 16, November 6, December 11, and January 15 and outlined some key issues for consideration as part of the proposed Ordinance to regulate STRs. The Task Force will finalize their discussion and create a final set of recommendations for Council consideration on February 5, 2020.



Recommendation(s):

That the Council receive this written update. This issue will be scheduled as a discussion item for a Council meeting in March.

Fiscal Impact/Resources: Staff resources and time to support the Task Force.



Attachments:

- Staff Memorandum

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By receiving this update, the Council accepts information from staff regarding the Short Term Rental Task Force.



STAFF MEMORANDUM

January 22, 2020

Prepared by: Chapel Hill Planning Department

PROJECT OVERVIEW AND BACKGROUND

A [Short Term Rental \(STR\)](#)¹ is defined as some or all of a residential unit rented for 30 days or less.

1. Timeline for completing the ordinance

Date	Action
June 19, 2019	Council directed staff to develop a STR ordinance
September 11, 2019	Council adopted a public engagement strategy that included creating a task force
October 2, 2019	Council appointed members to the task force
October 16, 2019	Task Force Meeting ²
November 6, 2019	Task Force Meeting ³
November 18, 2019	Check-in with Town Council
December 11, 2019	Task Force Meeting ⁴
January 15, 2020	Task Force Meeting ⁵
January 22, 2020	Informational Report to Town Council
February 5, 2020	Task Force Meeting
February 2020	Advisory board check-in on proposed provisions (Task Force and Planning Commission)
March 2020	Check-in with Town Council Call for Public Hearing on STR ordinance
April 2020	Public Information Meeting
April 2020	Planning Commission review and recommendation to Town Council
May 2020	Council public hearing on STR ordinance
May 2020	Council public hearing and possible action

2. Deliverables

On [September 11, 2019](#)⁶, the Town Council adopted [Resolution 8](#)⁷ creating a charge for the Task Force. Staff and the Task Force will provide the following:

- STR Task Force summarized recommendations on ordinance provisions for dedicated STRs
- Recommendations for an enforcement program
- Draft ordinance for regulating STRs

3. Update on STR Task Force

The STR Task Force has been meeting monthly since October to review different aspects of Short Term Rentals. Staff and Rebecca Badgett, UNC School of Government, have provided presentations to discuss the following:

- Legal authority for municipalities to regulate STRs
- Current LUMO regulations and definitions
- Health and safety requirements
- Statistics regarding the number and types of STRs in the community
- Complaints about STRs
- Comparing STR regulations from across the state and nation
- Results of community STR Survey
- Zoning and where STRs should and should not be permitted
- Developing regulations for Chapel Hill STRs

During the December 11, 2019, meeting, the STR Task Force began to consider regulations for Chapel Hill's STR ordinance. This discussion continued at the January 15, 2020, meeting. Thus far, the Task Force has found:

- **Permitting Caps.** The Task Force believed that there should be a limit on the number of STR permits

¹ <https://www.townofchapelhill.org/town-hall/departments-services/short-term-rentals>

² <https://www.townofchapelhill.org/town-hall/departments-services/short-term-rentals>

³ <https://www.townofchapelhill.org/town-hall/departments-services/short-term-rentals>

⁴ <https://www.townofchapelhill.org/town-hall/departments-services/short-term-rentals>

⁵ <https://www.townofchapelhill.org/town-hall/departments-services/short-term-rentals>

⁶ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4126810&GUID=F8BA0754-AAA2-474C-B0EB-4D344C4711C9>

⁷ <https://chapelhill.legistar.com/View.ashx?M=F&ID=7703597&GUID=589BAB1F-CADF-41BE-8F06-C7C5DF50D462>

issued; however, the members were divided as to whether the cap should be determined based on a percentage of the total number of housing units or distance between dedicated STRs.

- **Occupancy Caps.** Some Task Force members supported allowing two guests per bedroom plus four additional guests, while others sought an occupancy cap based on the square footage of the dwelling unit.
- **Designated Responsible Party.** The Task Force supported having someone available to respond to complaints and/or concerns by guests or neighbors.
- **Proof of Insurance.** The Task Force believed that dedicated STR operators should sign an affidavit as part of their permit application confirming that they have STR-specific insurance coverage at all times the property is rented.
- **Health & Safety Inspections.** The group was mostly supportive of self-inspections to preserve existing Town resources; however, some believed that the Town should make periodic inspections of STRs. The Task Force wanted to learn more about what an inspection would entail.
- **Signage.** The Task Force agreed that the address should be visible on the exterior of the property at all times and that advertising signs be prohibited
- **Zoning.** Staff has been working with the Task Force to better define where whole-house STRs should be permitted. There is still disagreement and confusion about zoning and zoning districts.

4. Next Steps with the Task Force

The Task Force will wrap up the discussion on dedicated STR regulations at the February 5th Task Force meeting. Staff and Rebecca Badgett are drafting an ordinance outlining the provisions that the Task Force agreed upon.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 10., File #: [20-0064], Version: 1

Meeting Date: 1/22/2020

Approve On-Street Parking Regulations in the Burch Kove Neighborhood.

Staff:

Matthew J. Sullivan, Chief
Christopher C. Blue, Chief
M. Tommy Gregory, Fire Marshal
Kumar Neppalli, Traffic Engineer

Department:

Fire
Police
Fire
Public Works

Overview: Staff provided a report to the Town Council at their [November 13, 2019](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4217933&GUID=C44F5A03-5938-4092-BCAB-0AC1A5D5C627&Options=&Search=&FullText=1) [<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4217933&GUID=C44F5A03-5938-4092-BCAB-0AC1A5D5C627&Options=&Search=&FullText=1>](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4217933&GUID=C44F5A03-5938-4092-BCAB-0AC1A5D5C627&Options=&Search=&FullText=1) Council meeting regarding on-street parking concerns in the Burch Kove neighborhood. The Burch Kove neighborhood is located at the corner of Seawell School Road and Homestead Road. The attached ordinance provides for limited on-street parking, incorporating Council feedback provided at the meeting. The revised ordinance allows approximately twenty on-street parking spaces on several streets in the neighborhood. Eight parking spaces will be restricted for use by the owners of affordable units in the neighborhood that were built with only one dedicated parking space.



Recommendation(s):

That the Council enact the proposed ordinance for “no parking anytime” on several streets in the Burch Kove neighborhood.

Key Issues

The proposed ordinance:

- Provides limited on-street parking in the Burch Kove neighborhood.
- Provides one additional dedicated parking space for each of the eight affordable units within the neighborhood. The spaces will be permitted using the same system currently being used at other like properties in Town.
- Creates/Improves safe passage for other vehicles including emergency apparatus, school buses and delivery trucks.
- Is intended to be an interim step to give Town staff, community members and the homeowners’ association time to planning a sustainable long-term solution.
- Does not provide for resident-only parking; however, if non-resident parking becomes a problem, the ordinance can be amended later by Council.

The Town staff will monitor the parking and traffic in the neighborhood and will provide recommendations for near-term changes if conditions warrant. In the meantime, staff will continue to work with the homeowner’s association to develop a long-term solution to propose to the Council in the future.

Fiscal Impact/Resources: Town sign staff will install signs, and the cost will be covered from the existing operating funds of the Traffic Engineering Division.



Attachments:

Item #: 10., **File #:** [20-0064], **Version:** 1

Meeting Date: 1/22/2020

- Ordinance
- Area Map

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Matthew J. Sullivan, Fire Chief

RECOMMENDATION: That the Council enact an ordinance that establishes “no parking anytime” on several streets, and establishes an area in which special parking permits are required in the Burch Kove neighborhood in response to residents’ request.

AN ORDINANCE AMENDING CHAPTER 21 OF THE TOWN CODE OF ORDINANCES REGARDING PARKING REGULATIONS (2020-01-22/O-4)

BE IT ORDAINED by the Council of the Town of Chapel Hill as follows:

Section 1. Section 21-27 of the Town Code of Ordinances, “No parking as to particular streets” is hereby amended by adding the following:

Street	Side	From	To
<u>Bella Drive</u>	<u>Both</u>	<u>Full Length</u>	
<u>Linda Drive</u>	<u>East</u>	<u>Full Length</u>	
<u>Lena Circle</u>	<u>North</u>	<u>Full Length</u>	
<u>Lena Circle</u>	<u>South</u>	<u>Kove Road to a point 180 feet west of Bella Drive</u>	

Section 2. Section 21-27.2.2 of the Town Code of Ordinances,- “Special parking permits” is hereby amended by adding the following:

Street	Side	From	To
<u>Kove Road</u>	<u>South</u>	<u>Seawell School Rd</u>	<u>Lena Circle</u>
<u>Lena Circle</u>	<u>South</u>	<u>Linda Drive</u>	<u>A point 50 feet eastward</u>
<u>Lena Circle</u>	<u>South</u>	<u>A point 155 feet westward of Linda Drive</u>	<u>A point 235 feet westward of Linda Drive</u>

Section 3. This Ordinance shall become effective on February 20, 2020.

This the 22nd day of January, 2020.



Homestead Rd

91

Homestead Rd

1777

Linda Dr

Homestead Rd

1777

Two Spots For Affordable Unit

Four Spots For Affordable Unit

Lena Cir

Lena Cir

Lena Cir

Lena Cir

Lena Cir

Lena Cir

Bella Dr

RED = no parking
YELLOW = on street parking
Green = Affordable Housing

Two Spots For Affordable Unit

Kove Rd

Lena Cir

Lena Cir

Lena Cir

Lena Cir

Lena Cir

Lena Cir

Google

Seawell School Rd

Seawell School Rd



Map



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 11., File #: [20-0065], Version: 1

Meeting Date: 1/22/2020

Consider Adopting a Resolution for a Path Forward Process to Further Assess the Greene Tract and a Resolution Authorizing the Town Manager to Execute an Interlocal Agreement for Greene Tract Environmental Assessment Cost Share with Carrboro and Orange County.

See Staff Report on next page.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Judy Johnson, Interim Planning Director

RECOMMENDATION: That the Council consider adopting the attached resolutions which would establish a process for the Towns of Chapel Hill and Carrboro and Orange County to move forward in their pursuit of development on the Greene Tract; and authorize the Town Manager to execute an Interlocal Agreement for Environmental Assessment Cost Share with Carrboro and Orange County.



CONSIDER ADOPTING A RESOLUTION FOR A PATH FORWARD PROCESS TO FURTHER ASSESS THE GREENE TRACT AND A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT FOR GREENE TRACT ENVIRONMENTAL ASSESSMENT COST SHARE WITH CARRBORO AND ORANGE COUNTY

STAFF REPORT

TOWN OF CHAPEL HILL
Maurice Jones, Town Manager
Judy Johnson, Interim Planning Director

<p>PROPERTY ADDRESS Greene Tract property (located east of Purefoy Road)</p>	<p>BUSINESS MEETING DATE January 22, 2020</p>
<p>STAFF'S RECOMMENDATION That the Council consider adopting the attached resolutions which would:</p> <ul style="list-style-type: none"> • Resolution A: Establish a process for the Towns of Chapel Hill and Carrboro and Orange County to move forward in their pursuit of development on the Greene Tract; and • Resolution B: Authorize the Town Manager to execute an Interlocal Agreement for Environmental Assessment Cost Share with Carrboro and Orange County. 	
<p>DECISION POINTS</p> <p>Resolution A: Consider adopting the attached Resolution A, which would establish a process for the three jurisdictions to move forward in their pursuit of development on the Greene Tract and details guidance and next steps while the jurisdictions draft a memorandum of understanding for the future decision-making process. All three jurisdictions have scheduled the attached resolution to be presented for adoption at January 2020 meetings (Carrboro Town Council on January 21, 2020 and the Orange County Commissioners on January 21, 2020).</p> <p>The resolution would:</p> <ol style="list-style-type: none"> 1. Authorize an environmental analysis of the 164-acre Greene Tract to determine the most environmentally sensitive area to be designated as the Headwaters Preserve. 2. Authorize drafting of a Memorandum of Understanding between the three jurisdictions detailing a decision-making process for next steps regarding the Greene Tract. 3. Delay formal public engagement efforts until the jurisdictions agree on a Memorandum of Understanding. <p>Resolution B: Consider adopting the attached Resolution B, which would authorize the Town Manager to execute an Interlocal Agreement for Greene Tract Environmental Assessment Cost Share with Carrboro and Orange County. The purpose of this environmental assessment is to obtain site-specific information on environmental conditions present on the Greene Tract in order to identify areas of the property to be preserved and/or protected. The assessment will also inform future infrastructure considerations.</p> <p>Key points of the Resolution:</p> <ol style="list-style-type: none"> 1. Agrees to a cost sharing allocation of Orange County and the Town of Chapel Hill each contributing 43 percent of the cost and Carrboro contributing 14 percent (estimated cost of the environmental assessment is \$40,000). Project estimate for Chapel Hill is \$17,200 or 43 percent of the project cost. 2. Authorizes the Town Manager to sign the Interlocal agreement. <p>The attached Interlocal agreement has been reviewed by the respective attorneys of the three jurisdictions.</p>	
<p>NEXT STEPS</p> <p>The Greene Tract will be a discussion item at the Assembly of Governments (AOG) meeting on January 28, 2020. Discussion at the AOG meeting will be focused on next steps for the three jurisdictions to pursue.</p>	

BACKGROUND

The Greene Tract is a 164-acre parcel of which 104 acres is jointly owned by Orange County and the Towns of Carrboro and Chapel Hill. Orange County owns 60 acres of the property that have been designated as the Headwaters Preserve.

Over the past two years, the Mayors from the Towns of Carrboro and Chapel Hill along with the Orange County Commissioners Chair have met to consider preservation and development options for the Greene Tract.

July 15, 2019¹:

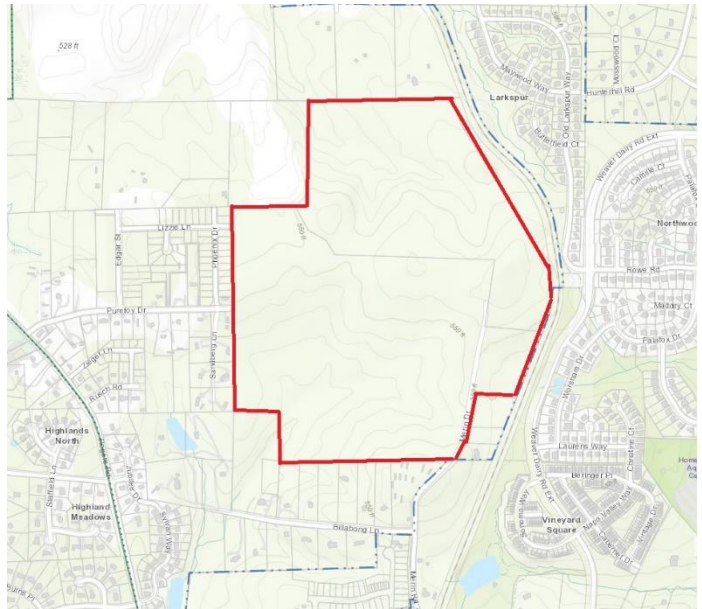
- Council adopted a resolution which
 - agreed to the proposed land uses of affordable housing/mixed income housing, recreation area, and a school site.
 - did not designate specific sites for the uses.
 - indicated a public engagement process along with initiating an environmental and connectivity analysis.

February 20, 2019²:

- Council considered reconfiguring the Headwaters Preserve, preserving a school site, and housing options.

The Town of Carrboro's Board of Aldermen approved a resolution at its February 12, 2019³ meeting. The Orange County Board of Commissioners approved a resolution at their February 19, 2019⁴ meeting.

The Greene Tract is within the Chapel Hill's planning jurisdiction. Any development proposal process would require agreement from Chapel Hill, Carrboro and Orange County and would be also be subject to the Town's land use management regulations.



ATTACHMENT

1. Draft Staff Presentation (to be distributed)
2. Resolution A (Path Forward Process for the Greene Tract)
3. Resolution B (Authorizing Town Manager to Execute Interlocal Agreement for Environmental Assessment Cost Share with Carrboro and Orange County)
4. Environmental Assessment Agreement (draft)
5. Background History of the Greene Tract handout

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4061110&GUID=2E3D7ADB-DD5B-4016-924B-4EAE27719145>

² <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=3863871&GUID=361F82B7-DD9A-4533-9DD9-A77350B4D0ED>

³ <https://carrboro.legistar.com/LegislationDetail.aspx?ID=3857751&GUID=3278F55F-793F-4689-9052-A743A46DD9F7>

⁴ <http://server3.co.orange.nc.us:8088/WebLink8/DocView.aspx?id=57594&dbid=0>

RESOLUTION A**A RESOLUTION FOR A PATH FORWARD PROCESS FOR FURTHER ASSESSING THE POSSIBLE FUTURE USES OF THE 104-ACRE PORTION OF THE GREENE TRACT IN JOINT OWNERSHIP (2020-01-22/R-6)**

WHEREAS, in 1984, Orange County and the Towns of Carrboro and Chapel Hill jointly purchased the property known as the Greene Tract (164 acres more or less); and

WHEREAS, in 2000, title to 60 acres of this property was deeded exclusively to the Orange County Solid Waste Enterprise Fund for non-landfill solid waste purposes under provisions of the 1999 Interlocal Agreement for Solid Waste Management; and

WHEREAS, at that time, the remaining 104 acres was retained in joint ownership by the three governments (with the intent that the future uses of the property would be determined at a future time); and

WHEREAS, the 60-acre parcel (now known as the Headwaters Preserve) was purchased by Orange County via reimbursement to the Solid Waste Enterprise Fund in 2016; and

WHEREAS, in 2002 Orange County and the Towns of Carrboro and Chapel Hill adopted the 2002 Resolution which called for approximately 86 acres for open space and 18 acres for affordable housing on the jointly-owned land; and

WHEREAS, the Greene Tract is part of the Historic Rogers Road Neighborhood where the Towns of Chapel Hill and Carrboro have researched market development potential and zoning to implement a planning program in the overall area; and

WHEREAS, over the last 16 years, various joint planning studies and collaborations with the community and school district have suggested land use and acreage needs; and

WHEREAS, Mayors for Carrboro and Chapel Hill and the Orange County Commissioners Chair have agreed to jointly pursue an update to the 2002 Resolution and have been meeting with respective management and supporting staff, as suggested by the elected officials at an Assembly of Governments meeting in 2017, to determine next steps for preservation and development of the Greene Tract; and

WHEREAS, on February 12, 2019 the Carrboro Board of Aldermen and on February 19, 2019 the Orange County Commissioners voted to approve a resolution to support adjusting the property lines of the 104-acre jointly-owned tract and the 60-acre Headwaters Preserve, creating a jointly-owned preserve, indicating land uses, and conceptually agreeing to consider development of the Greene Tract; and

WHEREAS, on February 20, 2019 the Chapel Hill Town Council voted to approve the exploration of ways to protect the County-owned Headwaters Preserve and a proposed jointly-owned preserve area; and

WHEREAS, the Chapel Hill Carrboro City Schools in a letter dated May 22, 2019, have indicated the district's continued interest in designation of a school site to be located on the Greene Tract; and

WHEREAS, on July 15, 2019 the Chapel Hill Town Council adopted a resolution to support adjusting the property lines on the tract and the Headwaters Preserve, creating a jointly-owned preserve, and conceptually agreeing to consider development of the Greene Tract; and

WHEREAS, at that time the Chapel Hill Town Council did not agree to designating the land uses

indicated on the maps attached to the Carrboro and County's resolutions; and

WHEREAS, the three jurisdictions agreed conceptually to the following land use designations:

- Approximately 22 acres for joint preserve;
- A minimum of 16 acres for public school site and public recreational facility site;
- Approximately 66 acres for housing/mixed use; and

WHEREAS, the Chapel Hill Town Council also adopted a resolution on July 15, 2019 committing to holding a series of community meetings, soliciting input from the public and respective advisory boards regarding land uses and densities, initiate environmental and connectivity assessment; and initiate steps to protect the jointly-owned preserve and the Headwaters Preserve in perpetuity; and

WHEREAS, an environmental assessment would be based on the highest protective environmental regulations of the three jurisdictions (Carrboro, Chapel Hill, and Orange County) and as also defined by the Army Corps of Engineers for wetlands determination; and

WHEREAS, in the interest of working together, Carrboro, Chapel Hill, and Orange County elected boards have considered this resolution to determine a joint path forward; and

WHEREAS, each board will consider this resolution in January 2020 outlining next steps and provide direction to their respective staff; and

WHEREAS, this resolution attempts to consolidate the differences and supersede the resolutions adopted in February 2019 by the Carrboro Board of Aldermen and the Orange County Commissioners and the resolution adopted in July 2019 by the Chapel Hill Town Council; and

WHEREAS, analysis of the Greene Tract's past, present, and future identified the following land use needs and goals:

- Promote mixed-income housing opportunities; development of housing that serves a range of incomes
- Preserve valuable environmental features including tree canopy, open space, stream buffers, and wildlife corridors;
- Protect historical and cultural resources;
- Promote cost effective infrastructure;
- Incorporate school and recreation sites;
- Earmark development areas for mixed income housing and mixed use potential; and

WHEREAS, the staff work group considered direction from the respective governing boards, specialized staff, housing partners, and community in developing a conceptual process for the Greene Tract.

NOW, THEREFORE, BE IT RESOLVED THAT the Council of the Town of Chapel Hill:

1. Jointly pursue an environmental assessment of the entire 164 acres to consider designating the most environmentally sensitive area as the Headwaters Preserve with a cost share Interlocal Agreement for that analysis of 43/43/14 percent (Orange County/Chapel Hill/Carrboro respectively).
 - a. Environmental assessment of the site should include site topography, habitat for species of special concern, wetlands, stream corridors, and cultural and historic resources.
 - b. Best practical alternative shall be evaluated to balance environmental and infrastructure needs (i.e. roadway, water, sewer, stormwater, etc.).
2. Jointly pursues a Memorandum of Understanding for future decision-making process. This document will be used to ensure the parties participate in good faith in the planning process for potential development of the Greene Tract. The document will describe community outreach efforts.

3. Jointly agrees to not initiate formal public engagement until completion of the Memorandum of Understanding document.
4. Jointly agrees any potential developers of the Greene Tract may rely upon and utilize the environmental assessment contemplated herein and shall not be required to conduct or obtain a separate environmental assessment.
5. Agrees to discussion of the Greene Tract at the 2020 Assembly of Governments meeting on January 28, 2020.

This the 22nd day of January, 2020.

RESOLUTION B**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT FOR AN ENVIRONMENTAL ASSESSMENT COST SHARE WITH TOWN OF CARRBORO AND ORANGE COUNTY (2020-01-22/R-7)**

WHEREAS, the Town, along with the Town of Carrboro and Orange County have been working to establish preservation and development potential of the Greene Tract; and

WHEREAS, the three jurisdictions have examined the importance of the environmental assessment of the 164-acre Greene Tract property; and

WHEREAS, the environmental assessment will provide site-specific information on the environmental conditions on the Greene Tract in order to identify areas on the property to be preserved and/or protected; and

WHEREAS, an interlocal agreement details the agreement to jointly fund the costs of an environmental assessment with the County paying forty-three percent (43%), Town of Chapel Hill paying forty-three percent (43%), and Town of Carrboro paying fourteen percent (14%) of the total cost; and

WHEREAS, the County and Towns desire to formally establish the terms of the Towns' reimbursements to the County.

NOW THEREFORE BE IT RESOLVED that Council of the Town of Chapel Hill authorizes the Town Manager to execute the interlocal agreement with the Town of Carrboro and Orange County regarding the reimbursement of costs for environmental assessment of the Greene Tract, substantially in the form as presented to the Town Council with this resolution.

This the 22nd day of January, 2020.

SECOND DRAFT**AGREEMENT AMONG ORANGE COUNTY AND THE TOWNS
OF CHAPEL HILL AND CARRBORO, NORTH CAROLINA TO OBTAIN
AN ENVIRONMENTAL ASSESSMENT FOR THE GREENE TRACT**

This Agreement is made among Orange County and the Towns of Chapel Hill and Carrboro, North Carolina to obtain an environmental assessment for the Greene Tract as follows:

WITNESSETH

WHEREAS, Orange County and the Towns of Chapel Hill and Carrboro (“the parties”) each have an ownership interest in certain contiguous parcels of land located in the County and lying south of Eubanks Road, collectively known as the “Greene Tract,” consisting of a total of approximately 164 acres (“the entire tract”), of which approximately 60 acres are solely owned by Orange County and approximately 104 acres are owned in different percentage shares by the County and the Towns;

WHEREAS, on December 18, 2019, representatives of the parties met to discuss next steps in the parties’ consideration about the future use of the Greene Tract and recommended obtaining an environmental assessment of the entire tract in furtherance of that consideration;

WHEREAS, the parties conclude that obtaining an environmental assessment of the entire Greene tract would be beneficial to them as a first step in obtaining site-specific information on environmental conditions present on the tract; and

WHEREAS, the parties have adopted a resolution to authorize an environmental assessment for the entire Greene tract.

NOW, THEREFORE, in consideration of the foregoing and based on the promises and obligations herein, the County and the Towns agree as follows:

1. Orange County staff shall: (i) develop, through collaboration among the parties’ staffs, an RFP for an environmental assessment of the entire tract and the scope of work for the assessment; (ii) disseminate the RFP to prospective providers of the assessment and select a suitable provider for the assessment based on the

By: _____
Clerk

Date: _____

Manager, Town of Carrboro

Finance Director, Town of Carrboro

ATTEST

By: _____
Clerk

Date: _____

History of the Greene Tract

1972	Landfill sited on Eubanks Road.
1984	Greene Tract was purchased by Towns of Carrboro and Chapel Hill and Orange County for a future landfill.
1987	Joint Planning Agreement between Chapel Hill, Carrboro, and Orange County for the Greene and Neville Tracts.
1999	Towns of Carrboro and Chapel Hill and Orange County agreed to convey 60 acres of the Greene Tract to Orange County Solid Waste Enterprise Fund and determine the disposition of the remaining 104 acres at a future date.
2000	Rogers Road water lines installed.
October 2001	Greene Tract Work Group formed to determine the disposition of the 104 acres of the Greene Tract.
December 2002	Adoption of the existing Greene Tract Resolution, which designated 18.1 acres for affordable housing and 85.9 acres for open space.
April 2007— May 2008	Orange County Board of Commissioners received the Historic Rogers Road Community Enhancement Plan Development and Monitoring Task Forces' recommendations and map.
2007	Chapel Hill completion of the Rogers Road Small Area Plan Task Force Final Report indicating 70 acres for open space with remainder for affordable housing and school site.
February 2012— September 2013	Historic Rogers Road Neighborhood Task Force Report.
2013	Landfill officially closes.
2014	RENA Community Center construction begins.
May 2016	Rogers Road: <i>Mapping our Community's Future</i> Report completed.
June 2016	Orange County purchased 60 acres for preservation from the Solid Waste Enterprise Fund ("Headwaters Preserve").
November 2016	Assembly of Governments Meeting — Towns of Carrboro and Chapel Hill and Orange County requested the formation of a task force including the Managers, Mayors, and Chair (MMCs) to proceed with a strategic plan for the Greene Tract.
June 2017	Rogers Road sewer project begins.
May 2017	Managers, Mayors, and Chair (MMCs) requested the staff work group examine the preservation and development potential of the existing Greene Tract and provide three alternatives illustrating high, medium, and low development alternatives.
August 2017	Managers, Mayors, and Chair (MMCs) recommended staff examine the reconfiguration of the joint owned and County owned tracts. The purpose of this request was to determine the feasibility in adopting a revised resolution supporting the reconfiguration of these tracts.
October 2017	Environmental scan of the Greene Tract was completed by Towns of Carrboro and Chapel Hill and Orange County planning, stormwater, engineering, and environmental staff.

History of the Greene Tract

December 2017	Town of Chapel Hill led a Greene Tract tour for local government staff, affordable housing partners, stakeholders, and the Rogers Road community.
	Managers, Mayors, and Chair (MMCs) reviewed the proposed reconfigured joint-owned and County-owned tracts.
January 2018	Assembly of Governments Meeting —The proposed modified headwaters preserve area and conceptual plans were presented to elected officials.
February 2018	Orange County Board of Commissioners considered this item and supported modification to the Headwaters Preserve area and the high development alternative.
March 2018	Orange County Planning and Inspections Department conducted two Greene Tract tours in order to review and discuss the proposed modified Headwater Preserve area and conceptual plans. The tour included elected officials, staff, and the public.
April 2018	Greene Tract conceptual plans were presented to the Affordable Housing Coalition on April 13.
May 2018	Staff met with the Orange County Solid Waste Management to discuss the possibility of utilizing the Neville Tract to allow for a future roadway connection.
June 2018	Chapel Hill Town Council considered this item on June 6, 2018 and supported the reconfiguration of the Headwaters Preserve Area.
	Carrboro Board of Aldermen considered this item on June 12 and supported the reconfiguration of the Headwaters Preserve Area.
September 2018	Managers, Mayors, and Chair (MMCs) reviewed the proposed Greene Tract Resolution and Conceptual Plan
January 2019	Assembly of Governments Meeting —The Greene Tract Resolution and Conceptual Plan were presented. Elected officials stated support for the Resolution and Conceptual Plan.
February 2019	2019 Greene Tract Resolution and Conceptual Plan were adopted by the Carrboro Board of Alderman on February 12 and by the Orange County Board of Commissioners on February 20.
	2019 Greene Tract Resolution and Conceptual Plan was considered by the Town of Chapel Hill Town Council on February 20.
May 2019	Chapel Hill Town Council adopts Historic Rogers Road Area zoning.
June 2019	Carrboro Board of Aldermen adopts Historic Rogers Road Area zoning.
June 2019	Rogers Road sewer project completed.
July 15, 2019	Alternate 2019 Greene Tract Resolution and Conceptual Plan was considered by the Town of Chapel Hill Town Council.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 12., **File #:** [20-0066], **Version:** 2

Meeting Date: 1/22/2020

Authorize the Town Manager to Execute an Amended Interlocal Agreement for Installation of Private Sewer Laterals for Low and Moderate Income Homeowners in the Rogers Road Community.

See Staff Report on next page.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Judy Johnson, Interim Planning Director

RECOMMENDATION: That the Council adopt Resolution A, authorizing the Town Manager to sign the attached amended interlocal agreement between Orange County, Carrboro, and Chapel Hill.



AUTHORIZE THE TOWN MANAGER TO EXECUTE AN AMENDED INTERLOCAL AGREEMENT FOR INSTALLATION OF PRIVATE SEWER LATERALS FOR LOW AND MODERATE INCOME HOMEOWNERS IN THE ROGERS ROAD COMMUNITY

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING
Judy Johnson, Interim Director

MEETING DATE

January 22, 2020

STAFF'S RECOMMENDATION

That the Council adopt Resolution A, authorizing the Town Manager to sign the attached amended Interlocal Agreement between Orange County, Carrboro, and Chapel Hill amending Orange County's bid process for identifying contractors to perform sewer lateral connections. The amended agreement also adjusts the number of Heritage lots (from 81 to 84 and lots with dwelling units (from 62 to 65) and reduces the Town's contribution from \$104,900 to \$94,600.

BACKGROUND

In 2014, the Towns of Chapel Hill and Carrboro, and Orange County began work to install a sewer system in the Rogers Road community. The partners agreed to use the cost-sharing allocation ([adopted at the Chapel Hill Town Council meeting on December 5, 2016¹](#)) for the project with Orange County and the Town of Chapel Hill each contributing 43% of the cost and Carrboro contributing 14% of the cost.

In 2019, the partners entered into an Interlocal Agreement to provide lateral connections to qualifying lower income households. The map included in the attached amended Interlocal Agreement identifies the Heritage Lots eligible for financial assistance. Lots shown in yellow have existing dwelling units and are eligible for connections if income qualified.

The agreement establishes a three-year funding period for connections. The three jurisdictions will reimburse 100% of the connections costs for eligible households during the first two years following sewer certification. During the third year, connections will be covered at 50% of the connection costs.

DISCUSSION

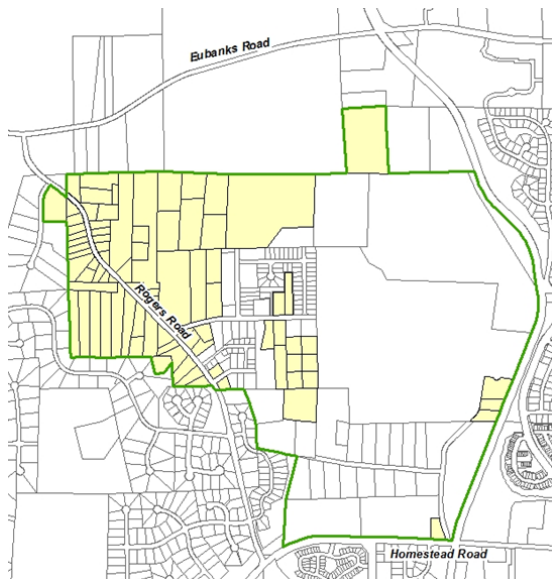
- Orange County released a Request for Qualifications for contractors to perform the connections, and they received no bids. In response, Orange County staff proposes revisions to the bid process requesting proposals from licensed local plumbers with no minimum number of responses. This process may be quicker, with the proposed amendment allowing the County to issue a Request for Proposals, instead of a Request for Qualifications.
- This attached amended Interlocal agreement, for the lateral sewer connections, reduces the total project cost from \$243,000 to \$220,000. This change would reduce the Town's contribution to \$94,600, or 43% of the actual cost, (whichever is less) plus any financing costs, to provide connection assistance to low to moderate income households within Chapel Hill's planning jurisdiction.
- The attached resolution authorizes the Town Manager to sign the attached amended Interlocal agreement.

NEXT STEPS

- Should more than residents than projected wish to connect to the system, staff would present an amendment to this Agreement to the Council for consideration.

ATTACHMENTS

1. Draft Staff Presentation (to be distributed)
2. Resolution
3. Draft Amended Local Agreement



¹ http://chapelhill.granicus.com/MetaViewer.php?view_id=&clip_id=2955&meta_id=146849

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDED INTERLOCAL AGREEMENT WITH THE TOWN OF CARRBORO AND ORANGE COUNTY REGARDING REIMBURSEMENT OF COSTS FOR INSTALLING PRIVATE SEWER SERVICE LATERAL CONNECTIONS FOR LOW TO MODERATE INCOME HOMEOWNERS OF EXISTING DWELLING UNITS ON HERITAGE LOTS WITHIN THE ROGERS ROAD SEWER PROJECT AREA (2020-01-22/R-8)

WHEREAS, the Towns of Chapel Hill and Carrboro and Orange County have worked to establish sewer service in the Historic Rogers Road Neighborhood; and

WHEREAS, this amended interlocal agreement details the agreement to jointly fund the costs of installing private sewer service lateral connections for low to moderate income homeowners of existing dwelling units on Heritage Lots within the Rogers Road Sewer Project Area with Orange County paying forty-three percent (43%), Town of Chapel Hill paying forty-three percent (43%), and Town of Carrboro paying fourteen percent (14%) of the total cost; and

WHEREAS, this amended interlocal agreement adjusts the number of Heritage Lots from 81 to 84 lots and number of lots with dwelling units from 62 to 65 due to lot configuration and engineering feasibility corrections that were completed subsequent to the release of the Historic Rogers Road Task Force Report; and

WHEREAS, this amended interlocal agreement adjusts the number of projected income qualifying lots within Chapel Hill's jurisdiction from 16 to 15 based on recent income information and resident's interests; and

WHEREAS, the County and Towns desire to formally establish the terms of the Towns' reimbursements to the County.

NOW, THEREFORE, BE IT RESOLVED by the Town of Chapel Hill that the Council authorizes the Town Manager to execute an amended interlocal agreement with the Town of Carrboro and Orange County regarding the reimbursement of costs for installing private sewer service lateral connections for low to moderate income homeowners of existing dwelling units on Heritage Lots within the Historic Rogers Road Neighborhood, substantially in the form as presented to the Town Council with this resolution.

This the 22nd day of January, 2020.

**NORTH CAROLINA
ORANGE COUNTY**

**REVISED INTERLOCAL AGREEMENT BETWEEN AND AMONG ORANGE COUNTY
AND THE TOWNS OF CARRBORO AND CHAPEL HILL REGARDING THE
REIMBURSEMENT OF COSTS FOR INSTALLATION OF PRIVATE SEWER
SERVICE LATERAL CONNECTIONS FOR LOW-TO-MODERATE INCOME
HOMEOWNERS OF HERITAGE LOTS WITH EXISTING DWELLINGS IN THE
ROGERS ROAD SEWER PROJECT AREA**

THIS REVISED AGREEMENT, made and entered into this ____ day of _____, 2020 between and among the Towns of Carrboro and Chapel Hill, both North Carolina municipal corporations (hereinafter jointly referred to as the “Towns”), and Orange County, a political subdivision of the State of North Carolina (hereinafter referred to as the “County”), for reimbursement to the County by the Towns for the County’s expenditures for the installation of private sewer service lateral connections for low-to-moderate income homeowners of Heritage Lots with existing dwellings in the Rogers Road Sewer Project Area (hereinafter referred to as “LMI Heritage Lot Households”). County and Towns may be referred to collectively as the “Parties”. This Agreement supersedes and replaces the Interlocal Agreement between the Parties entered into as of July 1, 2019.

WITNESSETH

WHEREAS, the Parties entered into an Interlocal Agreement on July 1, 2019, hereinafter referred to as the “Original Agreement”; and

WHEREAS, the Parties have determined that it is necessary to enter into a new and revised agreement to replace and supersede the Original Agreement; and

WHEREAS, the County and Towns are public bodies, politic and/or corporate, under the laws of the State of North Carolina and are vested with the power and authority by Article 20 of North Carolina General Statute Chapter 160A to enter into this Interlocal Agreement (hereinafter referred to as the “Agreement”); and

WHEREAS, the Historic Rogers Road Neighborhood Task Force Report (dated September 13, 2013) identified 86 parcels in the Rogers Road Sewer Project Area as Heritage Lots, as defined and shown in exhibits therein; and

WHEREAS, representatives of the County and Towns have previously agreed in principle that the total number of Heritage Lots in the Rogers Road Sewer Project Area has been reduced from 86 Heritage Lots to 84 Heritage Lots, due to lot configuration and engineering feasibility corrections that were completed subsequent to the release of the Historic Rogers Road Neighborhood Task Force Report; and

WHEREAS, representatives of the County and Towns have previously agreed in principle that 65 of the 84 Heritage Lots in the Rogers Road Sewer Project Area had existing dwellings located on the respective Heritage Lot parcels concurrent with the release date of the Historic Rogers Road Neighborhood Task Force Report (based on the evaluation of March 2013 aerial imagery), and have identified the 65 Heritage Lots with existing dwellings; and

WHEREAS, the 65 Heritage Lots in the Rogers Road Sewer Project Area with existing dwelling units may have household income levels at or below 80% of the area median income as defined by U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, representatives of the County and Towns have previously agreed in principle to jointly fund the installation of private sewer service lateral connections for the 65 Heritage Lots with existing dwellings and with household income levels at or below 80% of the area median income (LMI Heritage Lot Households) to the public sewer system under construction; and

WHEREAS, as defined in the following schedule, the timeline for joint funding coverage will begin after the execution of this Agreement by all Parties and upon the County's receipt of a valid dated application from the LMI Heritage Lot Household: Year 1 and Year 2 (100% cost coverage); Year 3 (50% cost coverage); Year 4 and beyond (0% cost coverage); and

WHEREAS, representatives of the County and Towns have previously agreed in principle that the County will solicit competitive bids from licensed local plumbing contractors, and will select the lowest responsive and responsible bidder for the installation of private sewer service lateral connections for LMI Heritage Lot Households; and

WHEREAS, the County has pre-allocated \$220,000 for the installation of private sewer service lateral connections for LMI Heritage Lot Households wishing to connect, to be reimbursed by the Towns, in part, in accordance with this Agreement; and

WHEREAS, the County's expenditures for the installation of private sewer service lateral connections for LMI Heritage Lot Households will include the cost of installation by the lowest responsive and responsible bidder of the private sewer service lateral and associated appurtenances (i.e. from the existing sewer service stub-out at the property line to the household to be served), the cost of disconnecting and abandoning the existing septic system per County standards, the Orange Water and Sewer Authority (OWASA) sewer system development fee, and all other applicable fees; and

WHEREAS, the total number of LMI Heritage Lot Households wishing to connect within the specified three-year period for joint funding (i.e. Year 1, Year 2, Year 3) and the exact cost for each LMI Heritage Lot Household wishing to connect are unknown at this time due to the variable sizes of the dwellings to be served, the variable distances

between the dwellings and the public sewer service stub-outs, and other specific characteristics of each lot; and

WHEREAS, representatives of the County and Towns have previously agreed in principle on an educated estimate of ten (10) LMI Heritage Lot Households wishing to connect within Town of Carrboro jurisdictional areas within the specified three-year period for joint funding (i.e. Year 1, Year 2, Year 3) and on an educated estimate of fifteen (15) LMI Heritage Lot Households wishing to connect within Town of Chapel Hill jurisdictional areas within the specified three-year period for joint funding (i.e. Year 1, Year 2, Year 3); and

WHEREAS, representatives of the County and Towns have previously agreed in principle that each LMI Heritage Lot Household wishing to connect within Year 1 and Year 2 following the execution of this Agreement will have an estimated 100% coverage joint funding cost of approximately \$8,800 per LMI Heritage Lot Household; and

WHEREAS, representatives of the County and Towns have previously agreed in principle that each LMI Heritage Lot Household wishing to connect within Year 3 following the execution of this Agreement will have an estimated 50% coverage joint funding cost of approximately \$4,400 per LMI Heritage Lot Household; and

WHEREAS, the County and Towns desire to formally establish the terms of the Towns' reimbursements to the County for the installation of private sewer service lateral connections for LMI Heritage Lot Households connections.

NOW, THEREFORE, in consideration of the foregoing and based on mutual promises and obligations set forth herein, the receipt and sufficiency of which is hereby acknowledged, the County and Towns agree as follows:

1. TERM AND TERMINATION

- a. This Agreement shall commence upon execution by all Parties and shall continue until all reimbursements are paid in full with such payment in full occurring no later than June 30, 2023.
- b. The Original Agreement is hereby superseded and replaced by this Agreement.
- c. The Town of Carrboro shall provide payment to the County up to 14% of the current total project estimate, or \$30,800, whichever is less, plus any financing costs (up to 3 percent annually) incurred by the County for the installation of LMI Heritage Lot Household sewer connections within the Town of Carrboro's jurisdiction unless mutually agreed by both the Town of Carrboro and the County. These payments are for the installation of up to ten (10) LMI Heritage Lot Household sewer connections within the Town of Carrboro's jurisdiction. The Town of Carrboro shall, within thirty (30) days of

receipt of a County generated invoice, reimburse the County for the Town of Carrboro's respective share of the total principal and interest associated with the installation of LMI Heritage Lot Household sewer connections within the Town of Carrboro's jurisdiction.

- d. The Town of Chapel Hill shall provide payment to the County of up to 43% of the current total project estimate, or \$94,600, whichever is less, plus any financing costs (up to 3 percent annually) incurred by the County for the installation of LMI Heritage Lot Household sewer connections within the Town of Chapel Hill's jurisdiction unless mutually agreed by both the Town of Chapel Hill and the County. These payments are for the installation of up to fifteen (15) LMI Heritage Lot Household sewer connections within the Town of Chapel Hill's jurisdiction. The Town of Chapel Hill shall, within thirty (30) days of receipt of a County generated invoice, reimburse the County for the Town of Chapel Hill's respective share of the total principal and interest associated with the installation of LMI Heritage Lot Household sewer connections within the Town of Chapel Hill's jurisdiction.
- e. If overall participation by LMI Heritage Lot Households exceeds the \$220,000 pre-allocated by the County, the County will request additional funds and this Agreement will be amended so as to adjust Sections 1-4 accordingly, subject to funding availability and approval by governing boards of the Parties.
- f. This Agreement may be renewed or amended upon written agreement of the Parties.

2. TOTAL COSTS

Item	Carrboro Cost	Chapel Hill Cost	County Cost	Total Cost
<u>Carrboro Lots</u> (10 LMI Heritage Lot Household connections within Carrboro jurisdiction)	\$30,800	\$0	\$57,200	\$88,000
<u>Chapel Hill Lots</u> (15 LMI Heritage Lot Household connections within Chapel Hill jurisdiction)	\$0	\$94,600	\$37,400	\$132,000
TOTALS	\$30,800 (14% of total)	\$94,600 (43% of total)	\$94,600 (43% of total)	\$220,000 (100%)

3. RESPONSIBILITIES OF TOWNS

- a. As provided in Section 1b above, the Town of Carrboro is responsible for up to 14% of the current total project estimate, or \$30,800, whichever is less. The Town of Carrboro shall, within thirty (30) days of receipt of a County generated invoice, reimburse the County for the Town of Carrboro's respective share of the total principal and interest associated with the installation of LMI Heritage Lot Household sewer connections within the Town of Carrboro's jurisdiction.
- b. As provided in Section 1c above, the Town of Chapel Hill is responsible for up to 43% of the current total project estimate, or \$94,600, whichever is less. The Town of Chapel Hill shall, within thirty (30) days of receipt of a County generated invoice, reimburse the County for the Town of Chapel Hill's respective share of the total principal and interest associated with the installation of LMI Heritage Lot Household sewer connections within the Town of Chapel Hill's jurisdiction.
- c. The Town of Chapel Hill's funding contribution shall be used for the benefit of low and moderate income residents, as defined by HUD, residing within the Town of Chapel Hill's Extraterritorial Jurisdiction (ETJ).

- d. The Towns shall pay their full agreed upon obligation as set out in this Section 3 within thirty (30) days of receipt of the County's invoice.
- e. The Towns shall have no further obligation for the cost of maintenance or repair of the private sewer laterals installed with the assistance of their funding, it being agreed by the Parties that the private sewer laterals and all associated work pursuant to this agreement shall upon completion belong to and be the responsibility of the private resident/homeowners.

4. RESPONSIBILITIES OF COUNTY

- a. The County shall issue an informal request for proposals (RFP) so as to solicit competitive bids from licensed local plumbing contractors for the installation of private sewer service lateral connections for LMI Heritage Lot Households. The County will formally award the private sewer service lateral connection installation work for LMI Heritage Lot Households to the lowest responsive and responsible bidder.
- b. Contracts for the installation of the private sewer lateral connections and associated work shall clearly state that neither the County nor the Towns shall have any financial responsibility or liability beyond providing the financial assistance and arranging for payment to the contracted plumbers (other than any permitting or inspections responsibilities they may have in their governmental capacities). Said contracts shall provide that the contracting plumbers shall indemnify and hold harmless the Parties for any and all claims arising out of the contracting plumbers' work for the LMI Heritage Lot Households.
- c. The County is responsible for up to 43% of the current total project estimate as shown in Section 2 above, or \$94,600 whichever is less.
- d. The County shall invoice the Towns for the specified reimbursement amounts and/or percentages as shown in Section 3. This invoice will be in the form of a single invoice upon the conclusion of the services contemplated in Section 1 and Section 2 within the respective jurisdiction of each Town and said invoice shall be accompanied by a written statement indicating those services have concluded.

5. THIRD PARTY RIGHTS

Nothing in this Agreement is intended to create, grant, or convey rights in or to any third party. Nothing herein is enforceable by any third party and the rights of the parties hereto to terminate or amend this Agreement are not subject to the consent of any third party.

6. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement of the Parties hereto and is effective the date first above recorded.

[Signature Page to Follow]

Including pre-audit certificates for all Parties.

In witness whereof, the Parties, by and through their authorized agents, have hereunder set their hands and seals as of the day and year first above written.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Manager, Orange County

ATTEST

Finance Director, Orange County

[SEAL]

By: _____
Clerk

In witness whereof, the Parties, by and through their authorized agents, have hereunder set their hands and seals as of the day and year first above written.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Manager, Town of Carrboro

ATTEST

Finance Director, Town of Carrboro

[SEAL]

By: _____
Clerk

In witness whereof, the Parties, by and through their authorized agents, have hereunder set their hands and seals as of the day and year first above written.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Manager, Town of Chapel Hill

ATTEST

By:_____

Clerk

Finance Director, Town of Chapel Hill

[SEAL]



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 13., File #: [20-0067], Version: 1

Meeting Date: 1/22/2020

Charting Our Future - Consider Amending the Project Charter.

Staff:

Judy Johnson, Interim Director
Alisa Duffey Rogers, LUMO Project Manager

Department:

Planning

Overview: Tonight, we ask the Council to consider amendments the Land Use Management Ordinance Rewrite Project Charter that will revise the schedule, deliverables, and budget for the Project.

Since the Project Charter was adopted in November of 2017, in order to be responsive to the Council and the community, the scope of the LUMO Rewrite Project (Charting Our Future) has expanded.



Recommendation(s):

That the Council adopt the Resolution amending the Land Use Management Ordinance Rewrite Project Charter (Option 3) to extend the Project schedule, to acknowledge the expansion of the Future Land Use Map phase of the Project, and to change the scope for rewriting the Land Use Management Ordinance to include additional visioning for each Focus Area and options for implementing Town goals.

Decision Points:

- Is it appropriate to increase the scope for rewriting the Land Use Management Ordinance? If so, what should be the extent of the scope expansion?
- Should the rewrite be expanded to include intentional visioning for each Focus Area? Or, is it more appropriate to limit the scope of the rewrite to an analysis of the Ordinance's deficiencies?

Fiscal Impact/Resources: All options for rewriting the Land Use Management Ordinance require additional funding (as explained more fully in the Staff Memorandum). The rewrite will span multiple fiscal years, so these additional funds can be spread over several fiscal years. An estimate of the necessary additional funds are listed below by option. If Council wishes to move forward with the additional funds detailed below, these additional funds will need to be discussed and allocated during each fiscal years' budget process.

LUMO Rewrite Options	Additional Funds Requested
1- Basic Analysis of LUMO Deficiencies & Limited Engagement	\$152,001
2- More In-depth Analysis & Engagement	\$380,000
3- Visioning & Policy Driven Option	\$652,000



Attachments:

- Resolution
- Draft Staff Presentation
- Staff Report
- Amended Project Charter Options

- Option 1
- Option 2
- Option 3
- LUMO Rewrite - Consultant Contract Options & Estimated Associated Costs
- Chart - Scope Options & Estimated Costs
- Adopted Project Charter 11-29-2017

A RESOLUTION AMENDING THE LUMO REWRITE PROJECT CHARTER TO EXTEND THE TIMELINE, INCREASE THE BUDGET, AND ACKNOWLEDGE THE EXPANSION OF THE FUTURE LAND USE MAP PHASE OF THE PROJECT (2020-01-22/R-9)

WHEREAS, on April 5, 2017, the Council for the Town of Chapel Hill initiated a project to Rewrite the Town's Land Use Management Ordinance (LUMO) and requested that the ordinance rewrite process begin with an effort to revise the Town's Future Land Use Map (FLUM); and

WHEREAS, on November 29, 2017, the Council adopted a LUMO Rewrite Project Charter setting the Project goals, schedule, budget and deliverables; and

WHEREAS, the Council, in an effort to be responsive to the community, has worked to produce a draft Future Land Use Map and associated components for the past year and a half in order to communicate a vision for Chapel Hill in 2049, which extended the timeline for the Charting Our Future Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council adopts the attached amended Land Use Management Ordinance Rewrite Charter.

This the 22nd day of January, 2020.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Alisa Duffey Rogers, LUMO Project Manager

RECOMMENDATION: That the Council adopt the Resolution amending the Land Use Management Ordinance Rewrite Project Charter (Option 3) to extend the Project schedule, to acknowledge the expansion of the Future Land Use Map phase of the Project, and to change the scope for rewriting the Land Use Management Ordinance to include additional visioning for each Focus Area and options for implementing Town goals.

Town Council

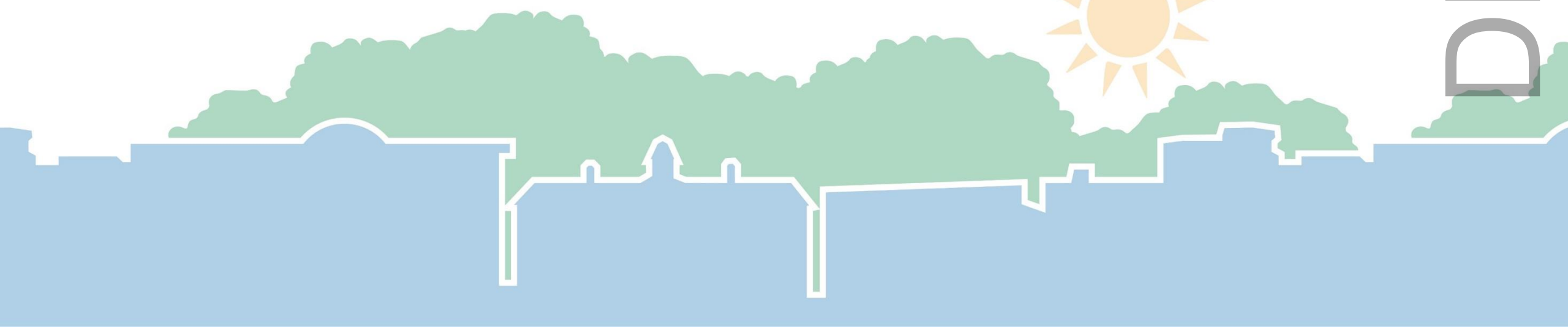
LUMO Rewrite Project

Charter Amendment

January 22, 2020



DRAFT





RECOMMENDATION:

Adopt the Resolution amending the LUMO Rewrite Project Charter (Option 3) to:

- Extend the Project schedule
- Acknowledge the expansion of the Future Land Use Map phase of the Project
- Change the scope for rewriting the LUMO to include additional visioning & options for implementing Town goals

DRAFT



Project Charter

Established Project:

- Goals
- Deliverables
- Timeline
- Budget

DRAFT

Land Use Management Ordinance Rewrite Project

Project Charter

Roles and Accountability

Enterprise Sponsor: Roger L. Stancil, Town Manager
 Project Sponsors: Ben Hitchings, Director, Planning and Development Services
 Rae Buckley, Director, Organizational and Strategic Initiatives
 Project Manager: Alisa Duffey Rogers, Land Use Management Ordinance Rewrite Project Manager

Project Goal

The goal of the Town's Land Use Management Ordinance Rewrite Project is to improve tools for planning and managing growth and development so that the tools implement the community's vision, values and policy goals. The rewrite process will improve the Land Use Management Ordinance and associated land use tools and processes so that they are more predictable, functional and intentional.

- **Predictable:** Land use tools create predictable review processes in which participants understand their ability and scope to influence the outcome of the process.
- **Functional:** Land use tools are comprehensive, internally consistent, organized and clearly communicate rules, regulations and standards.
- **Intentional:** Land use tools implement the community's vision, values and policy goals.

Deliverables

The Land Use Management Ordinance Rewrite Project deliverables will include:

- Future Land Use Map Refinement
- Rewritten Land Use Management Ordinance
- Options for Updating the Zoning Atlas

Timeline: June 2017 to February 2021

Project step	Start date	End date	Total time
Project Initiation	June 2017	August 2017	3 months
Project Plan	June 2017	October 2017	5 months
Project Execution			
Refine future land use map	January 2018	October 2018	10 months
Rewrite land use regulations	January 2019	January 2021	24 months
Consider changes to zoning map*	January 2021	February 2021	2 months
Project Close Out			

*Timeline for rewriting land use regulations includes time for considering changes to the zoning map.

Budget

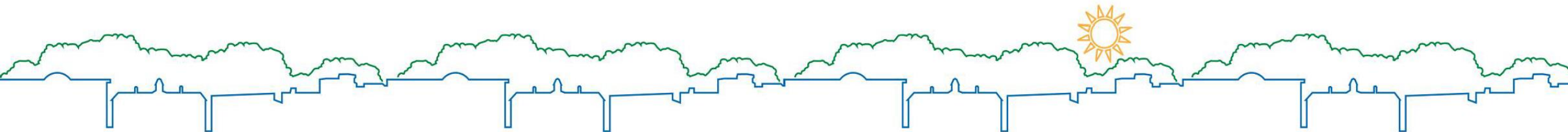
Resource type	Estimated cost
Staff, professional consulting and engagement	\$830,000

Adopted by Chapel Hill Town Council November 29, 2017

Amendments to Charter

- Extend the timeline
- Update the FLUM Phase
- Consider scope & budget for the LUMO Rewrite

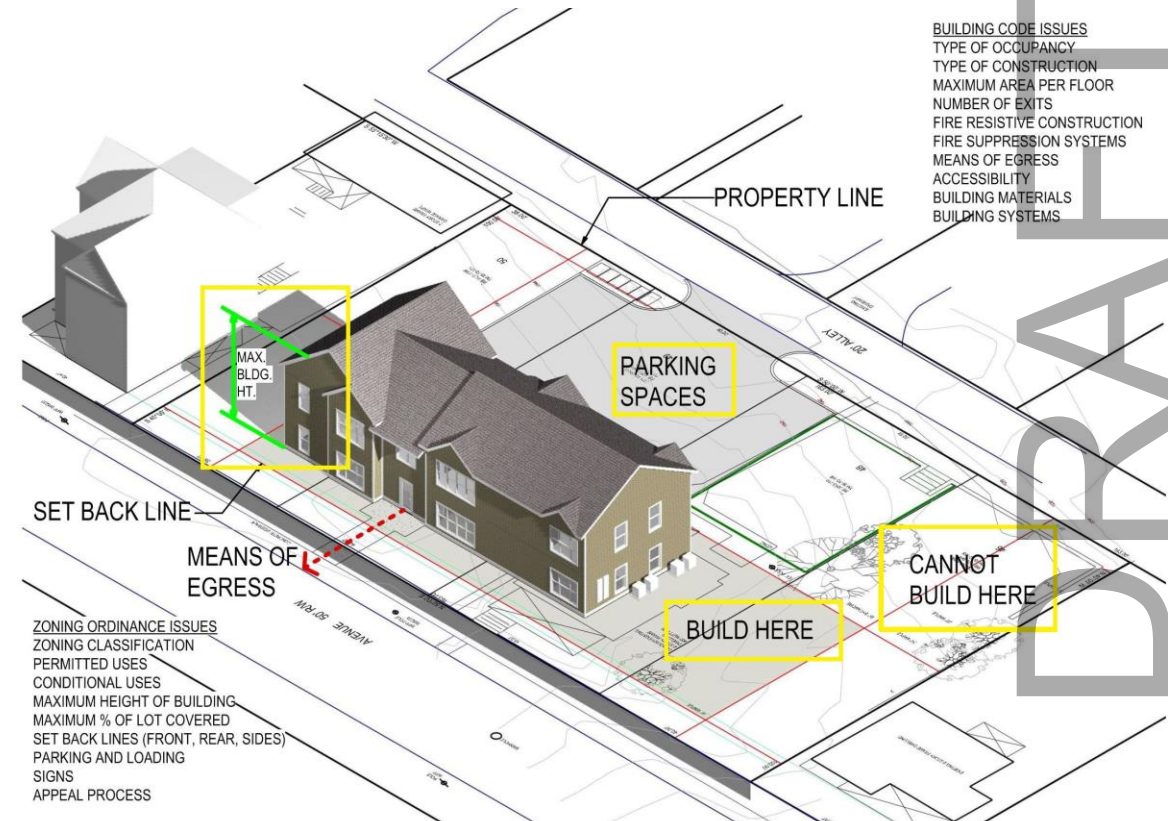
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Options for Rewriting LUMO

Option 1

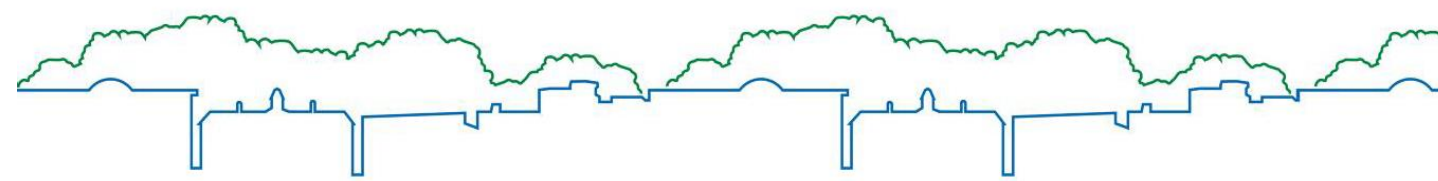
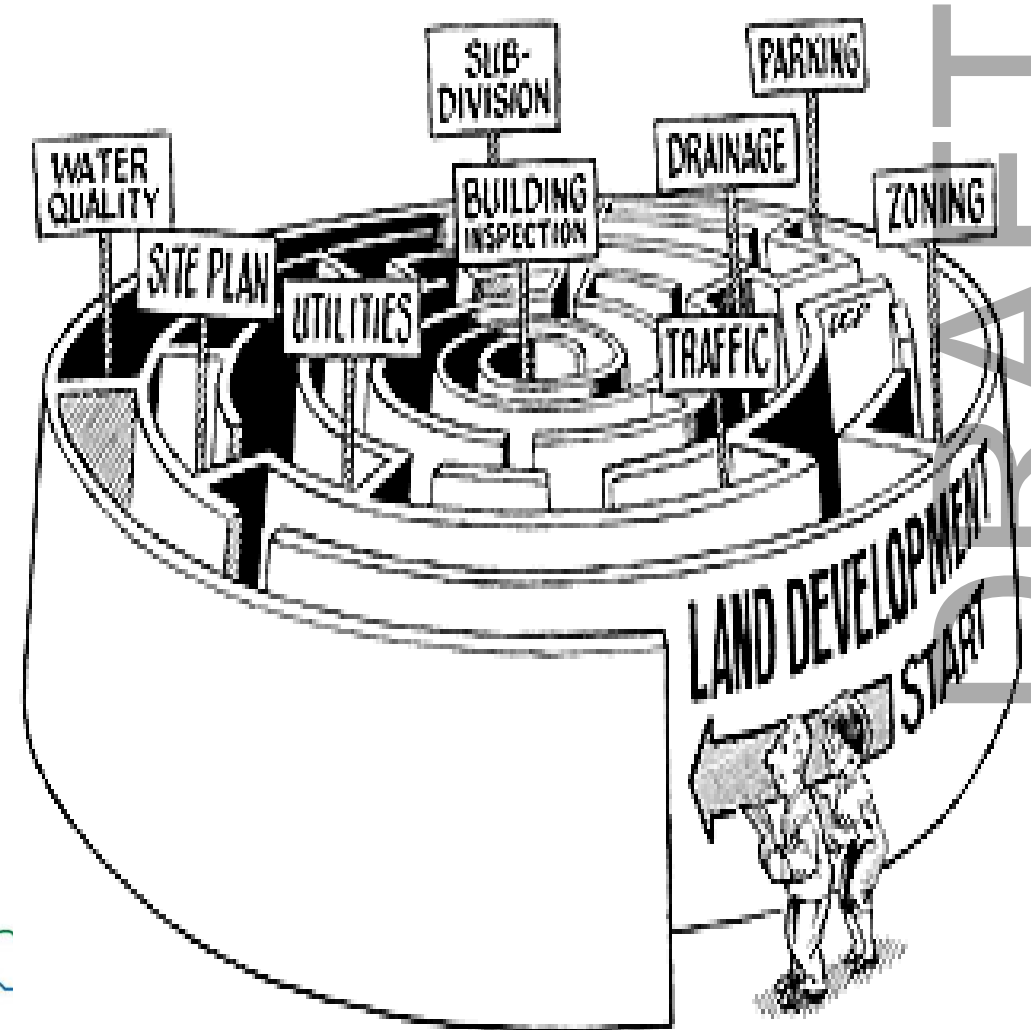
- Includes:
 - Basic analysis of the LUMO
 - Limited public engagement
 - Fewer revisions to draft text
- Additional \$152,000



Options for Rewriting LUMO

Option 2

- Includes:
 - In-depth analysis
 - More engagement
 - Additional opportunities for changes to draft text
- Additional \$380,000



Options for Rewriting LUMO

Option 3

- “Interim” step to better define a vision for each Focus Area
- Includes tasks designed to move forward Town goals:
 - Diverse housing options in neighborhoods
 - Zoning tools & strategies for resilient zoning options
 - Public benefits & necessary zoning incentives to facilitate such benefits
- Additional \$652,000



IMPROVING PLACE FROM PLANNING TO ZONING

DRAFT

CHAPTER 160D

A NEW LAND USE LAW FOR NORTH CAROLINA

DRAFT





RECOMMENDATION:

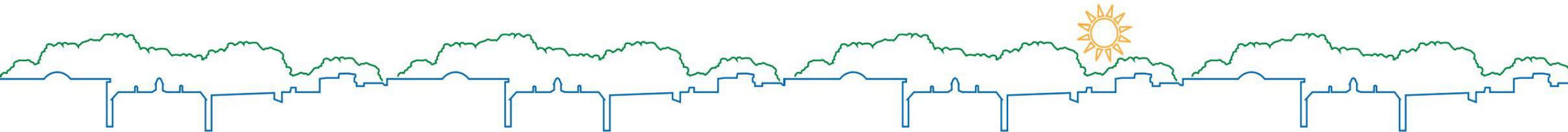
Amend the Resolution amending the LUMO Rewrite Project Charter (Option 3) to:

- Extend the Project schedule
- Incorporate knowledge the expansion of the Future Land Use Map
- Increase the base of the Project
- Change the scope for rewriting the LUMO to include additional visioning & options for implementing the town's goals

DRAFT

Next Steps

- For the FLUM, fall of 2020.
- Preparation of the Request for Proposal (RFP) for consulting services for the LUMO rewrite





Charting Our Future – Consider Amending the Charter Amendment

Background:

- On [April 5, 2017](#)¹, the Town Council initiated a Project to Rewrite the Town’s Land Use Management Ordinance (LUMO). The Town Council requested that the ordinance rewrite process begin with an effort to refine the Future Land Use Map (FLUM), called the Land Use Plan in *Chapel Hill 2020*, to affirm what is not expected to change and to provide an opportunity to have conversations about future planning that would inform the LUMO Rewrite process.
- On [November 29, 2017](#)², the Town Council approved the Land Use Management Ordinance Rewrite Project Charter. This Charter established the Project goals, schedule, budget, and deliverables.

Revisions to the Project Charter

Since the Project Charter was adopted in November of 2017, in order to be responsive to the Council and the community, the scope of the LUMO Rewrite Project (Charting Our Future) has expanded. This expansion includes a multi-component Future Land Use Map (FLUM) and potentially an increased scope for the rewriting of the Land Use Management Ordinance (LUMO).

Staff presents three Project Charters, which differ primarily by the scope of the rewrite of the Land Use Management Ordinance. For detailed information about the differences between the options for rewriting the LUMO, please see the attachment entitled “LUMO Rewrite – Consultant Contract Options & Estimated Associated Costs” as well as the summary chart in the Budget section below.

Project expansion results in needed changes to the Charter as detailed below:

A. Deliverables:

- For the FLUM:
The Future Land Use Map now includes multiple components including a Map Book and Guiding Statements. Taken together, these components comprise a more expansive update to *Chapel Hill 2020* than originally envisioned.
- For the LUMO: All options for rewriting the LUMO include a new Land

¹ http://chapelhill.granicus.com/MetaViewer.php?view_id=7&clip_id=3077&meta_id=156700

² https://chapelhill.granicus.com/MinutesViewer.php?view_id=21&clip_id=3369&doc_id=41b91018-d601-11e7-95a0-00505691de41



Staff Memorandum



Use Management Ordinance, but depending on the Option chosen by the Town Council, additional reports and design studies may also be included in this Project Phase.

B. Timeline:

- i. **FLUM** - Expanding the scope of the Future Land Use Map resulted in the the timeline being extended from 10 months to 31 months.
- ii. **LUMO** –
 - a. **Option 1** – Under this basic rewrite option, staff estimates that the rewrite could be completed in three years, which would extend the Project timeline to 2023.
 - b. **Options 2 and 3** - Staff estimates that rewriting the LUMO will take four years under Options 2 and 3 given the extent of the analysis and public engagement proposed. Therefore, the LUMO Rewrite Project timeline would be extended to 2024.

C. Budget:

- i. **FLUM** - The FLUM phase of the LUMO Rewrite Project was originally estimated to cost approximately \$177,000 for consulting and engagement expenses. To date, this phase has cost \$238,163 with another \$40,000 estimated to be spent prior to adoption.
- ii. **LUMO** – The original LUMO Rewrite Project budget included \$354,000 for consultant and engagement costs for the rewrite of the Land Use Management Ordinance. (After the increased cost of the FLUM, approximately \$253,000 remain from the funds originally allocated for rewriting of the LUMO.) The remaining budget may not be sufficient due to the complex and convoluted nature of the existing LUMO. In addition, after engaging with the community during the FLUM phase and hearing of the community’s desire to more fully develop visions for each Focus Area, it is prudent to consider multiple paths to rewriting the LUMO.

Staff developed three different options for the rewrite of the Land Use Management Ordinance. These options are educated estimates and may vary once the Request for Proposal is issued and responses are received. Detailed contents for each option are included in the attachment entitled “LUMO Rewrite – Consultant Contract Options & Estimated Associated Costs.” A detailed comparison chart, entitled “LUMO Rewrite – Scope Options & Estimated Costs,” is also attached that compares each option and is color coded to indicate how the various components help to advance the Project goals of predictability, functionality, and intentionality. Below is a summary chart of these options:





Summary of Options for Rewriting the Land Use Management Ordinance		
Option 1 Basic Analysis & Engagement	Option 2 More In-depth Analysis & Engagement	Option 3 Visioning & Policy Driven Option
Includes only basic analysis of the LUMO, limited public engagement, and fewer revisions to draft text	Includes more in-depth analysis including an examination of the Engineering Design Manual, more engagement, and additional opportunities for changes to draft text	Includes the “interim” step designed to help define the vision for each Focus Area more fully by holding design charrettes
		Includes tasks designed to move forward policies in the Guiding Statements and the Focus Area Principles such as: <ul style="list-style-type: none"> • Analysis & recommendations regarding tactics to provide options for increasing housing diversity in neighborhoods through zoning and subdivision regulations • Analysis & recommendations of zoning tools & strategies for resilient zoning options including the transportation/land use nexus • Analysis of the cost of public benefits (affordable housing, stormwater/flood control facilities, provision of public plazas/pocket parks/linear parks, green stormwater infrastructure, etc.) and the economics of development/redevelopment in terms of zoning incentives necessary to produce such benefits
Requires approximately \$152,001* beyond the original LUMO Rewrite Project budget	Requires approximately \$380,000* beyond the original LUMO Rewrite Project budget	Requires approximately \$652,000* beyond the original LUMO Rewrite Project budget
*Each of these estimates assumes the maximum amount of estimated funding will be required to fund the option		





Other Considerations:

In 2019, the General Assembly passed new legislation, 160D, to modernize the state's enabling statutes for planning and development regulation. This new legislation, according to the UNC School of Government, does not make major policy changes or shifts in the scope of authority granted to local governments. The new legislation does eliminate the use of conditional use district zoning and requires the Town to align some ordinance terms with the terminology in 160D. Pursuant to 160D, the Town must amend the LUMO to conform to 160D by January 1, 2021. Staff is currently attending training from the UNC School of Government and will be developing a plan for coming into compliance with 160D.

Next Steps:

According to the current Project schedule, the FLUM and all of its components could be adopted by the end of June 2020, but that schedule is compressed and adoption may be pushed to the fall of 2020.

As the FLUM moves toward adoption, staff can prepare the Request for Proposal (RFP) for consulting services for the LUMO rewrite as soon as staff has an understanding of the scope and extent of the rewrite and the nature of the LUMO amendments necessary to conform with 160D. The RFP will then be issued as soon as practical.



Land Use Management Ordinance Rewrite Project

Charting Our Future

REVISED Project Charter (Option 1)

Roles

Enterprise Sponsor: Maurice Jones, Town Manager

Project Manager: Alisa Duffey Rogers, Land Use Management Ordinance Rewrite Project Manager

Project Goal

The goal of the Town's Land Use Management Ordinance Rewrite Project is to improve tools for planning and managing growth and development so that the tools implement the community's vision, values and policy goals. The rewrite process will improve the Land Use Management Ordinance and associated land use tools and processes so that they are more predictable, functional and intentional.

- **Predictable:** Land use tools create predictable review processes in which participants understand their ability and scope to influence the outcome of the process.
- **Functional:** Land use tools are comprehensive, internally consistent, organized and clearly communicate rules, regulations and standards.
- **Intentional:** Land use tools implement the community's vision, values and policy goals.

Deliverables

The Land Use Management Ordinance Rewrite Project deliverables will include:

- Future Land Use Map (**Update to Chapel Hill 2020**)
- Rewritten Land Use Management Ordinance
- Options for Updating the Zoning Map

REVISED Timeline: June 2017 to December 2023

Project step	Start date	End date	Total time
Project Initiation	June 2017	August 2017	3 months
Project Plan	June 2017	October 2017	5 months
Project Execution			
Future land use map (Update to Chapel Hill 2020)	March 2018	October 2020**	31 months
Rewrite land use regulations	October 2020	October 2023	36 months
<i>Consider changes to zoning map*</i>			
Project Close Out	October 2023	December 2023	2 months

*Timeline for rewriting land use regulations includes time to consider changes to the zoning map.

**It may be possible to complete this phase by June 2020.

REVISED Budget

Table 1			
LUMO Rewrite Project Budget and Expenditures to Date			
Fiscal Years	Budgeted Amount minus Staff Costs	Actual Costs minus Staff Costs¹	Available Funds²
2018	\$ 177,000	\$ 91,411	\$ 85,589
2019	\$ 177,000	\$ 105,980	\$ 71,020
2020	\$ 177,000	\$ 40,772	\$ 136,228
Total	\$ 531,000	\$ 238,163	\$ 292,837
¹ Funds spent for consultant services and engagement costs			
² Some of these available funds, ~\$40,000, will be used to fund remaining FLUM costs			

Table 2				
Funding Needs for LUMO Rewrite – Option 1				
Fiscal Years	Available Funds from Previous Fiscal Years¹	Budget Needs for LUMO Rewrite (Option 1) minus Staff Costs²	Total Costs for Option 1³	Total Project Cost including Option 1 Costs⁴
2021		\$ 50,667		
2022		\$ 50,667		
2023		\$ 50,667		
	\$ 252,837	\$ 152,001	\$ 404,838	
				\$ 683,001
¹ Available funds from previous fiscal years minus ~\$40,000 needed to fund remaining FLUM costs				
² These funds were not anticipated at the time of Project initiation & represent funding needs from an unidentified funding source. Funds will be utilized for consultant services & engagement costs.				
³ These costs are for consultant services and engagement costs				
⁴ This amount includes Project expenditures to date, remaining funding needs for the FLUM (~\$40,000), and the cost of funding Option 1 for rewriting the LUMO.				

Land Use Management Ordinance Rewrite Project

Charting Our Future

REVISED Project Charter (Option 2)

Roles

Enterprise Sponsor: Maurice Jones, Town Manager

Project Manager: Alisa Duffey Rogers, Land Use Management Ordinance Rewrite Project Manager

Project Goal

The goal of the Town's Land Use Management Ordinance Rewrite Project is to improve tools for planning and managing growth and development so that the tools implement the community's vision, values and policy goals. The rewrite process will improve the Land Use Management Ordinance and associated land use tools and processes so that they are more predictable, functional and intentional.

- **Predictable:** Land use tools create predictable review processes in which participants understand their ability and scope to influence the outcome of the process.
- **Functional:** Land use tools are comprehensive, internally consistent, organized and clearly communicate rules, regulations and standards.
- **Intentional:** Land use tools implement the community's vision, values and policy goals.

Deliverables

The Land Use Management Ordinance Rewrite Project deliverables will include:

- Future Land Use Map (**Update to Chapel Hill 2020**)
- Rewritten Land Use Management Ordinance and associated reports
- Options for Updating the Zoning Map

REVISED Timeline: June 2017 to December 2024

Project step	Start date	End date	Total time
Project Initiation	June 2017	August 2017	3 months
Project Plan	June 2017	October 2017	5 months
Project Execution			
Future land use map (Update to Chapel Hill 2020)	March 2018	October 2020**	31 months
Rewrite land use regulations	October 2020	October 2024	48 months
Consider changes to zoning map*			
Project Close Out	October 2024	December 2024	2 months

*Timeline for rewriting land use regulations includes time to consider changes to the zoning map.

**It may be possible to complete this phase by June 2020.

REVISED Budget

Table 1			
LUMO Rewrite Project Budget and Expenditures to Date			
Fiscal Years	Budgeted Amount minus Staff Costs	Actual Costs minus Staff Costs¹	Available Funds²
2018	\$ 177,000	\$ 91,411	\$ 85,589
2019	\$ 177,000	\$ 105,980	\$ 71,020
2020	\$ 177,000	\$ 40,772	\$ 136,228
Total	\$ 531,000	\$ 238,163	\$ 292,837
¹ Funds spent for consultant services and engagement costs			
² Some of these available funds, ~\$40,000, will be used to fund remaining FLUM costs			

Table 2				
Funding Needs for LUMO Rewrite – Option 2				
Fiscal Years	Available Funds from Previous Fiscal Years¹	Budget Needs for LUMO Rewrite (Option 2) minus Staff Costs²	Total Costs for Option 2³	Total Project Cost including Option 2 Costs⁴
2021		\$ 95,000		
2022		\$ 95,000		
2023		\$ 95,000		
2024		\$ 95,000		
	\$ 252,837	\$ 380,000	\$ 632,837	
				\$ 911,000
¹ Available funds from previous fiscal years minus ~\$40,000 needed to fund remaining FLUM costs				
² These funds were not anticipated at the time of Project initiation & represent funding needs from an unidentified funding source. Funds will be utilized for consultant services & engagement costs.				
³ These costs are for consultant services and engagement costs				
⁴ This amount includes Project expenditures to date, remaining funding needs for the FLUM (~\$40,000), and the cost of funding Option 2 for rewriting the LUMO.				

Land Use Management Ordinance Rewrite Project

Charting Our Future

REVISED Project Charter (Option 3)

Roles

Enterprise Sponsor: Maurice Jones, Town Manager

Project Manager: Alisa Duffey Rogers, Land Use Management Ordinance Rewrite Project Manager

Project Goal

The goal of the Town's Land Use Management Ordinance Rewrite Project is to improve tools for planning and managing growth and development so that the tools implement the community's vision, values and policy goals. The rewrite process will improve the Land Use Management Ordinance and associated land use tools and processes so that they are more predictable, functional and intentional.

- **Predictable:** Land use tools create predictable review processes in which participants understand their ability and scope to influence the outcome of the process.
- **Functional:** Land use tools are comprehensive, internally consistent, organized and clearly communicate rules, regulations and standards.
- **Intentional:** Land use tools implement the community's vision, values and policy goals.

Deliverables

The Land Use Management Ordinance Rewrite Project deliverables will include:

- Future Land Use Map (**Update to Chapel Hill 2020**)
- Rewritten Land Use Management Ordinance and associated reports/design studies
- Options for Updating the Zoning Map

REVISED Timeline: June 2017 to December 2024

Project step	Start date	End date	Total time
Project Initiation	June 2017	August 2017	3 months
Project Plan	June 2017	October 2017	5 months
Project Execution			
Future land use map (Update to <i>Chapel Hill 2020</i>)	March 2018	October 2020**	31 months
Rewrite land use regulations	October 2020	October 2024	48 months
<i>Consider changes to zoning map*</i>			
Project Close Out	October 2024	December 2024	2 months

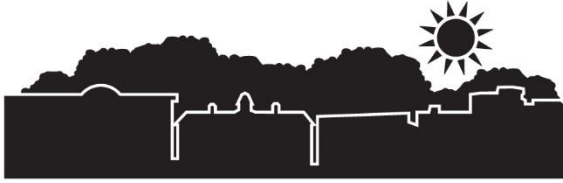
*Timeline for rewriting land use regulations includes time for considering changes to the zoning map.

**It may be possible to complete this phase by June 2020.

REVISED Budget

Table 1			
LUMO Rewrite Project Budget and Expenditures to Date			
Fiscal Years	Budgeted Amount minus Staff Costs	Actual Costs minus Staff Costs¹	Available Funds²
2018	\$ 177,000	\$ 91,411	\$ 85,589
2019	\$ 177,000	\$ 105,980	\$ 71,020
2020	\$ 177,000	\$ 40,772	\$ 136,228
Total	\$ 531,000	\$ 238,163	\$ 292,837
¹ Funds spent for consultant services and engagement costs			
² Some of these available funds, ~\$40,000, will be used to fund remaining FLUM costs			

Table 2				
Funding Needs for LUMO Rewrite – Option 3				
Fiscal Years	Available Funds from Previous Fiscal Years¹	Budget Needs for LUMO Rewrite (Option 3) minus Staff Costs²	Total Costs for Option 3³	Total Project Cost including Option 3 Costs⁴
2021		\$ 163,000		
2022		\$ 163,000		
2023		\$ 163,000		
2024		\$ 163,000		
	\$ 252,837	\$ 652,000	\$ 904,837	
				\$ 1,183,000
¹ Available funds from previous fiscal years minus ~\$40,000 needed to fund remaining FLUM costs				
² These funds were not anticipated at the time of Project initiation & represent funding needs from an unidentified funding source. Funds will be utilized for consultant services & engagement costs.				
³ These costs are for consultant services and engagement costs				
⁴ This amount includes Project expenditures to date, remaining funding needs for the FLUM (~\$40,000), and the cost of funding Option 2 for rewriting the LUMO.				



LUMO Rewrite – Consultant Contract Options & Estimated Associated Costs

Option 1 \$250,000 – \$350,000

1. Tasks:

- Analysis of LUMO – Conduct detailed review and diagnostic to assess the strengths and weaknesses of the LUMO in terms of:
 - i. **Function and Flow** – Ease of use & efficiency of layout
 - ii. **Internal consistency** – Identify conflicts within LUMO
 - iii. **Accuracy** – Identify typographical, technical or graphical errors or omissions
 - iv. **Appropriateness** of existing zoning districts and zoning regulations as well as other LUMO provisions
 - v. **Compliance** with NC General Statutes, federal statutes, and case law
- Closely review and evaluate *Chapel Hill 2020* and its amendments, including the updated Future Land Use Map (FLUM), to determine necessary LUMO changes to implement the policies, directives, and values contained in *Chapel Hill 2020* and its amendments
- Review and recommend changes to all development review processes/application review
- Identify and recommend innovative and creative approaches to land use, zoning, subdivision, and other LUMO regulations to fulfill Town values and priorities
- Recommend changes to Zoning Map to align to proposed LUMO changes

2. Deliverables -

- Detailed report assessing LUMO, including matrix with itemized list of areas of deficiencies and concerns
- Draft of LUMO Chapters for consideration by community and advisory boards/commissions – No more than 2 sets of revisions to each chapter prior to providing LUMO version suitable for adoption
- Draft version of LUMO suitable for adoption that is user-friendly and contains little jargon as well as extensive use of graphics meaningfully illustrating requirements and concepts in the LUMO

3. Engagement – Attendance and facilitation at no more than **9** public meetings

Option 2 \$350,000 - \$575,000

1. Tasks: All tasks from Option 1 plus the following:

- Interviews with staff, members of development review boards/commissions, Town Council, Mayor & other stakeholders
- Evaluate Public Works Engineering Design Manual & determine which regulations/standards should be in the Design Manual and which should be in the LUMO
- Evaluate Town Code to determine if there are any regulations that should be in the LUMO and/or the Public Works Engineering Design Manual
- Testing of proposed regulations to understand impacts including potential unintended consequences
- Evaluation of parcels that could be rezoned to effectuate new zoning designations

2. Deliverables:

- Summary of findings from interviews
- Detailed report assessing LUMO, including matrix with itemized list of areas of deficiencies and concerns and preliminary recommendations for remedying those deficiencies
- Detailed report compiling all changes necessary to the LUMO to implement the policies, directives, and values from *Chapel Hill 2020* and its amendments
- Blueprint for all LUMO chapters outlining the provisions to be retained, new provisions/standards/regulations, and proposed deletions/modifications. This Blueprint is in matrix and outline form to indicate LUMO changes prior to actually drafting code provisions
- Report indicating results of testing of proposed regulations & evaluation of new zoning designations
- 2-D graphics suitable for Project website
- Digital maps to compare existing & proposed zoning
- Draft of LUMO Chapters for consideration by community and advisory boards/commissions – No more than **3** sets of revisions to each chapter prior to producing version suitable for adoption
- Final, draft LUMO suitable for adoption that is user-friendly and contains little jargon as well as extensive use of graphics meaningfully illustrating requirements and concepts in the LUMO
- One revised Draft LUMO after conclusion of public hearings up to a maximum of 10 hours of revisions

3. Engagement – In addition to the above interviews, attendance and facilitation at **10** public meetings plus assistance with online engagement including online preference surveys

Option 3 \$575,000 - \$850,000

1. Tasks: All tasks from Options 1 and 2 plus the following:

- Intensive study of 4 Focus Areas in order to plan for streetscapes, design standards/regulations, appropriate transitions, examinations of surrounding land uses, and desired public realm, etc. This study will require, at a minimum, the following:
 - ✚ 3D modeling/studies for street sections, building massing, transitions/edges between Focus Areas and surrounding land uses
 - ✚ Creation of bird's eye plan views
 - ✚ Examination of existing parcels within and adjacent to Focus areas in terms of land use, shape, ownership, likelihood to redevelop, consideration of appropriate transitions, etc.
 - ✚ Analysis of how and where to create public plazas/pocket parks/places to encourage unintentional connections
 - ✚ Analysis of parking strategies
- Analysis of tactics to provide options for increasing housing diversity in neighborhoods through zoning and subdivision regulations
- Analysis of the cost of public benefits (affordable housing, stormwater/flood control facilities, provision of public plazas/pocket parks/linear parks, Green Area Ratio etc.) and the economics of development/redevelopment in terms of zoning incentives necessary to produce such benefits
- Analysis of possible options to influence the market, i.e. public-private partnerships, public improvements to fulfill vision for Focus Areas
- Analysis of zoning tools and strategies for resilient zoning options including the transportation/land use nexus

2. Deliverables: All deliverables from Option 2 plus the following:

- 3D massing studies, street sections, and bird's eye plan views for 4 Focus Areas
- Report detailing findings/recommendations of Focus Area studies
- Report on tactics to increase housing diversity in neighborhoods
- Report detailing cost of public benefits, their impact on development/redevelopment, and zoning incentives necessary to facilitate such public benefits
- Report on possible options to influence the market, i.e. public-private partnerships, public improvements to fulfill vision for Focus Areas
- Report regarding zoning tools and strategies for resilient zoning options including the transportation/land use nexus
- Static as well as interactive LUMO suitable for internet use that includes hyperlinks and searchable functions utilizing something similar to "Flipping Book."

3. Engagement: The engagement from Option 2 plus design charrettes for 4 focus areas

Optional Services – Add \$50,000 - \$85,000

1. **Services during Adoption Process:** Additional revisions to the DRAFT LUMO & Map (if applicable) resulting from public hearing process, attendance & facilitation at additional public meetings
2. **Post Adoption Consultation:** 15 hours of post-adoption consultation services to assist with the transition to the NEW LUMO including staff and board/commission training
3. **Administration Assistance:** Assistance updating administrative forms and applications

LUMO Rewrite – Scope Options & Estimated Costs

	Option 1 \$250,000 - \$350,000	Option 2 \$350,000 - \$575,000	Option 3 \$575,000 - \$850,000
Tasks			
Analysis of LUMO	X	X	X
Recommendations for changes to implement Chapel Hill 2020	X	X	X
Recommendations for creative solutions	X	X	X
Recommendations for changes to development review process	X	X	X
Recommendations to align zoning map to LUMO changes	X	X	X
Evaluation of Engineering Design Manual		X	
Evaluation of Town Code		X	X
Interviews with staff & stakeholders		X	X
Testing of proposed regulations to understand impacts including potential unintended consequences		X	X
Evaluation of parcels that could be rezoned to effectuate new zoning designations		X	X
Intensive study of 4 Focus Areas			X
Analysis of tactics to provide for the “missing middle” in SF neighborhoods			X
Analysis of costs for public benefits & necessary zoning incentives to produce such benefits			X
Analysis of possible options to influence the market, i.e. public-private partnerships, public improvements to fulfill vision for Focus Areas			X
Analysis of zoning tools and strategies for resilient zoning options including the transportation/land use nexus			X
Deliverables			
Report of deficiencies in LUMO	X		
Draft LUMO chapters with no more than <u>2</u> revisions	X		
Draft LUMO suitable for adoption	X		
Summary of findings from Interviews		X	X
Report of deficiencies in LUMO & recommendations for solutions		X	X
Report of changes to LUMO to implement <i>Chapel Hill 2020</i> including FLUM		X	X
Report indicating results of testing of proposed regulations & evaluation of new zoning designations		X	X
Blueprint of changes to each LUMO chapter prior to drafting code language		X	X
2-D graphics for Project website		X	X
Draft LUMO chapters with no more than 3 revisions		X	X
Draft LUMO suitable for adoption with <u>one</u> revision to draft		X	X
Digital maps to compare existing & proposed zoning		X	X
Report detailing recommendations on Focus Areas after intensive study			X
3D massing studies, bird’s eye plan views & street sections for 4 Focus Areas			X
Report on tactics to produce affordable housing in SF neighborhoods			X
Report on costs of public benefits & needed zoning incentives to obtain such public benefits			X
Report on possible options to influence the market, i.e. public-private partnerships, public improvements to fulfill vision for Focus Areas			X
Report of zoning tools and strategies for resilient zoning options including the transportation/land use nexus			X
Static & Interactive LUMO			X
Engagement			
Interviews with staff & stakeholders		X	X
Attendance & facilitation at 9 public meetings	X		
Attendance & facilitation at 10 public meetings		X	X
Online engagement including online preference survey		X	X
4 design charrettes			X
Optional Services \$50,000 - \$85,000			
Services during adoption process			
Post adoption consultation including training			
Administration assistance			
Cost of Additional Meetings ~ \$3,500 per meeting			

Key	Predictable	Functional	Intentional
	Major Cost Items		

Land Use Management Ordinance Rewrite Project

Project Charter

Roles and Accountability

Enterprise Sponsor:	Roger L. Stancil, Town Manager
Project Sponsors:	Ben Hitchings, Director, Planning and Development Services Rae Buckley, Director, Organizational and Strategic Initiatives
Project Manager:	Alisa Duffey Rogers, Land Use Management Ordinance Rewrite Project Manager

Project Goal

The goal of the Town's Land Use Management Ordinance Rewrite Project is to improve tools for planning and managing growth and development so that the tools implement the community's vision, values and policy goals. The rewrite process will improve the Land Use Management Ordinance and associated land use tools and processes so that they are more predictable, functional and intentional.

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- **Intentional:** Land use tools implement the community's vision, values and policy goals.

Deliverables

The Land Use Management Ordinance Rewrite Project deliverables will include:

- Future Land Use Map Refinement
- Rewritten Land Use Management Ordinance
- Options for Updating the Zoning Atlas

Timeline: June 2017 to February 2021

Project step	Start date	End date	Total time
Project Initiation	June 2017	August 2017	3 months
Project Plan	June 2017	October 2017	5 months
Project Execution			
Refine future land use map	January 2018	October 2018	10 months
Rewrite land use regulations	January 2019	January 2021	24 months
<i>Consider changes to zoning map*</i>			
Project Close Out	January 2021	February 2021	2 months

*Timeline for rewriting land use regulations includes time for considering changes to the zoning map.

Budget

Resource type	Estimated cost
Staff, professional consulting and engagement	\$830,000



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 14., File #: [20-0068], Version: 1

Meeting Date: 1/22/2020

Receive an Update on the Climate Action and Response Plan.

Staff:

John Richardson, Community Resilience Officer

Department:

Manager's Office

Overview: The Town Council [asked <https://chapelhill.legistar.com/View.ashx?M=F&ID=7737018&GUID=C2287D56-B17B-4A85-8C98-512229492A59>](https://chapelhill.legistar.com/View.ashx?M=F&ID=7737018&GUID=C2287D56-B17B-4A85-8C98-512229492A59) the Manager and staff team to complete a Climate Action and Response Plan by no later than June of 2020. Tonight's report, developed by the Town's consultant Planning Communities, is a review of the Community Engagement Strategy summary. This document describes how the Town will work with the community to build on existing climate efforts and create new opportunities for collaboration.



Recommendation(s):

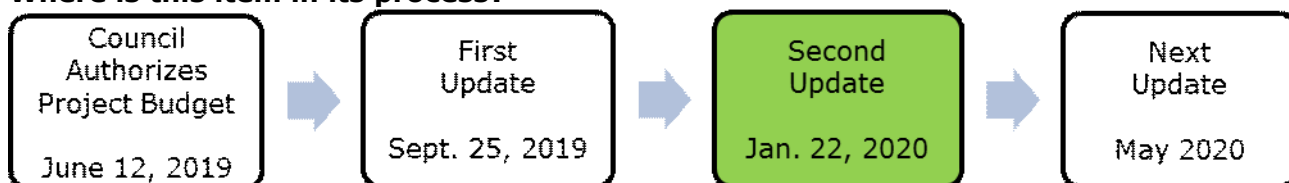
That the Council receive the update and provide direction to staff.

Decision Points:

- Is there anything else you expect to see in the community engagement strategy?
- What, if anything, is missing from the project timeline?

Fiscal Impact/Resources: There are no fiscal impacts associated with the updates.

Where is this item in its process?



Attachments:

- Draft Staff Presentation
- Community Engagement Strategy Summary

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: John Richardson, Community Resilience Officer

RECOMMENDATION: That the Council receive the update and provide direction to staff.



Update on Climate Action & Response Plan

January 22, 2020



Recommendation

That the Council receive the report and provide direction.



Recap of Key Outcomes

- Select top actions for carbon reduction and climate adaptation
- Identify implementation resources
- Integrate with 5-year budget plan
- Set new carbon goals and sustainability targets
- Enhance community partnerships
- Develop tools for monitoring and evaluation



DRAFT

Revised Schedule

Task	SEP ★	OCT	NOV	DEC	JAN ★	FEB	MAR	APR	MAY ★	JUN	JUL
1. Select Consultant											
2. Complete Emissions Inventories											
3. Community Engagement											
4. Draft Plan											
5. Council Considers Plan											
6. Implement Plan											

★ Planned check-in meetings with Council

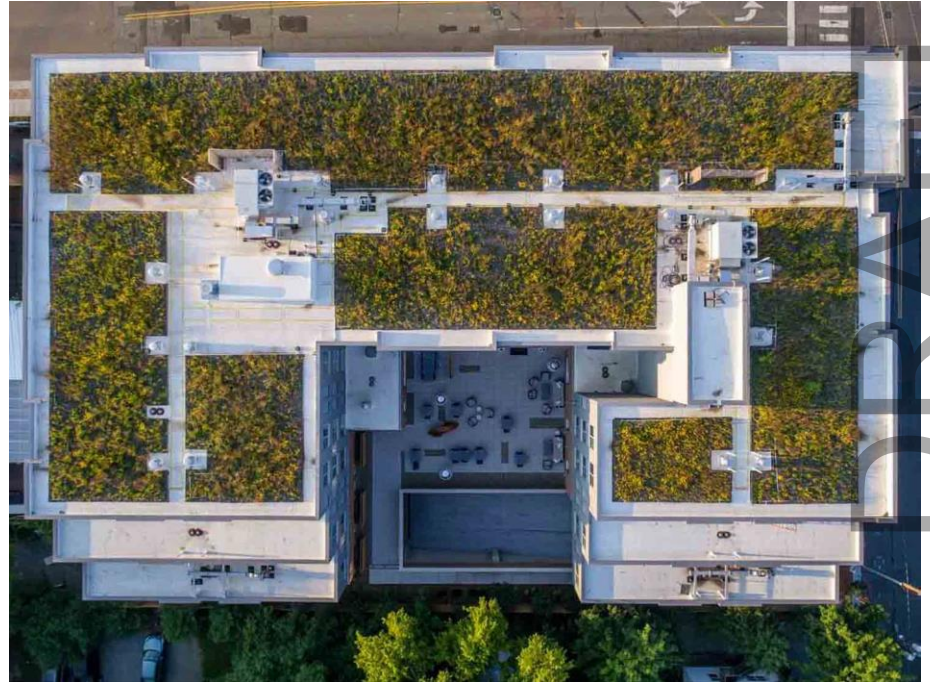
Community Engagement

- Our focus:
 - Climate equity
 - Youth engagement
- Variety of strategies:
 - Climate Summit
 - Meeting in a box
 - Boards & Commissions
 - Online



Next Steps

- Complete carbon inventories
- Continue engaging community
- Begin drafting the Plan
- Share more through project website
- Next report: May 2020



Decision Points



- Is there anything else you expect to see in the community engagement strategy?
- What, if anything, is missing from the project timeline?



Chapel Hill Climate Action & Response Plan

Community & Partner Focused.

Effective. Creative.

Engagement "Taking Action Together" Approach Overview

The Town of Chapel Hill is developing a Climate Action and Response Plan to ensure all of our community members are engaged in efforts to reduce the potential effects of climate change and to adapt to anticipated changes.

Key engagement strategies include:

- Engaging community members in person and online so that all voices find a way into the plan.
- Working with community partners to leverage and align with their ongoing climate action.
- Building new partnerships to grow our climate action efforts.
- Developing a project brand that is easy for everyone to follow.

The schedule below highlights the engagement process for the plan.

1 PLAN

October-December 2019

- Develop engagement strategy brief
- Prepare community demographic analysis
- Identify community partners
- Create cohesive look and feel for project
- Plan and launch initial online activities

2 CONNECT

December 2019-February 2020

- Develop "Meeting in a Box"
- Engage Town boards and committees
- Convene Climate Partner Summit
- Connect with community leaders for focused engagement (youth, equity, UNC)
- Promote past and current Town climate actions and activities
- Launch online Community Engagement Platform

3 EMPOWER

March 2020 and beyond...

- Partner-led engagement with "Meeting in a Box" and online resources
- Focused engagement (youth, equity, UNC)
- Promote Town climate action activities
- Participate in community events and festivals

Engagement Strategies

	Plan Oct-Dec 2019	Connect Dec 2019-Feb 2020	Empower March 2020 & beyond
ENGAGEMENT PLANNING			
Community and Stakeholder Engagement Strategy Brief (including Youth, Equity and UNC engagement strategies)	● ○		
Community Demographic Analysis	● ○		
Integrated and cohesive branding of Town climate action and response efforts	● ○		
TOWN & COMMUNITY LEADERS/PARTNER ENGAGEMENT			
Climate Action & Response Project Team	● ○	● ○	● ○
Town Committees & Boards "Call to Act"	● ○	● ○	●
Climate Partners "Taking Action Together" Summit	● ○	● ○ ●	
Town Council (briefings)		●	● ○
COMMUNITY ACTIVITIES & EVENTS			
Integrated Engagement Platform (ESRI HUB, Metroquest)	● ○	● ○	● ○ ●
Climate Partner "Meeting in a Box"	● ○	● ○ ●	● ○ ●
Community Meetings, Events and Festivals		●	● ○
Community Collaboration/Pop-Up Opportunities		● ○	● ○
Youth/Equity/UNC Engagement		● ●	● ●
MEDIA & COMMUNITIES			
Promotional campaign of town activities	● ○	● ○	● ●
Town video and/or podcast series	● ○	● ○	●
Website and social media updates	● ○	● ○	●

LEGEND

Town
Consultant
Community Partner/Volunteers





TOWN OF CHAPEL HILL

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

Item Overview

Item #: 15., File #: [20-0069], Version: 1

Meeting Date: 1/22/2020

Open the Public Hearing and Consider Applying Town of Chapel Hill Zoning to Property at 7516 Sunrise Road Formerly Zoned by Orange County.

See Staff Report on the next page.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Corey Liles, Principal Planner

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record.
- b. Introduction and preliminary recommendation
- c. Recommendation of the Planning Commission
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to adjourn the Public Hearing
- g. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- h. Motion to enact an Ordinance to rezone the property.

RECOMMENDATION: That the Council open the Public Hearing, receive public comment, close the public hearing, adopt a Resolution of Consistency with the Comprehensive Plan, and enact Ordinance A to rezone the property.



OPEN THE PUBLIC HEARING AND CONSIDER APPLYING TOWN OF CHAPEL HILL ZONING TO PROPERTY AT 7516 SUNRISE ROAD FORMERLY ZONED BY ORANGE COUNTY

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
 Judy Johnson, Interim Director
 Corey Liles, Principal Planner

PROPERTY ADDRESS 7516 Sunrise Road	PUBLIC HEARING DATE January 22, 2020	APPLICANT Town of Chapel Hill
--	--	---

STAFF’S RECOMMENDATION

That the Council

- Open the Public Hearing and receive public comment,
- Close the public hearing,
- Adopt a Resolution of Consistency with the Comprehensive Plan, and
- Enact Ordinance A to rezone the property.

STAFF ANALYSIS

Town Council approved annexation of the approximately 33-acre property [at a public hearing on November 20, 2019](#)¹. The property was previously located in the [Joint Planning Agreement](#)² (JPA) Transition Area and zoned by Orange County using Town zoning districts adopted by reference. Following annexation, State statute (G.S. 160A-360(f)) requires the Town to directly apply its own zoning regulations to the property.

The proposed amendment would maintain the existing Residential-2 (R-2) zoning, the only change being that it is applied by the Town instead of the County.

ADDITIONAL INFORMATION

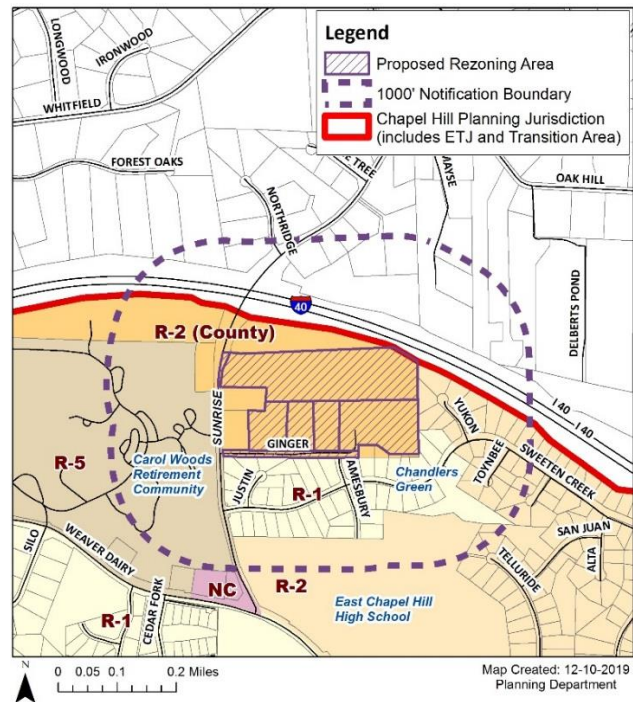
The subject property is also under consideration for a Conditional Zoning, in conjunction with review of the Weavers Grove development proposal submitted by Habitat for Humanity. The Conditional Zoning and approval of that development proposal will be considered at a separate future public hearing. Tonight’s hearing would not grant any additional development rights to the subject property. Rather, it would maintain the pre-annexation zoning classification.

PROCESS

General Use Zoning is a legislative process where the Town Council considers the consistency of a proposed rezoning with the Comprehensive Plan. No use or development is authorized if it would otherwise require a Special Use Permit or Conditional Zoning.

1. Annexation and Initiation of Zoning
2. Planning Commission Review
3. **Council Public Hearing**
4. **Consider Action on Zoning**
(may occur on the Hearing date or at a future meeting)

PROJECT LOCATION



ATTACHMENTS

- Draft Staff Presentation
- Resolution of Consistency with the Comprehensive Plan
- Ordinance A (Approving the General Use Zoning)
- Resolution B (Denying the Zoning)
- Technical Report
- Planning Commission Recommendation, January 7, 2020

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4244238&GUID=AA7BCEA-020C-4A1C-AAD7-88152F40D9E9>

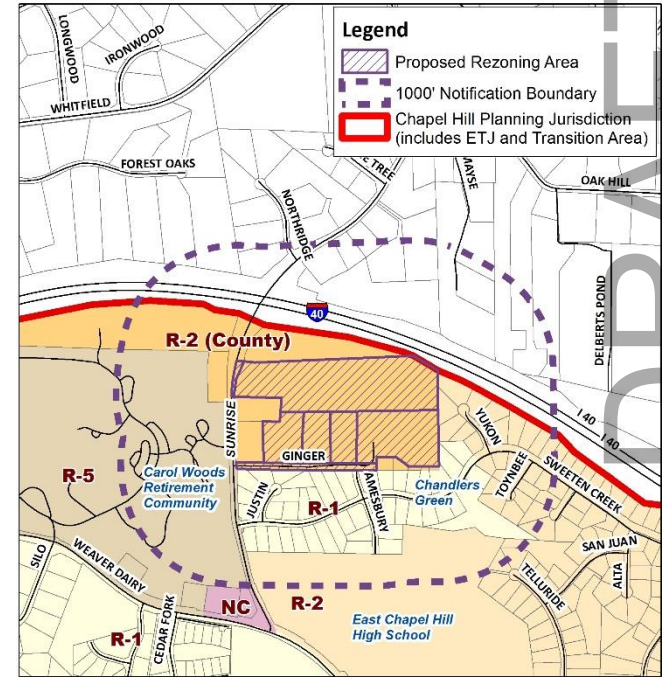
² <https://www.orangecountync.gov/1497/Documents>, scroll to section on Joint Planning Area (JPA)



7516 Sunrise Road General Use Rezoning

Town Council
Public Hearing

January 22, 2020

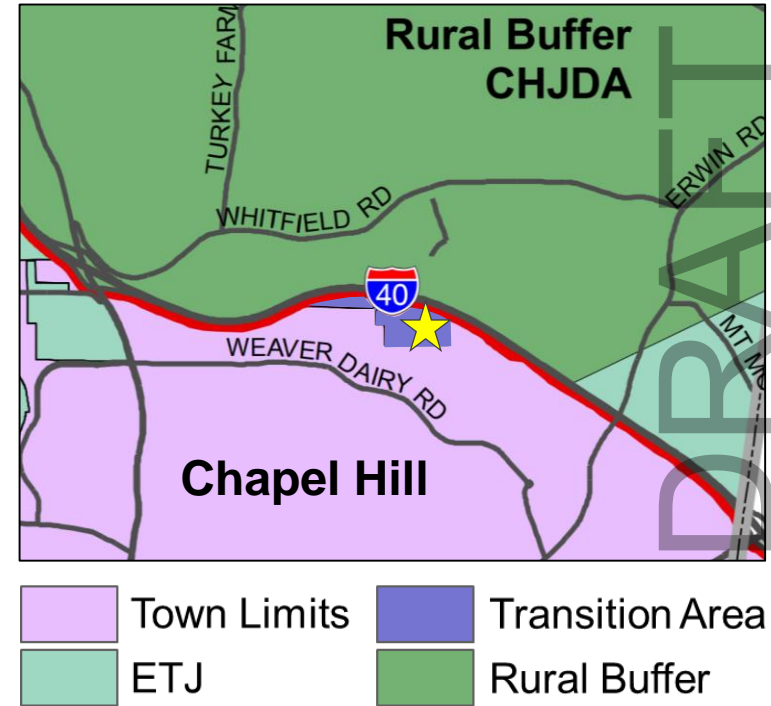


- Open the public hearing and receive comment;
- Close the public hearing;
- Adopt the Resolution of Consistency;
- Enact Ordinance A, approving the rezoning

DRAFT

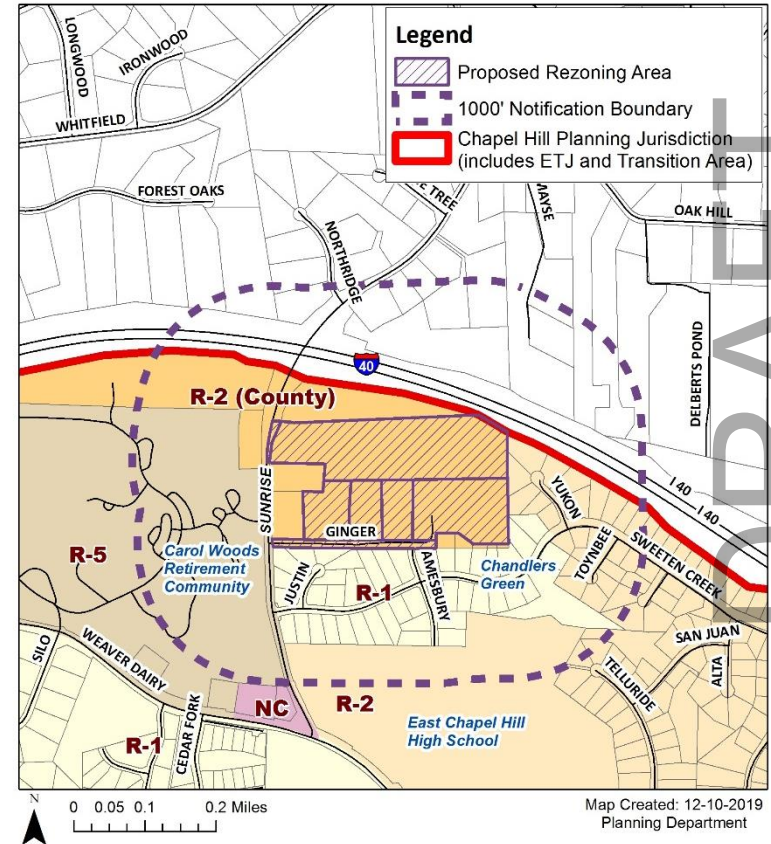
- Council approved annexation of site on November 20, 2019
- Current zoning applied under Orange County authority – previously part of JPA Transition Area
- Town must now apply zoning regulations, per State Statute
- Equivalent district proposed

Joint Planning Map
(Zoning jurisdictions prior to annexation)



- 33.7 acre site
- General Use Rezoning
 - Currently R-2 applied by County
 - Proposing R-2 applied by Town
- No development proposal associated with this rezoning

7516 Sunrise Rd Rezoning - 1000' Notification Map



- Conditional Rezoning submitted by Habitat for Humanity
- To be considered at a future public hearing



Advisory Boards/Commissions	Recommendation	Conditions
Planning Commission	<u>1/7/20:</u> <ul style="list-style-type: none">▪ Recommended Consistency with the Comp Plan▪ Recommended Approval of the Rezoning	

DRAFT

- Open the public hearing and receive comment;
- Close the public hearing;
- Adopt the Resolution of Consistency;
- Enact Ordinance A, approving the rezoning

DRAFT

RESOLUTION OF CONSISTENCY

Rezoning from Orange County Residential-2 (R-2) to Town of Chapel Hill Residential-2 (R-2)

A RESOLUTION FINDING THAT THE PROPOSED ZONING ATLAS AMENDMENT FOR 7516 SUNRISE ROAD IS CONSISTENT WITH THE COMPREHENSIVE PLAN (2020-01-22/R-10)

WHEREAS, the Council of the Town of Chapel Hill has considered the Town-initiated proposal to amend the Zoning Atlas to rezone 33.7 acres located at 7516 Sunrise Road from Orange County Residential-2 (R-2) to Town of Chapel Hill Residential-2 (R-2); and

WHEREAS, upon consideration the Council finds that the amendment, if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, including but not limited to:

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Goal Good Places New Spaces.3)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed zoning atlas amendment to be reasonable and consistent with the Town's Comprehensive Plan.

This the 22nd day of January, 2020.

ORDINANCE A

Rezoning from Orange County Residential-2 (R-2) to Town of Chapel Hill Residential-2 (R-2)

AN ORDINANCE AMENDING THE TOWN OF CHAPEL HILL ZONING ATLAS FOR 7516 SUNRISE ROAD (2020-01-22/O-5)

WHEREAS, the Council of the Town of Chapel Hill enacted an ordinance on November 20, 2019 to extend the corporate limits of the Town, pursuant to a petition for voluntary annexation submitted by Habitat for Humanity, Orange County, NC, Inc. and Barbara and Donald Levine; and

WHEREAS, the annexed properties were previously subject to the Orange County zoning ordinance, with the County classifying the properties under the Residential-2 zoning district through adoption by reference of the Chapel Hill Land Use Management Ordinance; and

WHEREAS, North Carolina General Statute 160A-360(f) specifies that, upon annexation of an area that is currently being regulated by the county, a municipality should hold hearings and take other measures necessary to adopt development regulations for the annexed area; and

WHEREAS, the Town Manager therefore initiated a zoning atlas amendment to apply Town of Chapel Hill zoning regulations to the annexed area; and

WHEREAS, on January 7, 2020, the Planning Commission considered the zoning atlas amendment and forwarded a recommendation to the Public Hearing before the Council; and

WHEREAS, the Council has considered the Town-initiated proposal to amend the Town of Chapel Hill Zoning Atlas to rezone 33.7 acres located at 7516 Sunrise Road from Orange County Residential-2 (R-2) to Town of Chapel Hill Residential-2 (R-2); and

WHEREAS, upon consideration the Council finds that the ordinance is warranted because of changed or changing conditions in the area or in the jurisdiction generally; and

WHEREAS, the Council further finds that the amendment is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, including but not limited to:

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 Comprehensive Plan (Goal Good Places New Spaces.3)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas is amended as follows:

SECTION 1

The following described territory is hereby rezoned from Residential-2 (R-2) under Orange County zoning regulations to Residential-2 (R-2) under Town of Chapel Hill zoning regulations:

Property identified by Parcel Identification Numbers (PINs): 9890-06-0413, 9890-06-3350, 9890-06-6312, 9890-06-5926, 9890-16-0437, along with the entire right-of-way of Ginger Road abutting the property to the south and one half of the right-of-way of Sunrise Road abutting the property to the west.

SECTION 2**Legal Description of properties to be rezoned:**

BEGINNING at an existing iron pipe having NC Grid Coordinate (NAD 83) of N:806,364.38' E:1,989,779.15' being along the eastern R/W of Sunrise Road (a 60' wide public R/W) and also being the southwest corner of lands owned by Chapel Hill Residential Retirement Center Inc (DB 1396, PG 6); thence South 88°15'57" East a distance of 240.18 feet to a point; thence North 01°45'41" West a distance of 357.01 feet to a point; thence South 88°27'56" East a distance of 146.60 feet to a point; thence North 01°33'51" East a distance of 76.58 feet to a point; thence North 01°22'12" East a distance of 131.02 feet to a point; thence North 88°59'21" West a distance of 395.27 feet to a point; thence North 04°38'25" East a distance of 152.44 feet to a point; thence North 13°37'56" East a distance of 162.21 feet to a point; thence North 89°39'18" East a distance of 1,468.40 feet to a point; thence South 66°56'00" East a distance of 281.96 feet to a point; thence South 00°20'40" East a distance of 140.77 feet to a point; thence South 00°20'52" East a distance of 221.54 feet to a point; thence South 00°22'55" West a distance of 464.66 feet to a point; thence North 89°10'31" West a distance of 274.91 feet to a point; thence North 00°49'30" East a distance of 11.48 feet to a point; thence North 55°50'07" West a distance of 129.38 feet to a point; thence North 89°09'06" West a distance of 160.99 feet to a point; thence South 00°49'17" West a distance of 49.94 feet to a point; thence South 00°48'03" West a distance of 65.24 feet to a point; thence North 89°29'07" West a distance of 155.26 feet to a point; thence North 89°29'03" West a distance of 50.00 feet to a point; thence North 89°21'49" West a distance of 163.72 feet to a point; thence North 89°28'23" West a distance of 110.19 feet to a point; thence North 89°38'22" West a distance of 134.58 feet to a point; thence North 88°42'15" West a distance of 36.54 feet to a point; thence North 88°16'25" West a distance of 260.49 feet to a point; thence North 88°11'12" West a distance of 69.71 feet to a point; thence North 88°18'05" West a distance of 146.68 feet to a point; thence North 88°18'05" West a distance of 84.99 feet to a point; thence North 06°30'07" West a distance of 60.65 feet to a point; to the point of BEGINNING, containing an area of 1,469,146 square feet, or 33.72 acres, more or less.

SECTION 3

This ordinance shall be effective upon enactment.

This the 22nd day of January, 2020.

RESOLUTION B

Denying the Zoning Atlas Amendment proposal

A RESOLUTION DENYING A PROPOSAL TO AMEND THE TOWN OF CHAPEL HILL ZONING ATLAS FOR 7516 SUNRISE ROAD (2020-01-22/R-11)

WHEREAS, the Council of the Town of Chapel Hill has considered the Town-initiated proposal to amend the Town of Chapel Hill Zoning Atlas to rezone 33.7 acres located at 7516 Sunrise Road from Orange County Residential-2 (R-2) to Town of Chapel Hill Residential-2 (R-2), and fails to find that the amendment:

- a) corrects a manifest error in the chapter, or
- b) is justified because of changed or changing conditions in the area of the rezoning site or the community in general, or
- c) achieves the purposes of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the Town-initiated proposal to amend the Town of Chapel Hill Zoning Atlas to rezoning properties located at 7516 Sunrise Road.

This the 22nd day of January, 2020.

TECHNICAL REPORT

Council Public Hearing – 01/22/2020



ZONING ATLAS AMENDMENT 7516 SUNRISE ROAD

The following Technical Report provides a staff analysis of the Zoning Atlas Amendment application based on long-range planning considerations.

The Town Manager has initiated a proposal to rezone property at 7516 Sunrise Road so that the zoning district classification is applied directly by the Town of Chapel Hill. This rezoning comes in response to provisions of North Carolina General Statute Sec. 160A-360(f) for properties that have been recently annexed into the corporate limits of the Town.

Prior to annexation, the subject property was located in a Transition Area where Chapel Hill and Orange County held joint review authority under the terms of the Joint Planning Agreement. Zoning regulations were applied by the County through adoption by reference of the Chapel Hill Land Use Management Ordinance.

CURRENT ZONING DISTRICT Residential-2 (R-2) – applied by County authority	PROPOSED ZONING DISTRICT Residential-2 (R-2) – applied by Town authority
2020 LAND USE PLAN DESIGNATION Low Residential, 1-4 units/acre	2020 FUTURE FOCUS AREA None
OTHER APPLICABLE ADOPTED PLANS None	

CHARACTERISTICS OF THE R-2 ZONING DISTRICT

The intent of Residential zoning districts, including Residential-2 (R-2), as stated in Section 3.3.9 of the Land Use Management Ordinance, is “to provide for residential development of appropriate intensities consonant with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development.”

The following standards would apply to the subject property under the proposed R-2 zoning. The same standards are already in effect for the property, through Orange County’s application of Chapel Hill zoning regulations in the Transition Area.

LAND USE/INTENSITY STANDARD	PROPOSED
Minimum Lot Size	10,000 sq. ft.
Maximum Residential Density	4.0 units per acre
Maximum Floor Area	93 sq. ft. per 1,000 sq. ft. of land area
Maximum Height	29 ft. at setback line; 50 ft. interior to site

TECHNICAL REPORT

Council Public Hearing – 01/22/2020

<p>Permitted Uses</p> <p>* Permitted only with Special Use Permit approval Other uses permitted by-right</p>	<p>Adult Day Care facility Cemetery* Child Day Care facility Dwelling Unit, single-family Dwelling Unit, accessory apartment Dwelling unit, duplex Essential services Group care facility* Independent Senior living facility* Park and ride* Place of worship Public cultural facility Public service facility* Public use facility Recreation facility, Nonprofit School, elementary/secondary</p>
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The R-2 district is generally characterized by residential development on lots that are about a quarter acre in size or larger. No more than two residential units are allowed on a lot, meaning this zoning district does not support townhomes or multifamily dwellings (without a Planned Development-Housing overlay). Various public and civic facilities are also allowed. Any development proposal exceeding 20,000 sq. ft. of building floor area or 40,000 sq. ft. of land disturbance requires Council approval of a Special Use Permit. In addition, Council would need to approve any proposed subdivision of land that created more than 4 lots from one lot of record and/or extended public infrastructure.

CONSISTENCY OF PROPOSED REZONING WITH THE COMPREHENSIVE PLAN

North Carolina General Statute Section 160A-383 requires the Council to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

The 2020 Land Use Plan, a component of the Comprehensive Plan, designates the subject property for Low Residential, 1-4 units per acre. Staff finds that the proposed R-2 zoning is consistent with the Land Use Plan both in terms of use and intensity. The intent of this zoning district is to provide for residential development, and the maximum residential density is four units per acre.

BACKGROUND

- November 2, 1987 Joint Planning Agreement established between Orange County, Town of Chapel Hill, and Town of Carrboro to provide coordinated planning for unincorporated areas in southern Orange County, including the subject property
- October 15, 2019 Owners of the subject property submit a petition for voluntary annexation
- November 20, 2019 Town Council approves annexation
- December 2019 Town Manager initiates zoning atlas amendment (County R-2 to Town R-2)
- January 7, 2020 Planning Commission recommendation
- January 22, 2020 Council Public Hearing on the proposed zoning atlas amendment, with opportunity for the Council to consider action

TECHNICAL REPORT

Council Public Hearing – 01/22/2020

ZONING AMENDMENT FINDINGS OF FACT

Based on the comments and information submitted, the Council will consider whether it can make one or more of the three required findings (listed below A-C) for enactment of a Land Use Management Ordinance Text Amendment.

In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

- A. To correct a manifest error in the chapter; or
- B. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- C. To achieve the purposes of the Comprehensive Plan.

Staff provides below an evaluation of the proposed zoning amendment based on the three findings. Further information may be presented for the Council’s consideration as part of the public hearing process. All information submitted at the public hearing will be included in the record of the hearing.

A. To correct a manifest error in the chapter

Arguments in Support:	To date no arguments in support have been submitted or identified by staff.
Arguments in Opposition:	To date no arguments in opposition have been submitted or identified by staff.

B. Because of changed or changing conditions in a particular area or in the jurisdiction generally

Arguments in Support:	The subject property was annexed by the Town of Chapel Hill on November 20, 2019, thereby removing it from the JPA Transition Area and adding it to the Town’s zoning jurisdiction.
Arguments in Opposition:	To date no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the proposed zoning amendment responds to changed conditions in the area and in the Town’s jurisdiction.

C. To achieve the purposes of the Comprehensive Plan

Arguments in Support:	Staff believes that the proposed rezoning would contribute to the following elements of the Comprehensive Plan: <ul style="list-style-type: none"> • A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Goal Good Places New Spaces.3)
Arguments in Opposition:	To date no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the proposed zoning amendment achieves the purposes of the Comprehensive Plan.

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town’s Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION FOR ZONING ATLAS AMENDMENT: 7516 SUNRISE RD

January 7, 2020

Recommendation: Approval Approval with Conditions Denial

Motion: Melissa McCullough moved and Stephen Whitlow seconded a motion to recommend that the Council find the Zoning Atlas Amendment consistent with the Comprehensive Plan.

Vote: 8 – 0

Yeas: John Rees (Chair), Louie Rivers (Vice-Chair), Neal Bench, Michael Everhart, Melissa McCullough, Whit Rummel, Buffie Webber, Stephen Whitlow

Nays:

Recommendation: Approval Approval with Conditions Denial

Motion: Neal Bench moved and Buffie Webber seconded a motion to recommend that the Council approve Ordinance A as presented.

Vote: 8 – 0

Yeas: John Rees (Chair), Louie Rivers (Vice-Chair), Neal Bench, Michael Everhart, Melissa McCullough, Whit Rummel, Buffie Webber, Stephen Whitlow

Nays:

Prepared by: John Rees, Chair
 Michael Sudol, Planner II



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 16., File #: [20-0070], Version: 1

Meeting Date: 1/22/2020

Consider Establishing Town of Chapel Hill Fund for Criminal Justice Debt.

Staff:

Beth Vazquez, Police Crisis Unit
Megan Johnson, Police Crisis Unit Supervisor
Chris Blue, Chief of Police & Exec. Dir. for Community Safety

Department:

Police Department

ITEM OVERVIEW

The Town Council requested that staff introduce information for discussion as Council considers establishing a Criminal Justice Debt Relief Fund.

- Court fines and fees have a disparate impact on the poor.
- Town of Chapel Hill receives revenues from court fines and fees.
- Chapel Hill values being a welcoming community with a place for everyone; the imposition of these fines and fees creates significant barriers to justice-involved indigent community members seeking to reintegrate into the community.
- As with last year's support for a DACA assistance program, the Town Council has a proud history of championing social justice issues and using Town funds to help our residents address unfair systems. Because African Americans are disproportionately represented in the criminal justice system due to historic and structural racism in the US, this is also a racial equity issue.
- The proposed **Fund for Criminal Justice Debt** would provide criminal justice-related debt relief to indigent members of the community who are taking steps to successfully reintegrate into the community but whose ability to do so is hampered by this debt.
- The initial request is for \$20,000 for a pilot program, to be followed by a report out to Council to assess future funding and structure.

DECISION POINTS

1. Consider establishing Town of Chapel Hill Fund for Criminal Justice Debt.
2. Approve composition and role of members to the Criminal Justice Debt Fund Advisory Committee.

PROJECT OVERVIEW AND BACKGROUND

"All across our state, thousands of North Carolinians are jailed every year because they can't afford to pay a fine. Our counties spend more than \$1,100 on every person that is jailed for their inability to pay. But, on average, they only owe \$500. That simply does not make sense. It is costly to the public and doesn't allow people to be out working. I know that several local jurisdictions have already taken steps to end this practice, and I look forward to seeing many others join them in that effort."

-NC Chief Justice Cheri Beasley, State of the Judiciary, June 22, 2019

The impact of court fines and fees imposed on the poor is a serious problem in North Carolina. A recently released report by the North Carolina Poverty Research Fund at UNC, entitled "[Court Fines and Fees: Criminalizing Poverty in North Carolina](#)," by Gene Nichol and Heather Hunt, explains how court fines and fees burden poor defendants and their families. Those unable to pay court costs risk triggering additional fees, revoked driver's licenses, probation violations and jail time, often for offenses too minor to warrant incarceration. Defendants unable to pay their fees are sanctioned in ways that make it even harder for

them to escape their criminal justice debt. Fines and fees of even a few hundred dollars can present a substantial hurdle.

National, state and local criminal justice reform advocates, academics, researchers and community members have identified **the criminalization of poverty, particularly court fines and fees, as a pressing issue and are seeking ways to address its disproportionate impact.** Chapel Hill has an opportunity to join this effort.

Because we have a courthouse in Chapel Hill, the Town receives a financial benefit through legislatively mandated fines and fees collected on all cases that are heard in Chapel Hill. These fees go into our General Fund and amount approximately \$25,000 annually, although this varies from year to year. This proposal to mitigate the impact on court-involved Chapel Hill residents and their families is presented for Council consideration.

The ACLU's [At All Costs: The Consequences of Rising Court Fines and Fees in North Carolina](https://www.acluofnorthcarolina.org/en/AtAllCosts) <<https://www.acluofnorthcarolina.org/en/AtAllCosts>> is another useful resource on this issue.

Proposal

We propose piloting the creation of a new fund to assist those in our community who are impacted by criminal justice-related debt and who are unable to pay. We have engaged with Town and community partners, including the Police Department Crisis Unit, the Orange County Criminal Justice Resource Department, the Clerk of Superior Court, and the Inter-Faith Council for Social Service (IFC) to develop a model for Council consideration that avoids duplication and fills an urgent gap in our community.

Impact on Orange County Residents

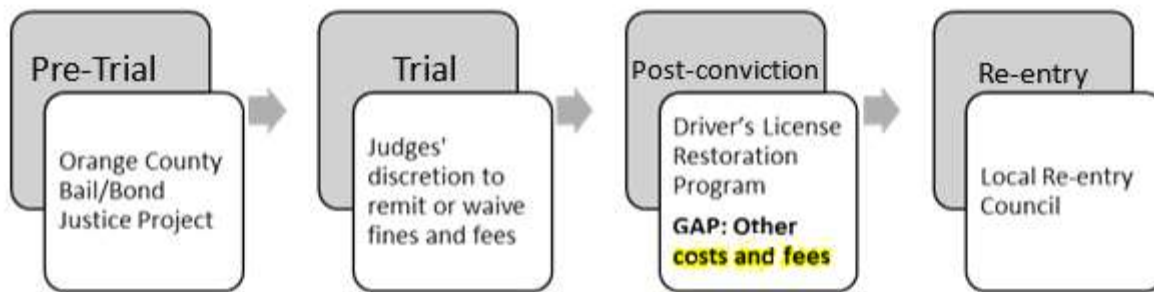
No one is currently collecting data in North Carolina at the county or municipal levels on unpaid criminal justice debt due to inability to pay. However, there are some indicators that hint at the enormity of this problem in our community. For example, over 3,000 individuals have driver's license suspensions due to failure to pay fines in Orange County traffic matters. Statewide, approximately 350,000 North Carolinians have long-term suspensions based on unpaid traffic court costs alone and the average debt is estimated at \$500 per person.

Per Nichol and Hunt, "data from North Carolina, while scant, indicates that fees easily reach hundreds of dollars for even small traffic infractions and misdemeanors. Court costs snowball when defendants are unable to pay the full debt amount on time and all at once. Late fees, installment payment fees, collection fees, probation supervision fees and the like hook poor people in the same way payday loans do-by keeping defendants on a never-ending debt loop... **Poor households have to juggle food, shelter, medicine, transportation and other household necessities against fines and fees.**"

A component of this pilot will be to collect and document the level of need within Chapel Hill, based on application volume and size of debt, and to work with the advisory committee member organizations to gather additional data, as feasible.

Filling a Gap

We are fortunate to live in a county where local government, community, and faith organizations are aware of and already working on many fronts to mitigate the disparate impact of the criminal justice system on the poor and to change the system altogether so that a need for this type of fund would no longer be needed in the future. Several programs are in place or are being established to address this the worst monetary impacts throughout the criminal justice system lifecycle at pre-trial, during trial, and post-conviction:



- Pre-trial: **Orange County Bail/Bond Justice Project**, led by Binkley Baptist Church, is working to establish a bail fund that will assist people with bail and pretrial incarceration. It will not assist with post-conviction debt from fines, fees and costs.
- Trial: Judges have discretion to waive or remit fees, fines, and costs.
- Post-conviction: **Orange County Driver's License Restoration Program** - assists people who are unable to pay court costs related to traffic-related violations by asking judges to remit them for good cause.
- Re-entry: **Local Reentry Council** - assists formerly-incarcerated individuals with transportation, housing, employment training, work-related supplies, and childcare.

In addition, court stakeholders and the District Bar's Racial Justice Task Force are working to ensure best practices are in place to address ability to pay at the time of sentence or disposition. However, significant gaps still remain, and the Fund for Criminal Justice Debt would fill an urgent one by assisting those unable to pay restoration, probation, or other fees and costs assessed as part of a traffic case or criminal case disposition. This program will also help to refer eligible community members to these other services.

Proposed Program Structure and Eligibility Criteria

The following eligibility criteria are proposed:

- Resident of Chapel Hill
- Meets court indigency standards
- Not currently incarcerated
- Has outstanding criminal justice or traffic debt from Orange County inclusive of deferred prosecutions
- Could be seeking services from CHPD Crisis Unit, CEF, IFC, CJRD or other local service provider (but not required)
- Other avenues for debt relief have already been pursued (e.g. driver's license restoration program)
- Assistance will have an immediate impact on the participant's stability or successful reentry into the community.
- Individuals convicted of violent felonies are ineligible for the program.

Creation of an Advisory Committee

The program will include the formation of an eight-member advisory committee made up of representatives from the Orange County criminal justice and indigent service provider community. Each of the following service providers will be invited to appoint (1) representative to the Advisory Committee:

- Community Empowerment Fund (CEF)
- IFC
- Re-entry Council Case Manager
- Restoration Program Legal Counsel

- Orange County Partnership to End Homelessness (OCPEH)
- NAACP Legal Redress Committee or Criminal Justice Committee member
- El Centro Hispano
- An impacted community member (could be the IFC or CEF seat)
- Orange County Clerk of Court's Office
- Victims' advocate organization (possibly law enforcement, OCRC, Compass Center, etc.)

Proposed Advisory Committee Charge

- Finalize the Fund eligibility criteria
- Meet quarterly to review applications and recommend participants for the Fund
- Respond to programming questions as they arise, such as whether to have a funding cap and if so, how much
- Review program data and make recommendations on improvements
- Share recommendations to Council on future plans
- Provide information to applicants about other resources for debt relief, where appropriate

Staff Support

The Chapel Hill Police Department (CHPD) currently houses a robust and effective Crisis Unit, staffed by five Masters-level clinicians who routinely interact with those involved in and impacted by the criminal justice system. The Crisis Unit staff already have an intake process in place through which they identify, among other information, a client's financial situation, and the Clerk of Court has indicated a willingness to collaborate with them to verify the existence and amount of criminal justice-related debt and ability to pay. Therefore, the CHPD Crisis Unit staff are ideally placed to be the "face" of the Fund, taking the lead to identify eligible beneficiaries and disperse funds. The Crisis Unit will provide a staff liaison to the Advisory Committee and will screen applications for eligibility.

Because the Crisis Unit is part of the Town structure, funds will stay "in-house" with the Budget Office managing and tracking the funds, and making payments on behalf of participants to satisfy eligible criminal justice debt. This will likely primarily be to the Clerk of Court to pay outstanding post-conviction fines and fees incurred in Orange County court matters but could also include fees owed to the Department of Motor Vehicles (DMV).

The Crisis Unit will serve as a liaison to the advisory committee throughout the nomination process. Participants can be nominated by any community group or can even self-nominate. All applicants to the program will be vetted by the Crisis Unit to ensure they meet the program criteria. To minimize staff time required to support the Fund, payments will be made no more than twice during the pilot period and recipients will be limited to the Clerk of Court and DMV.

NEXT STEPS:

We request \$20,000 to pilot this program starting in FY20 with a report out to Council after 6 months of implementation so that it can be considered for future funding, if there is continued interest. Program metrics will be finalized with the advisory committee but would likely include the following:

- Number of applications received
- Number of community members served
- Amount of funding requested
- Amount of funding provided
- Types and amounts of debt held by applicants and participants
- Qualitative feedback on success of program, recommendation on continuation of program and any needed adjustments (structure, eligibility, funding level, etc.)

A secondary term goal of this initiative is to bring the issue of the disparate impact on the poor of court fines and fees to a wider audience. Along with serving as a pilot program for the Town, we also see it as a

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Meeting Date: 1/22/2020

demonstration project that, if successful, could spur action on the part of other municipalities. There is a growing recognition of this injustice at the state and national levels, with increasing interest in taking local action. At the six month report to Council, we will initiate a discussion as to how we can use the lessons of this pilot to both expand the partnership and leverage additional local resources moving forward, and also how to document and share the model for dissemination with other municipalities.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Megan Johnson, Police Crisis Unit Supervisor

RECOMMENDATION: That the Council consider establishing a Criminal Justice Debt Relief Fund.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 17., File #: [20-0071], Version: 1

Meeting Date: 1/22/2020

FY 2019 Financial Update and Audit Results.

Staff:

Amy Oland, Director

Department:

Business Management

Overview: The Town's Comprehensive Annual Financial Report (CAFR) for the period ended June 30, 2019 is available on the [Town's website <https://www.townofchapelhill.org/town-hall/departments-services/business-management/financial-statements>](https://www.townofchapelhill.org/town-hall/departments-services/business-management/financial-statements) and has been distributed to third-party entities (bond rating agencies, banks, government institutions) who request this updated data annually from the Town. The CAFR is a record of the Town's financial performance for that fiscal year and a snapshot of the Town's fiscal condition as of June 30, 2019. The information in the Town's CAFR provides important indicators of the Town's financial health that are used by a variety of outside stakeholders, including investors, bond rating agencies, state and federal agencies.



Recommendation(s):

That the Council receive this report on the Town's CAFR for FY 2019 and financial update presentation.

FY 2018-19 CAFR

When independent auditors review the Town's financials, they issue of the following opinions to summarize their findings: unqualified, qualified, adverse, or going concern. As in previous years, the Town has received an unqualified or "clean" opinion from the independent auditors attesting to the fact that the Town's financial statements fairly represent the Town's financial condition in all material respects. In addition, no reportable conditions or material weaknesses in the Town's internal controls or use of federal and state grants were reported in the Single Audit Section for the period.

The CAFR Document

The CAFR has four major sections, each with a specific purpose as described below:

- 1. Introduction Section:** This section contains the transmittal letter from the Manager and the Finance Officer, the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting, Organizational Chart and a list of the members of the governing body.
- 2. Financial Section**
 - a. Auditor's opinion on the Town's Financial Statements
 - b. Manager's Discussion and Analysis (MD&A): Includes a discussion of the structure of the Town's Financial Statements, highlights and analysis of the various Town funds
 - c. Government Wide-Statements: These statements aggregate the activities, assets and liabilities of all funds and show enterprise-wide financial position and results
 - d. Fund Financial Statements: Individual financial statements for all of the Town's major funds. The major funds are the General Fund, Debt Service Fund, Capital Projects Ordinance Fund, Transit Fund, Parking Facilities Fund, Housing Operating Fund and Stormwater Management Fund.
 - e. Notes to the Financial Statements: Additional information essential to the full

- understanding of the government-wide and fund financial statements
- f. Required Supplementary Information: Includes required information regarding the Town's progress in funding its obligations to provide separation allowance for law enforcement officers and other post-employment benefits (OPEB)
 - g. Combining Statements: Facilitate comparison and present information at the individual fund level demonstrating how they are combined to accumulate totals used in the fund financial statements.
 - h. Budgetary Statements: The budgetary statements demonstrate compliance with the budget ordinance and are presented using the same format, language and classifications.
 - i. Other Supplementary Information: Schedule of taxes receivable and the current tax levy.

3. Statistical Section: Presents multi-year schedules that help to identify trends and provide indicators of the Town's overall financial health. These schedules include financial trends, revenue capacity, debt capacity, demographic, economic and operating information.

4. Single Audit Section: This section contains the auditor's reports on internal controls and compliance for major federal and state grant programs and a schedule of expenditures for federal and state awards.

Results for FY 2019

Governmental Funds - This fund type uses the current financial resource management focus and the modified accrual basis of accounting (see CAFR page 42 for information on the basis of accounting for Town funds).

- General Fund - Overall fund balance is up \$1,576,626 and undesignated fund balance is up \$8,704. Undesignated fund balance as of June 30, 2019 was 21.5% of expenditures, which is \$295,575 less than the 22% undesignated fund balance target. The reason fund balance is below the designated target is the result of new legislation that requires the Town to reserve any excess inspections revenues over expenditures. The total reserved for inspections is \$425,387. Fund balance has been relatively stable over the past seven years, averaging about 24%. The exception to this trend was FY 2017, where the reduction in fund balance was due to several one-time transactions, including the purchase of the American Legion Property, the establishment of the Affordable Housing Development Reserve and the creation of the irrevocable trust for the Town's OPEB liability.
- Debt Management Fund - For the year, revenues and transfers into the Debt Fund exceeded expenditures by \$305,171, adding to the total fund balance, which finished the year at \$7,494,829. Due to the accounting for future debt obligations, the fund shows a negative unassigned fund balance, signifying that future debt obligations exceed currently available funds.
- Capital Project Ordinance Fund - Capital Project expenditures exceeded revenues and proceeds from the issuance of debt by (\$6,066,113) for the year, decreasing the Capital Project fund balance. This decreased balance represents the spending down of bond proceeds issued in 2017 and 2018 on major streets and sidewalks and parks capital projects.

Enterprise Funds - This fund type uses the economic resource focus and the accrual basis of accounting (see CAFR page 42).

- Transit Fund - Net assets in the Transit Fund were up about \$1.70 million for the year. This reflects depreciation charges and investment in capital assets (buses) offset by capital contributions from federal and state transit grants during the period. The fund finished the year with \$8.68 million in unrestricted net assets (36.6% of operating budget), up \$2.94 million from the prior year.
- Parking Fund - The fund finished the year with expenditures exceeding revenues by (\$190,901). Given the Parking Fund's high fixed costs and volatile revenues, we will need to monitor the fund's ability to continue operations without a significant subsidy or restructuring over the next few years.
- Housing Fund - Net assets increased for the year by \$31,995. The fund finished the year with

- unrestricted net assets of \$2,539,525, which is about 96% of the annual operating budget.
- Stormwater Fund - Net assets increased by \$1,331,523. The fund finished the year with unrestricted net assets of \$2,557,181, an increase of \$1,029,637 from the prior year, which represents about 93% of the operating budget. This increase reflects an investment in capital improvements during the year.

Trends and Analysis:

General Fund

- At the end of the fiscal year, fund balance fell below the 22% target, by 0.5%. New legislation was enacted beginning in FY 2019 that requires the Town to reserve any excess inspections revenues over expenditures. The total reserved for inspections is \$425,387. The FY 2019 revenue and expenditure budget for inspections was balanced, but the reserve is the result of excess permit revenues received and vacant inspector lapsed salaries.
- Personnel savings remain a major component of the annual budgetary savings. At any given time the Town has 60-70 vacant positions. The Town acknowledges the expected personnel savings from vacancies and, to a lesser extent, savings in other cost categories created by conservative budgeting practices, and appropriating fund balance to balance the initial budget. In most years, the savings from vacancies eliminates the need to use the appropriated fund balance, thereby keeping fund balance levels stable. While this strategy has worked well in the past, our margin of error is getting smaller as we increase the amount of budgeted lapsed salaries and fund balance appropriations to balance budgets.
- The Town's property tax base is growing slowly, averaging 2.6% annual growth over the last eight years, with almost 1% of growth from the revaluation in 2018. While there has been strong building permit activity in both residential and commercial areas during that time, with an \$8.26 billion tax base, the amount of growth needed to "move the needle" is huge. For instance, to raise the property tax base one percent would require the addition of two new University Place shopping centers.
- The slow growth in the property tax base is outpaced by the Town's operating costs, which have increased over 3% per year over the last eight years.
- The Town had a 2 cent tax increase in FY 2019 - one cent for the General Fund and one cent for Transit to help offset increasing operating costs.
- The Town's investment in economic development projects also slows the realization of tax revenues from tax base growth. The tax impacts of developments in the Blue Hill District, Carraway Village, and Wegmans are delayed as we commit those tax revenues to public improvements and economic incentives that helped facilitate those projects.
- Sales and other economy driven taxes, including occupancy and utility franchise taxes, have helped us keep pace with costs as they have increased steadily since FY11. While forecasts show continued steady growth, we remain cautious due to the potential for unexpected changes in economic climate and/or changes in how the state distributes these revenues.

Transit Fund

- Over the last several years, as the Town has not been able to rely on the availability of federal and state grant funds for bus replacement, we have devised other means of replacing buses, including borrowing and using excess fund balance. This change in strategy adds a significant layer of cost that was not considered when the Chapel Hill Transit System was developed. Ensuring the long-term financial sustainability of the system, as the long-term prospect for federal bus replacement funds remains bleak, will be a continuing challenge.

Parking Fund

- Between FY 2011 - FY 2019, there were only two times that the Parking Fund has added to fund balance. Given the need for capital maintenance of parking structures, it is uncertain that the fund can survive in its current configuration. We will continue to monitor the results of the fund to determine if the fund will need a subsidy from the General Fund in the future.

Housing Fund

- The fund has a healthy level of unrestricted net assets that is offset, in part, by the ongoing need for capital improvements. Due to the age of the complexes, major capital improvements are needed on an annual basis, which will spend down the level of net assets over time. The Housing Fund is dependent on Federal Operating Assistance grants. The FY19 award was \$35,735 less than the previous year's award. The unpredictability of this allocation is a challenge for the sustainability of the Housing Fund as it is currently structured.

Stormwater Fund

- In FY 2018, the Stormwater Fund issued \$2.7 million in general obligation bonds to fund major stormwater improvement projects, including Elliott Road Storage Project. This project has just begun construction.

Summary

The Town's overall financial condition remains strong, but there are warning signs that sustaining this condition will require adjustments. The General Fund continues to see expenditures consistently outpacing its largest revenue source (property taxes). Our reliance on fund balance and lapsed salaries to balance our budget has grown to an unsustainable level, and we need to reexamine how we balance our budget during the next budget cycle. The Town's commitments to future projects (ex. Rogers Road) will need to be part of the reexamination.

Three of the Town's four enterprise funds are facing sustainability challenges due either to questions about the continuation of federal funding and/or major capital needs. The exception is the Stormwater Fund, which can regulate its cash flows by increasing the dedicated stormwater fee. The Parking and Housing funds have limits to their revenue-raising abilities, while the fare-free Transit System relies on its funding partner financial model and state and federal funding. We will continue to monitor these funds and work with stakeholders on strategies for long-term sustainability.



Attachments:

- Independent Auditor Report
- Auditor Presentation
- Draft Staff Presentation

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Brandi Fesperman, Senior Accountant, Martin Starnes & Associates, CPAs, P.A.

Amy Oland, Business Management Director

RECOMMENDATION: That the Council receive this report on the Town's CAFR for FY 2019 and financial update presentation.

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MARTIN ♦ STARNES
& ASSOCIATES, CPAs, P.A.

“A Professional Association of Certified Public Accountants and Management Consultants”

INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor, Town Council and
Citizens of the Town of Chapel Hill
Town of Chapel Hill, North Carolina

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Town of Chapel Hill, North Carolina, as of and for the year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise the Town’s basic financial statements as listed in the table of contents.

Management’s Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor’s Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor’s judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity’s preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity’s internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Town of Chapel Hill, North Carolina, as of June 30, 2019, and the respective changes in financial position and, where applicable, cash flows thereof and the respective budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, and the Local Government Employees' Retirement System's Schedules of the Proportionate Share of the Net Pension Liability (Asset) and Contributions, the Law Enforcement Officers' Special Separation Allowance Schedules of the Changes in Total Pension Liability and Total Pension Liability as a Percentage of Covered Payroll, and the Other Postemployment Benefit's Schedules of Changes in the Net OPEB Liability and Related Ratios, Town Contributions, and Investment Returns be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town of Chapel Hill's basic financial statements. The introductory section, combining and individual fund financial statements, budget and actual schedules, other schedules, supplemental ad valorem tax schedules, and statistical tables are presented for purposes of additional analysis and are not a required part of the basic financial statements. The Financial Data Schedule is presented for purposes of additional analysis as required by the U.S. Department of Housing and Urban Development and is not a required part of the basic financial statements. The accompanying Schedule of Expenditures of Federal and State Awards is presented for purposes of additional analysis as required by Title 2 U.S. *Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* the State Single Audit Implementation Act and is also not a required part of the basic financial statements.

The combining and individual fund financial statements, budget and actual schedules, other schedules, supplemental ad valorem tax schedules, Financial Data Schedule and the Schedule of Expenditures of Federal and State Awards are the responsibility of management and were derived from, and relate directly to, the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual

fund financial statements, budgetary schedules, other schedules, supplemental ad valorem tax schedules, Financial Data Schedule and the Schedule of Expenditures of Federal and State Awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory section and statistical tables have not been subject to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we express no opinion on them.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated November 15, 2019 on our consideration of the Town of Chapel Hill's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Town of Chapel Hill's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town of Chapel Hill's internal control over financial reporting and compliance.

Martin Starnes & Associates, CPAs, P.A.

Martin Starnes & Associates, CPAs, P.A.
Hickory, North Carolina
November 15, 2019

MARTIN · STARNES
& ASSOCIATES, CPAs, P.A.

Town of Chapel Hill, North Carolina
Annual Financial Report
Fiscal Year Ended June 30, 2019

DRAFT

Audit Process

- Planning and risk assessment
- Interim procedures (internal controls, testing of compliance)
- Final fieldwork procedures
- Exit conference
- Issuance of opinion letters
- Year-round process

DRAFT

Audit Summary

- Unmodified Opinion
- Cooperative Staff

DRAFT

Discussion & Questions

DRAFT

MARTIN · STARNES
& ASSOCIATES, CPAs, P.A.

DRAFT



FY2019 Financial Results and Trends



**Town of Chapel Hill
Business Management
Department**
January 22, 2020

DEPARTMENT

Agenda



CAFR



FY2019 Results



Trends



Next Steps

DRAFT

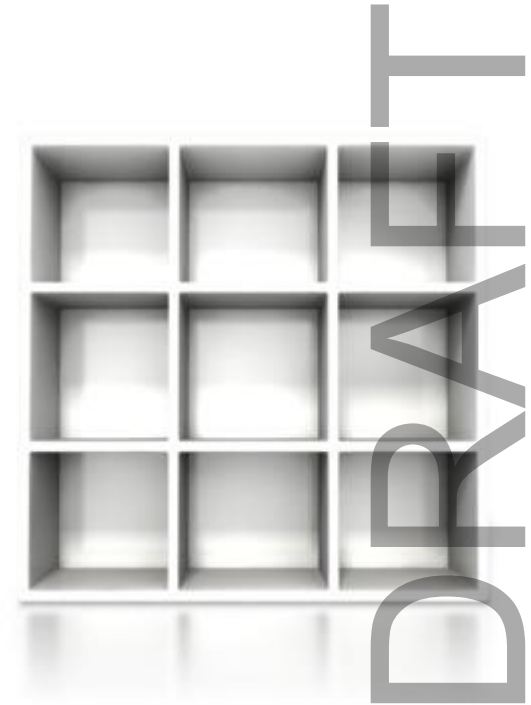
Comprehensive Annual Financial Report

- **Introduction**
- **Financial Section**
 - Auditor's Opinion
 - MD&A
 - Government-Wide Statements
 - Fund Financial Statements
- **Statistical Section**
- **Single Audit Section**



193 Financial Reporting Structure Major Funds

- **Fund Financial Statements**
 - **Governmental Funds**
 - General Fund
 - Debt Management Fund
 - Capital Projects Ordinance Fund
 - **Enterprise Funds**
 - Transit Fund
 - Parking Fund
 - Stormwater Fund
 - Public Housing Fund



Key Questions

- 1. Are we better off today than we were one year ago?**
- 2. Do the financial results of operations reveal any trends or conditions that need to be addressed on an operational or policy level?**



DRAFT

Financial Highlights (FY2019)

Unqualified Opinion

- Independent External Auditors

Award for Excellence in Financial Reporting

- Government Finance Officers Association (GFOA)

Triple A Bond Rating

- Moody's and Standard & Poors



DRAFT

Government-Wide Statements

- **The Town's total net position increased by about \$4.5 million**
 - **\$1.6 million increase in Governmental Funds (increase in property tax & sales tax revenues)**
 - **\$2.9 million increase in Enterprise Funds (additions to fund balance in Transit and Stormwater)**

\$119.1 million in total net position



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General Fund

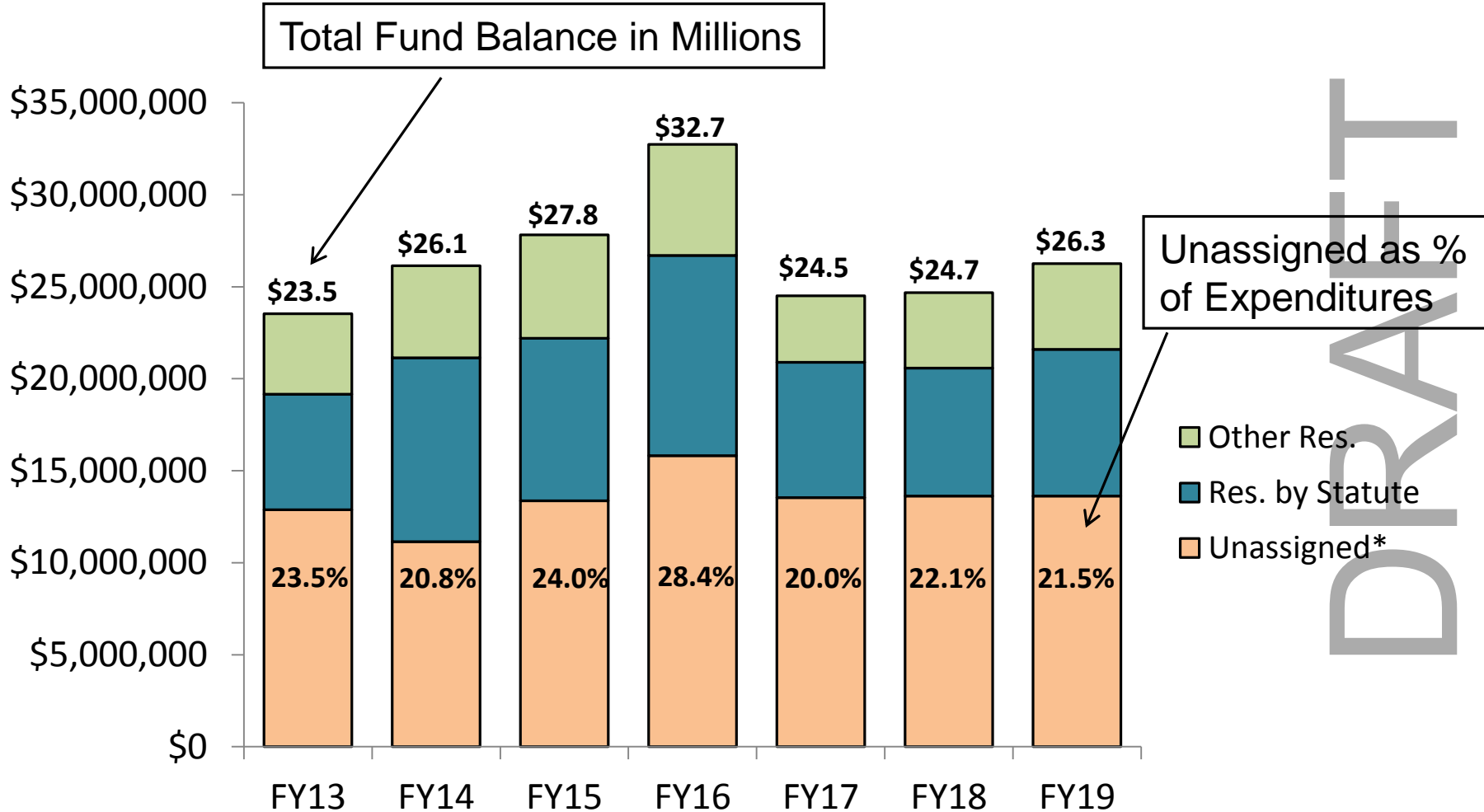
- Overall fund balance (FB) is up \$1.58 million
- Available fund balance is up by \$8,704
- Available fund balance percent is 21.5%
- Available FB less than 22% target due to reserve for inspections of \$425,387
- FB has been stable over the last seven years

Fund Balance Percent is calculated as available fund balance over expenditures and other uses (source: audited financial statements) .



Total GF Fund Balance

FY2012-13 thru FY2018-19



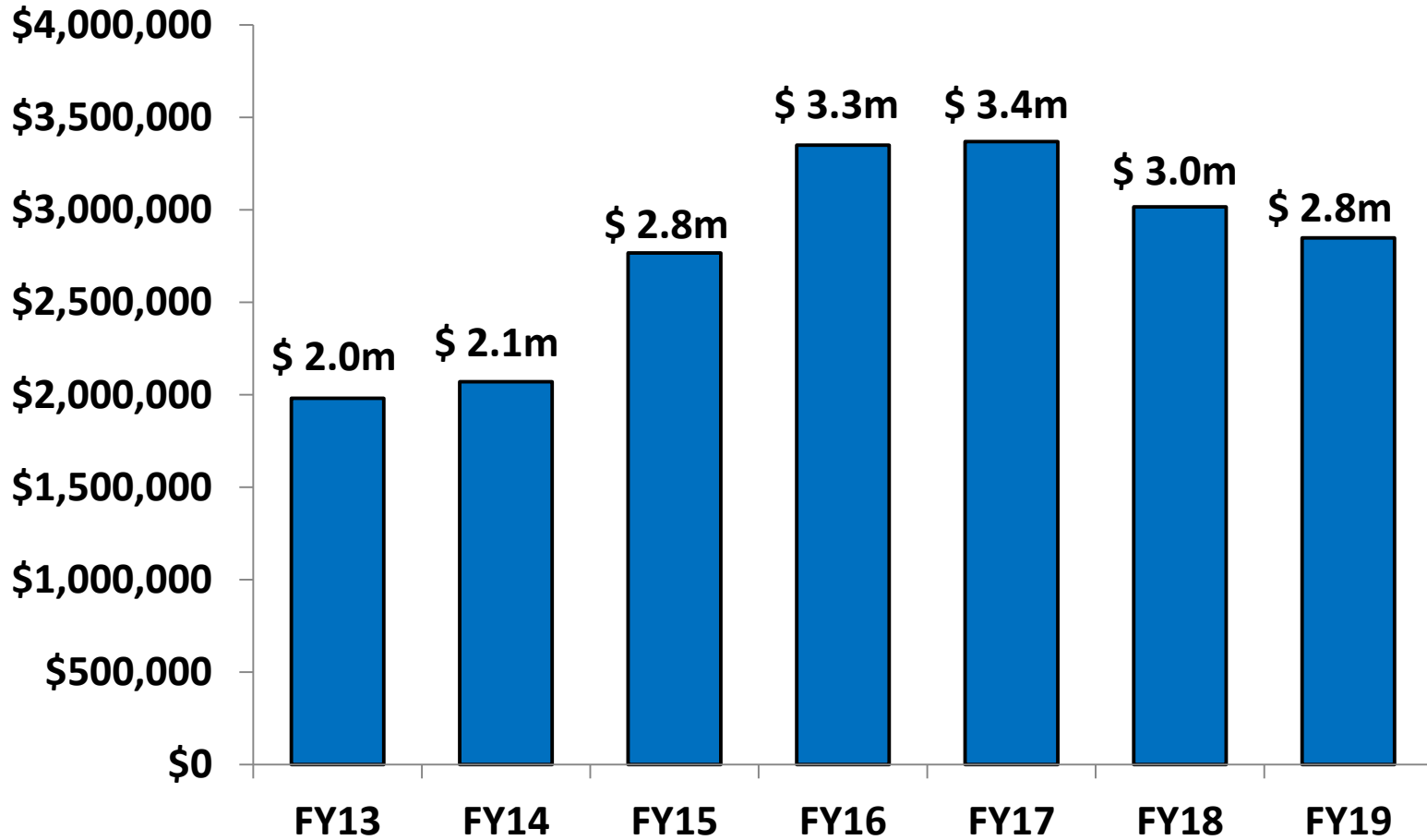
- *Unassigned fund balance is calculated as a percent of expenditures and other uses per audited financial statements*

Fund Balance Target

- Establishment of a fund balance “Floor” of 22%
- Fund balance over target is available for “one-time” expenditures (capital, OPEB)
- FY2019 Unassigned Fund Balance is 21.5%
- New regulations requiring Town to reserve excess inspections revenues of \$425K brought unassigned fund balance below 22% target



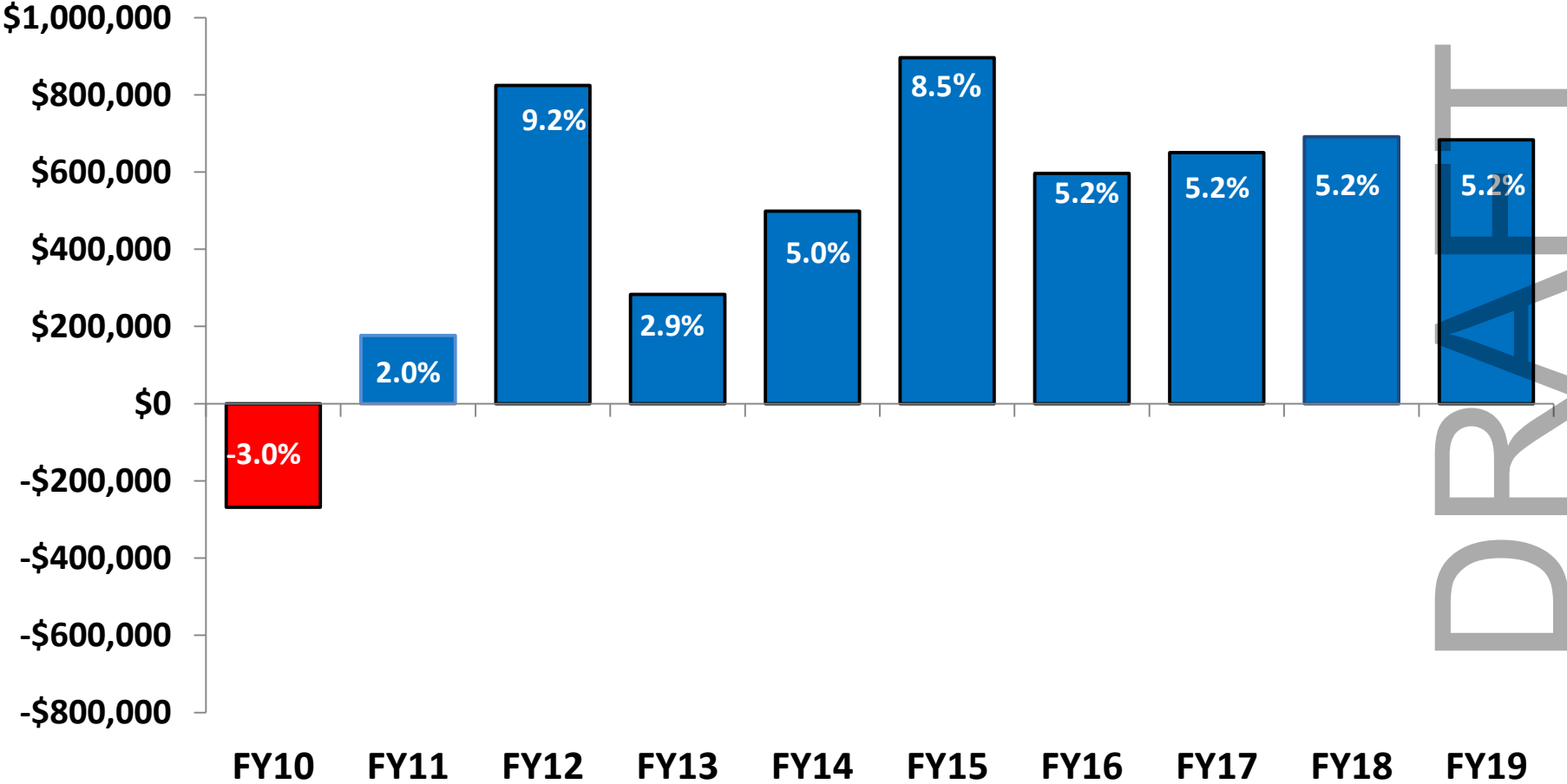
General Fund Personnel Cost Savings



DRAFT

201 Sales Tax Revenues

(Change from Prior Year)



Debt Management Fund

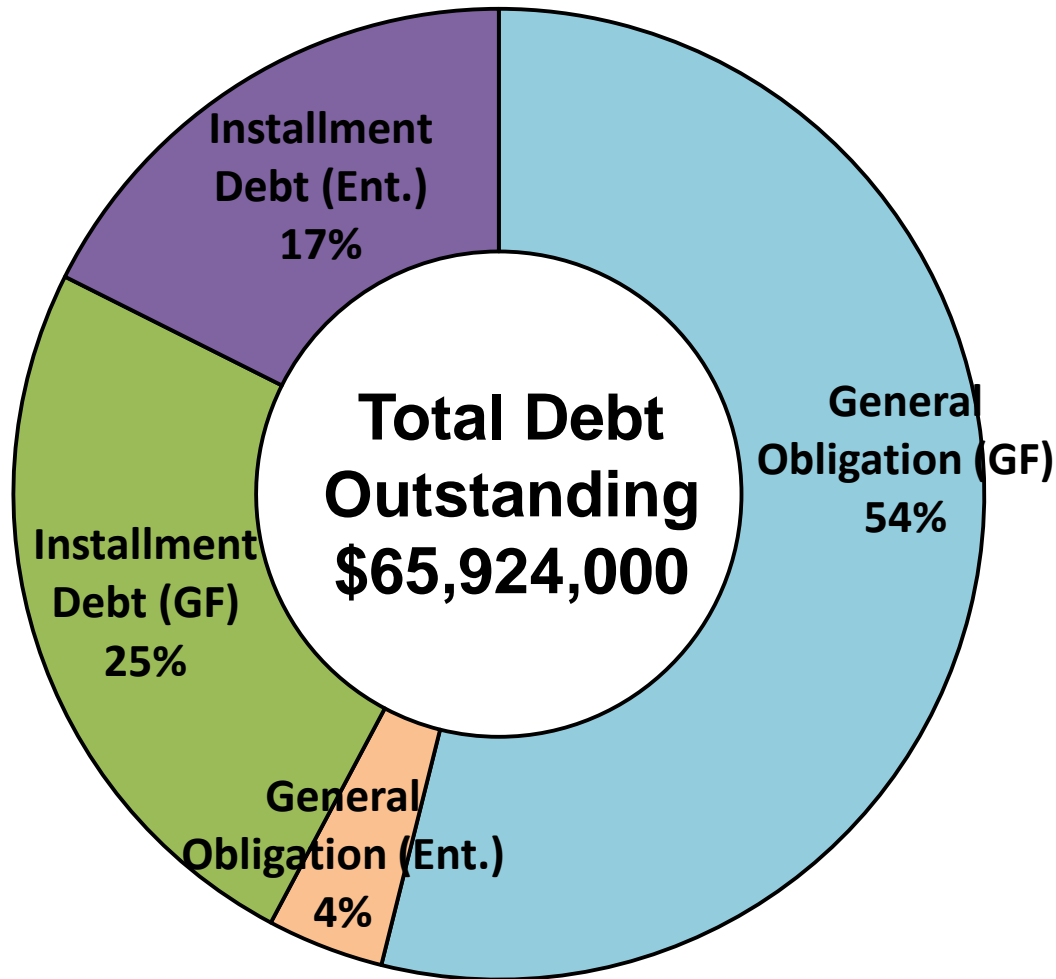
- Increase in fund balance by \$305K to \$7.5 million
- Planned new debt thru FY23 is \$56.7 million – new debt service \$4.4 million



DRAFT

Total Town Long-Term Debt

June 30, 2019



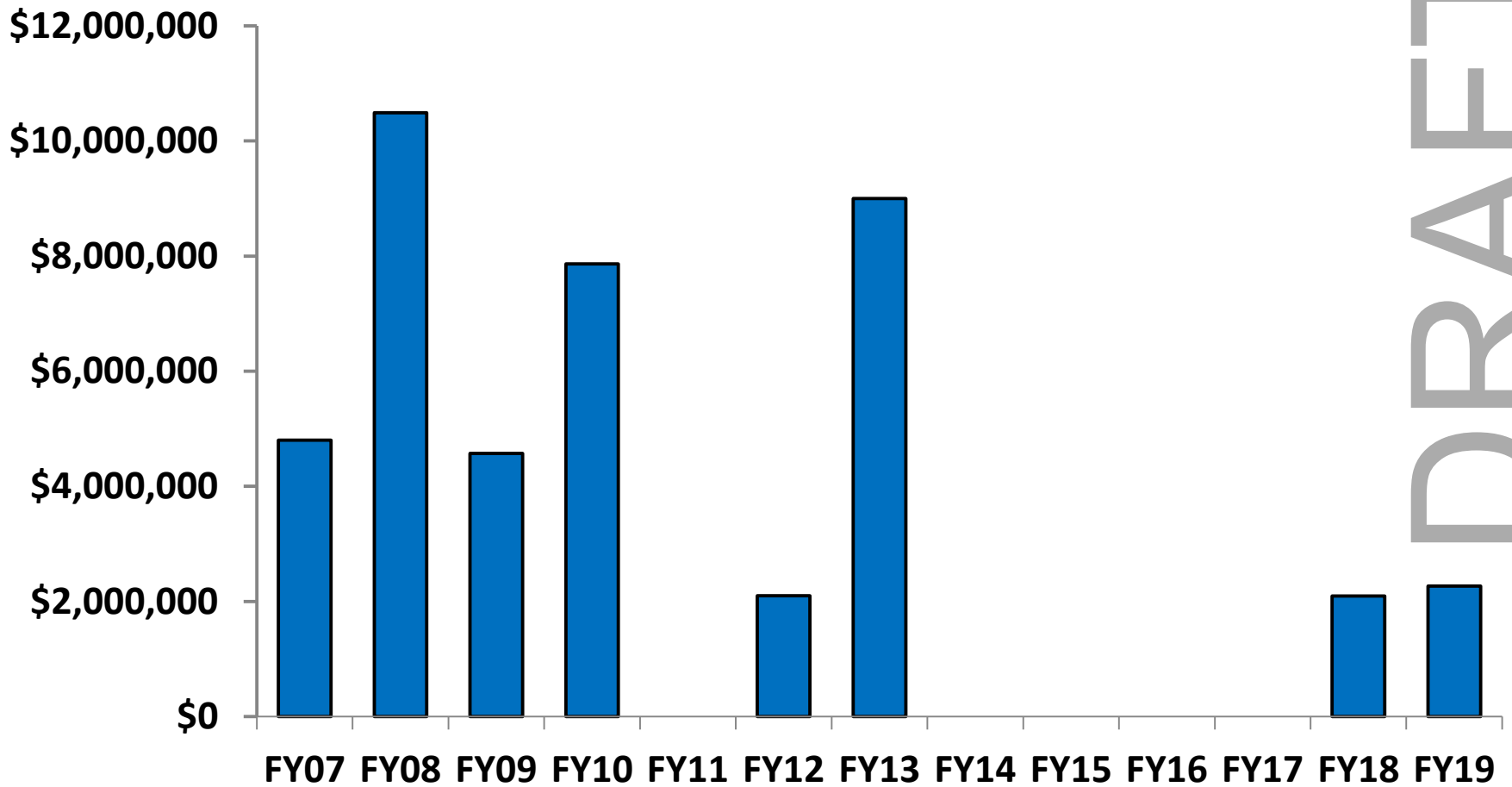
DRAFT

204 Transit Fund

Operating Results:	<u>FY2017-18</u>	<u>FY2018-19</u>
– Charges for Services	\$ 986,786	\$ 962,431
– Non-operating Revenues	<u>20,921,270</u>	<u>25,221,067</u>
– Total Revenues	21,908,056	26,183,498
– Less: Operating Exp.	22,601,060	26,723,809
– Less: Transfers	(621,771)	(456,272)
– Plus: Capital Contrib.	<u>3,174,767</u>	<u>2,695,405</u>
– Change in Net Assets	\$ 1,859,992	\$ 1,698,822

TRANSIT	FY2017-18	FY2018-19	Change
Total Net Assets	\$ 31,238,523	\$ 32,937,345	\$ 1,698,822
Unrestricted net assets	5,739,766	8,676,695	2,936,929
Unrestricted as % of Budget	30.9%	36.5%	

Federal Grant Awards²⁰⁵ (For Bus Purchases)



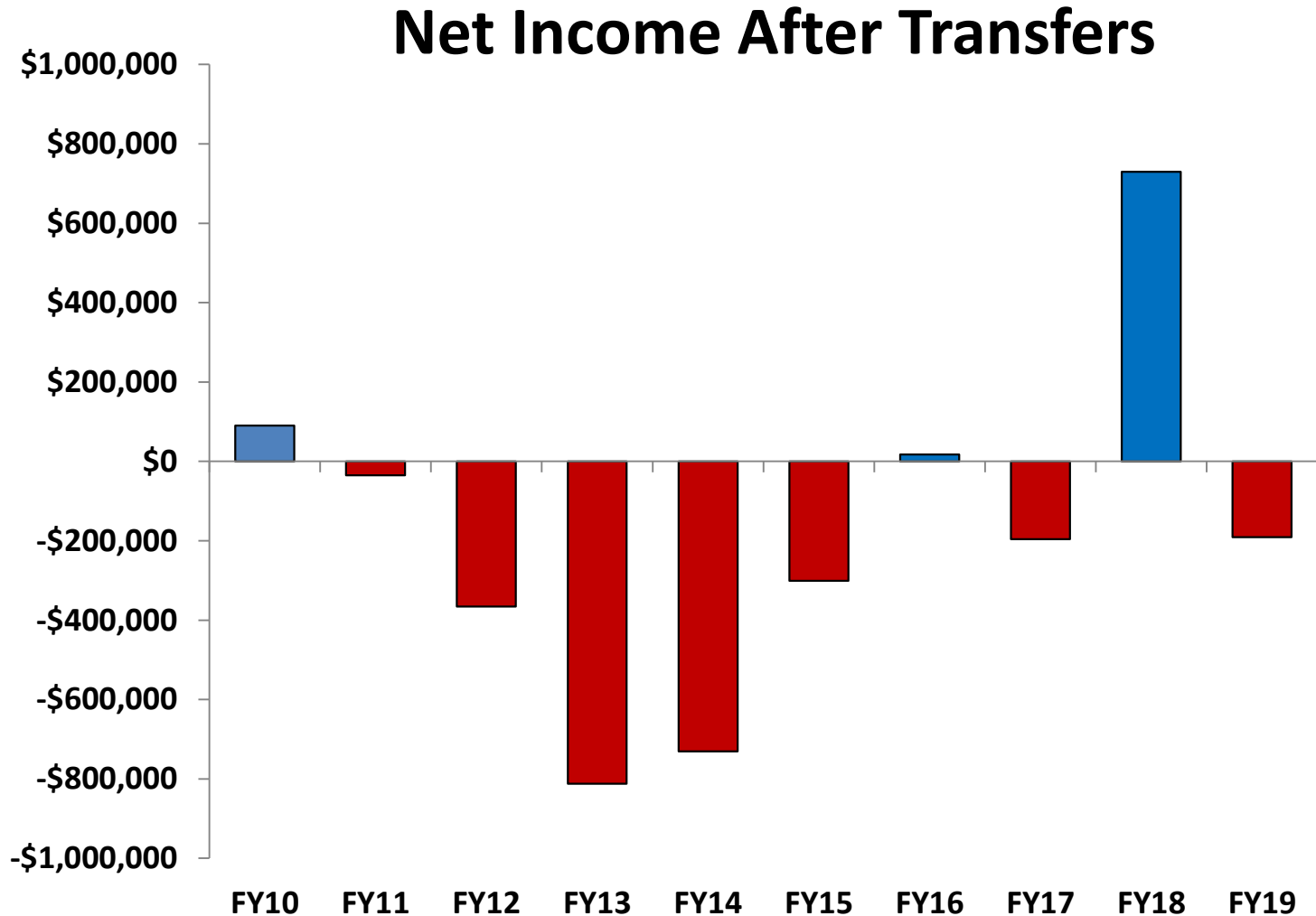
DRAFT

206 Parking Fund

Operating Results	<u>FY2017-18</u>	<u>FY2018-19</u>
– Charges for Services	\$ 2,494,701	\$ 2,590,653
– Non-operating Rev/Exp	<u>304,042</u>	<u>16,970</u>
– Total Revenues	2,798,743	2,607,623
– Less: Operating Expenses	2,583,997	1,883,893
– +/- Transfers	<u>(391,831)</u>	<u>(914,631)</u>
– Change in Net Assets	\$ 729,746	\$ (190,901)

PARKING	FY2017-18	FY2018-19	Change
Total Net Assets	\$ 982,832	\$ 791,931	(\$ 190,901)
Unrestricted net assets	(2,696,092)	(2,826,044)	(129,952)
Unrestricted as % of Budget	N/A	N/A	N/A

Parking Fund Operating Results



DRAFT

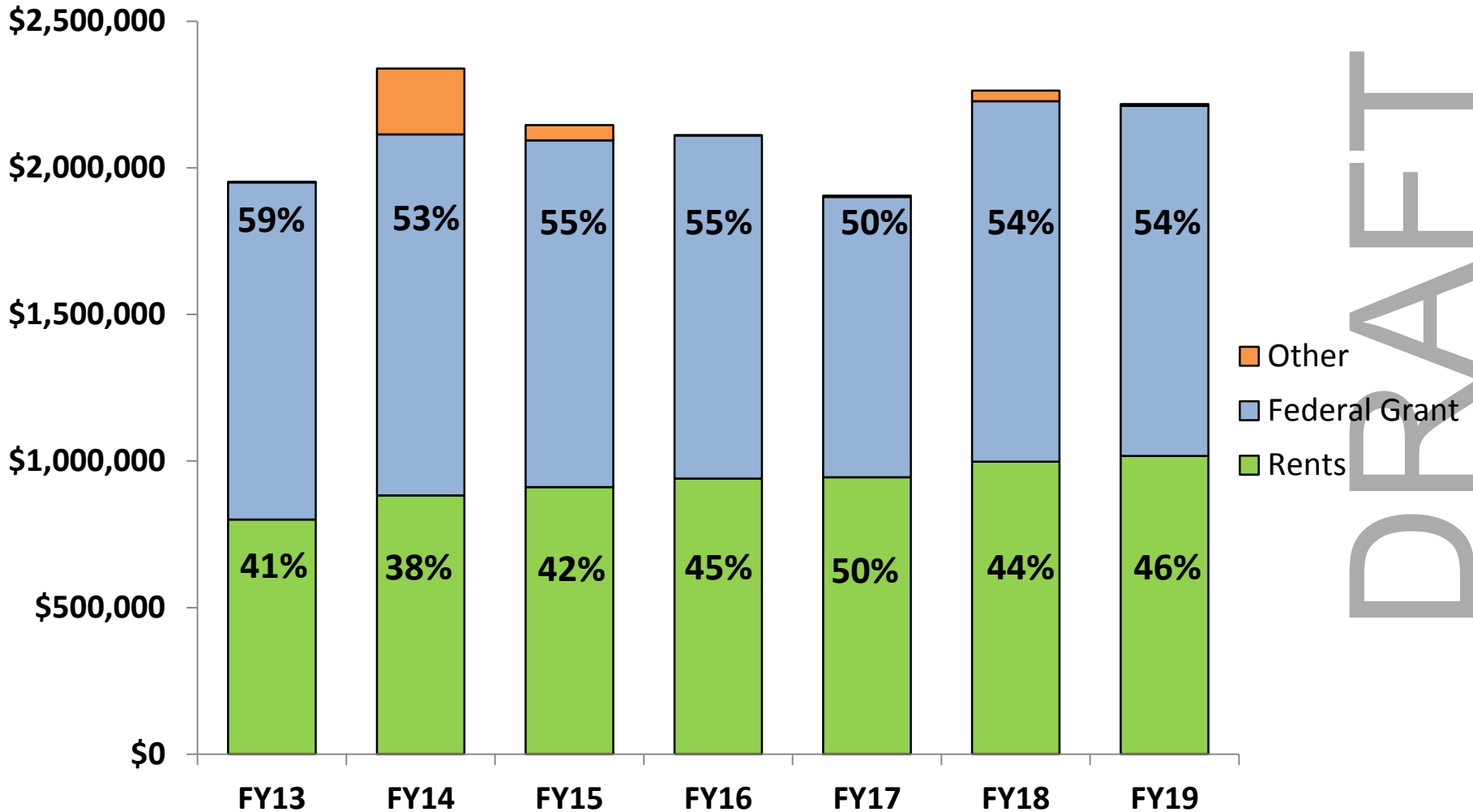
208 Housing Fund

Operating Results:	<u>FY2017-18</u>	<u>FY2018-19</u>
– Charges for Services	\$ 997,741	\$ 1,017,155
– Non-operating Revenues	<u>1,265,754</u>	<u>1,200,348</u>
– Total Revenues	2,263,495	2,217,503
– Less: Operating Exp.	2,591,141	2,534,614
– Plus: Capital Contrib.	<u> -</u>	<u> 349,106</u>
– Change in Net Assets	(\$ 327,646)	\$ 31,995

HOUSING	FY2017-18	FY2018-19	Change
Total Net Assets	\$ 11,264,675	\$ 11,296,670	\$ 31,995
Unrestricted net assets	2,211,578	2,539,525	327,947
Unrestricted as % of Budget	96.0%	115.2%	

Housing Fund Revenues²⁰⁹

FY2013-19



Stormwater Fund

Operating Results:

	<u>FY2017-18</u>	<u>FY2018-19</u>
– Charges for Services	\$ 2,841,275	\$ 2,884,075
Non-operating Revenues	<u>28,734</u>	<u>491,042</u>
– Total Revenues	2,870,009	3,375,117
– Less: Operating Exp.	2,266,475	2,053,839
– +/- Transfers	<u>9,400</u>	<u>10,245</u>
– Change in Net Assets	\$ 612,934	\$ 1,331,523

STORMWATER	FY2017-18	FY2018-19	Change
Total Net Assets	\$ 3,657,733	\$ 4,989,256	\$ 1,331,523
Unrestricted net assets	1,527,544	2,557,181	1,029,637
Unrestricted as % of Budget	56.1%	93.9%	

Trends - General

- **Stormwater Fund** is stable
- Fluctuations in Federal Funding in **Housing Fund** is something we will be watching
- **Transit Fund** – will continue to monitor capital spending/bus replacement needs
- **Parking Fund** – will continue to monitor sustainability of fund
- **Debt Fund** will quickly spend down fund balance to support planned 5-year capital program
- **General Fund** costs are increasing faster than revenues

DRAFT

Next Steps

- **FY21 Budget Process**
 - Council Retreat on January 31st/February 1st
 - Initial Budget Public Forum on February 26th
 - March 18th Budget Work Session
 - 5-Year Budget Strategy Discussion
- **Proposed Debt Issuance**
 - Tentatively scheduled for June/July 2020

DRAFT



FY2019 Financial Results and Trends



Questions?

DRAFT



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 18., **File #:** [20-0072], **Version:** 1

Meeting Date: 1/22/2020

Appointments to the **Board of Adjustment.**

Staff:

Sabrina Oliver, Director/Town Clerk
Amy Harvey, Deputy Town Clerk
Alisha Cordell, Administrative Assistant

Department:

Communications and Public Affairs
Technology Solutions and CaPA

**Recommendation(s):**

That the Council make appointments to the Board of Adjustment for two (2) seats.

**Attachments:**

- Recommendation
- Ballot
- Applications

Note: Applications submitted prior to February 20, 2018 were completed before changes were made to the application and may appear incomplete.

MEMORANDUM

TO: Mayor and Town Council
FROM: Joseph Parrish, Chair
SUBJECT: Recommendation for the vacancy
DATE: January 13, 2020

RECOMMENDATION: The Board of Adjustment met on Thursday, January 9, 2020 and by a unanimous vote made the following recommendation to the Town Council for consideration:

- Thomas Grasty, Appointment, Town Resident

SPECIAL REQUEST(s): No Comment

BACKGROUND: No Comment

Note: Communications and Public Affairs notes that the Board of Adjustment reviewed the following applications: Thomas Grasty and Adejuwon Ojebuoboh at a previous meeting. No additional applications have been received between January 9, 2020 and January 15, 2020 for the Board of Adjustment.

BALLOT

BOARD OF ADJUSTMENT

OCTOBER 1, 2019

- Total Membership: 10 (Eight (8) members, appointed by the Town Council, shall reside within the corporate limits of Chapel Hill. Two (2) members, appointed by the Orange County Board of Commissioners)
- Alternate Members: 5 (Four (4) alternate members appointed by the Town Council and one (1) alternate member appointed by the County)
- Current Membership: 13 (1 Female, 12 Male; 1 African American, 12 Caucasian; [1] 18-24, [5] 25-34, [5] 35-54, [2] over 55)
- Current Vacancies: 2 (Town Resident)
- Number of Applicants: 2

Town Resident

Please vote for up to two (2) Town Resident Residents.

___ Thomas Grasty

___ Adejuwon Ojebuoboh

___ Other; please list_____

Council Member Signature

Profile

Whenever possible, applications should be submitted prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

I Agree

tpgrasty@msn.com

Email Address

Thomas

First Name

P

Middle Initial

Grasty

Last Name

216 Vance Street

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (213) 804-5378

Primary Phone

Home:

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Board of Adjustment: Eligible

Question applies to Board of Adjustment

Select a Seat Category for Board of Adjustment *

Chapel Hill Town Resident

Which Board is your First Choice? *

Board of Adjustment

How did you find out about this opportunity? (select all that apply by holding down the shift key)

Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

After 20 years in LA as a writer and studio executive, I returned to Chapel Hill in the fall of 2017 with a wife, a small, angry dog and a passion to reconnect with my NC roots. A native North Carolinian, I graduated from UNC in 1990 with a BA in journalism. Since returning to Chapel Hill a little over a year ago, I have attended a dozen town commission/board meetings to determine where I can best make a difference. I think that difference can be made on the Board of Adjustment. I have always had an appreciation for the unique charm of Chapel Hill and its neighboring community. As a newly-minted Chapel Hill homeowner (my wife and I bought a house in the McCauley/Cameron historic district last March), my appreciation for the beauty and character of our town has only grown. I see my role on the Board as a passionate protector of -- and advocate for -- what makes Chapel Hill eternally special. To that end, I see my addition to the Board as someone who will work tirelessly to maintain that special charm, while simultaneously embracing the inevitable change that -- with the cautious hand of the Board -- will continue to elevate Chapel Hill as "one of the best towns in the US." (Guardian, 2017).

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

As a member of Preservation North Carolina and a regular attendee of the monthly Chapel Hill Historical District Commission meetings, I have developed an appreciation of the historic structures that contribute to the distinctive character of our town as well as garnered a greater appreciation for Chapel Hill's unique character at large. As an ongoing participant in the Preservation Commission GLC Training Program and recently-appointed member of the Orange County Literacy board, I am committed to helping to protect the people, places, and spirit of Chapel Hill. I also think I will bring a fresh, unique perspective to the Board and much look forward to being of service. I appreciate your consideration.

[Grasty Resume Chapel Hill Board of Adjustment.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

Caucasian/Non-Hispanic

Gender

Male

If other, please describe:

Please select your age from the following list. *

35-54

Writer/Journalist/Digital Media
Consultant

Occupation

Are you a Town of Chapel Hill employee?

Yes No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.” Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

TOM GRASTY

216 Vance Street • Chapel Hill, NC 27516

tpgrasty@msn.com • 213-804-5378 • [in](#) [f](#) [t](#) [H](#) [a](#) • thegrastygroup.com

DIGITAL STRATEGY / CONTENT CREATION / PARTNER AFFILIATION

Expertise in Online Video Platforms & Digital Content Creation and Strategy

Recently named an "Innovator to Watch" by the USC Stevens Center for Innovation, I have a diverse, 20-year background across the entertainment, advertising, public relations, and internet industries.

As co-founder of an award-winning internet startup (Stroome), a former film & TV development executive (DreamWorks, VH1, HBO), independent producer (Blaze Television), and advertising/marketing executive (Adworks), I comfortably reside at the junction where media and technology collide.

A frequent guest lecturer, panelist, and public speaker on the topic of online video platforms, I'm a regular contributor to PBS MediaShift Idea Lab and the Huffington Post on the topics of innovation, entrepreneurship, and collaborative media.

CORE COMPETENCIES

- **Content Production & Strategy** (development, distribution, acquisition)
- **Traditional & New Media Convergence** (cross-platform integration, multi-screen deployment)
- **Cross-functional Management** (creative, account management, digital delivery, operations)
- **Customer Strategy** (acquisition, retention, conversion)
- **Emerging Technology** (evaluation, selection of tools/teams for developing websites, web-apps)
- **Product Development & Management** (distributed web applications)
- **Business Development** (partnership identification, affiliation)

KEY RECOGNITION

- **Co-Chair**, IMPG (Interactive Media Peer Group) Events Group, Television Academy, Jan – Sept 2014
- **Curriculum Designer**, "iPad Journos" class, Virginia Commonwealth University, Jan - April 2013
- **Contributor**, Huffington Post & PBS MediaShift Idea Lab, June 1010 - present
- **Winner**, Knight 2010 News Challenge, John S. and James L. Knight Foundation, June 2010
- **Winner**, "Audience Award: Best New Startup," Online News Association 2009, Sept 2009
- **New News Entrepreneur**, Paley Center for Media, IC 2010, Nov 2010
- **"Getting out the Silo: Editing Video as a Community,"** National Conference Media Reform, April 2011
- **"Search for the Next Big Thing: The New News Entrepreneurs,"** Paley Center for Media, Nov 2010
- **"Open Video Innovation in Journalism,"** Open Video Conference, Oct 2010
- **"Open Journalism & the Open Web,"** Subject Matter Specialist, Peer 2 Peer University, Sept 2010
- **"Simplifying the Production of News Video,"** MIT Center for Future Civic Media, June 2010

EXPERIENCE

THE GRASTY GROUP – Los Angeles, CA | Miami, FL | Chapel Hill, NC

2012 - Present

Help startups craft business strategies that grow audience, increase awareness and maximize revenue.

Principal

- **Develop key strategic partnerships and go-to-market strategies** for an array of startups – from partnership solicitation, feature-set communication, product integration and ongoing monetization
- **Business plan development** – mission and vision development, financial modeling, market analysis/opportunity recognition
- **Audience development** – work cross functionally with external partners and internal stakeholders to develop and execute audience optimization plans (acquisition, retention, conversion)
- *Clients include: Slide Poll: Mobile video polling application; Snap Cuts!: Innovative social video messaging startup; Web Movie Maker: Web app that automates professional content in a few clicks; LoopLR: Real-time video sharing app for Smartphones.*

SOCIAL STUDIOS – Los Angeles, CA

2011 - 2012

Innovative startup that builds TV experiences from social media feeds.

Chief Content Officer

- **Created market appetite for *YourShow***, proprietary software platform that transforms original web content into engaging TV experiences viewable on all devices by leveraging users' Facebook feed

STROOME.COM – Los Angeles, CA

2009 - 2011

Online editing platform that allows aspiring content creators to edit, remix, and share content in real time.

Co-Founder | Online Video Editing Platform

- **Oversaw entire product lifecycle** of the web's first, and most collaborative, cloud-based video editing solution – from concept creation, through three product iterations, to successful site launch.
- **Grew membership to over 10,000 users in 135 countries** – used by Egyptian protesters to get eyewitness video accounts out of the country when Facebook and Twitter were shut down.
- *Winner, 2010 Knight News Media Challenge (\$220,000 grant); Winner, 2009 Online News Association "Audience Award" Best Start Up; Named "Top 5 Social Network Worth a Browse" by The Guardian UK*

BLAZE TELEVISION – Los Angeles, CA

2008 - 2009

Producer of music, entertainment and factual programming (DirecTV, BBC, ITV Channel 4 (UK), Nickelodeon)

Head, Digital Strategy & Original Content

- **Created and implemented the company's overall digital strategy** across traditional and new media platforms (cable, direct-to-video, VOD, IPTV)
- **Developed and managed top tier partnerships** with digital content partners, broadcasters, distributors, mobile syndicators (Crackle, Joost, Vudu, GoTV, Iota, the Orchard, Pluggedin.com).
- **Spearheaded all mobile syndication deals** for Blaze's 1,200+ hour music library (CD | USA; CD | UK).
- *Original programming included: SXSW Live; Rock & A Hard Place; Country Concert (DirecTV, 2008); Hall & Oates Live: The Troubadour (Rave HD, 2009).*

INDEPENDENT PRODUCER – Los Angeles, CA

2005 - 2007

Producer of long-form and documentary projects for film and TV (Fireworks, Fox, Robert Greenwald Prods, PBS)

Independent Producer, Digital Media/Creative Productions

- **Developed over 100 hours of programming**, including non-scripted series, long-form and documentaries for network, cable and digital platforms.
- *Projects included: In the Studio (6-part PBS series pilot), NARAS Recording Academy Honors (2005).*

MARK HAEFELI PRODUCTIONS – Los Angeles, CA

2003 - 2005

*Producer of Emmy Award-winning music, entertainment, new media and documentaries***Head, West Coast Operations**

- **Led digital strategy and planning** for traditional (PPV, cable, broadcast) and new media solutions (VOD) – including tactics for website, social media and mobile properties.
- *Projects included: Aerosmith: You Gotta Move, (A&E, Spring 2004); Adopt-A-Minefield: 4th Annual Gala featuring Paul McCartney & Neil Young, (AAM, Fall 2004).*

VH1 – Los Angeles, CA

1999 - 2002

*Music TV network focusing on original series, concerts, live events, movies, reality and new music videos***Manager, Development**

- Integral part of LA-based executive team that **launched the Original Motion Pictures for Television division**, the network's first foray into long-form programming.
- **Oversaw acquisition, creative development and marketing** of all long-form projects for network.
- **Worked cross-functionality with sales, legal, operations, marketing teams** (VH1, MTV, Spike, TV Land, BET) to surface and support cross-promotional initiatives for broadcast and digital assets.
- *Projects included films based on the lives of Stevie Ray Vaughan, Meatloaf, Def Leppard, MC Hammer, The Beatles and Studio 54 founder, Steve Rubell.*

DREAMWORKS SKG – Los Angeles, CA

1995 - 1999

*Studio dedicated to creating film, TV, animation and Internet properties***Senior Story Analyst**

- **Evaluated creative properties to determine their viability for film, television, digital distribution** – screenplays, manuscripts, treatments, director's reels, short films and animation projects.
- *Projects included: Meet the Parents, Gladiator, Minority Report, One Fine Day*

ADWORKS / THE HANNAFORD COMPANY – Washington, DC

1991 - 1995

*Five years working in various capacities in the advertising, public relations and telecommunication industries***Account Executive**

- **Participated in all aspects of public relations, public affairs and advertising client programs** across print/electronic media – concept, copywriting, layout, production, media planning & buying.

EDUCATION**IESE Business School-Paley Center Advanced Management Program**

2011

Advanced Management Program in Media and Entertainment (Media AMP). The first education program of its kind preparing "next generation" media executives to lead their companies globally.

University of Southern California, Los Angeles, CA

2008 – 2009

MA in Communication Management / Annenberg Program on Online Communities. Phi Kappa Phi.

University of North Carolina, Chapel Hill, NC

1986 – 1990

BA in Journalism / School of Journalism and Mass Communication. Dean's List.

Phillips Exeter Academy, Exeter, NH

1983 – 1986

Recipient, Steven J. Hyde Scholarship for excellence in merit and scholarship. Honors.

Question applies to Board of Adjustment

Select a Seat Category for Board of Adjustment *

Chapel Hill Town Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

Chapel Hill Resident

Which Board is your First Choice? *

Board of Adjustment

How did you find out about this opportunity? (select all that apply by holding down the shift key)

Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am passionate about serving the community I reside in. I have resided in Nigeria, Canada, and North Carolina and have seen the structure of local government on various scales. I've witnessed the self-serving cynicism of some city management, but I've also interacted with dutiful local policymakers who always put the community's needs before their own. I wish to emulate the latter, on an advisory board for the Town of Chapel Hill. As a black male, I provide a diverse perspective on the issues facing the town of Chapel Hill and can contribute to the fundamental growth of this beautiful town.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have served in local government as a member of the Onslow County Juvenile Crime Prevention Council where I collaborated with community stakeholders to improve youth diversion programs for delinquents and child offenders. I have also served as Chairman of the Jacksonville City Youth Council where I oversaw operations of the city-wide council. We provided professional and leadership development to teenagers and served as the official youth voice of the city. Also, for three years, I advocated youth representation in state government in meetings with NC Senate Majority Leader Harry Brown, State Representative Phil Shepard, NC Secretary of Administration Michelle Sanders, and NC Lieutenant Governor Dan Forest. I developed close connections with staffers in the NC General Assembly and in Governor Cooper's Administration. In addition, I served as a Governor's Page, able to interact with instrumental staff in Cooper's administration and further strengthen bonds I've formed throughout North Carolina state government. As Executive Director of the Institute for Effective Change, I met with Congressmen across the state including Mark Meadows, David Rouzer, the Late Walter B. Jones, and G.K. Butterfield. Additionally, I was recognized by Governor Cooper as an outstanding volunteer and steward of community in 2018. I am equipped and excited to serve the Town of Chapel Hill!

[HS_College_Res.docx](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

African American

Gender

Male

If other, please describe:

Please select your age from the following list. *

18-24

Policy Entrepreneur & Student

Occupation

Are you a Town of Chapel Hill employee?

Yes No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.” Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

Adejuwon

**Oje
buo
boh**

327 Royal Bluff Road
flagler.unc.edu
Jacksonville, NC 28540
5697

Email: Adejuwon_Ojebuoboh@kenan-

Mobile: 910 -554-

Education

Kenan-Flagler Business School at the University of North Carolina at Chapel Hill

Bachelor of Business Administration, Expected
Conferment May 2023
Assured Admission Program
Robertson Scholarship Leadership Program

Duke University, Durham, North Carolina

Robertson Scholarship Leadership Program, Expected
Conferment May 2023

Professional Experience

Institute for Effective Change, Jacksonville, North Carolina

Founder, Chairman & Executive Director
March 2018-Present

- Develop an online database of Policy Development, Advocacy, and Research resources for adolescents
- Draft Bylaws and Operations Plan to form executive board & commission leadership
- Successfully file articles of nonprofit incorporation in the state of North Carolina
- Attain 501(c)(3) tax exempt status through IRS Form 1023
- Coordinate Seven Member, nation-wide Executive Leadership to set up 3 initial startup commissions
- Fundraise approximately \$1,000 to cover startup costs and purchase website, email, and cards

Internship Experience

North Carolina Administrative Office of the Courts, Jacksonville, North Carolina

Judicial Intern
June 2019

- Assist Chief District Court Judge Paul Hardison in clerical operations of the courtroom
- Carry messages between Trial Court Coordinator and Private Defense Counsel
- Spectate Divorce, Juvenile, and Violent Criminal Cases

- Engage with District Attorneys, Court Appointed Counsels, and members of the community

Fourth Prosecutorial District Attorney's Office, Jacksonville, North Carolina

Legal Intern

June 2018-August 2018

- Personal Intern to Assistant District Attorney Walter Rodriguez
- Organize case files for seamless access to the District Attorneys
- Assist in clerical duties of serious criminal cases including habitual felons, second-degree murder, and manslaughter
- Attend Court Hearings alongside Government Attorneys to provide administrative support

Leadership and Volunteer Experience

Jacksonville City Youth Council, Jacksonville, North Carolina

Chairman

September

2015-June 2019

- Represent local youth directly to city leadership
- Conduct monthly meetings in city council chambers
- Lead youth forums and debates for civility and effective solutions
- Volunteer throughout the community to increase overall welfare

Juvenile Crime Prevention Council of Onslow County, Jacksonville, North Carolina

Under 18 Representative Board Member

August

2017-June 2019

- Oversee juvenile diversion programs across the county
- Appropriate funds towards countywide initiatives
- Collaborate with county officials to form policy intended to reduce juvenile crime

Onslow County Youth Court Diversion Program, Jacksonville, North Carolina

Lead Youth Prosecutor

August 2015-June

2019

- Prosecuted first-time youth defendants in controlled settings
- Trained new youth prosecutors to understand the courtroom
- Led prosecution to over one hundred convictions

Peer Tutoring Center - North Carolina Virtual Public Schools, Raleigh, North Carolina

Computer Science Tutor

May 2018-June

2019

- Evaluated and selected by educators to assist students struggling with computer science concepts
- Teach principles of python and programming to students

Onslow County Community Outreach Jacksonville, North Carolina

Youth Volunteer

August 2015-June

2019

- Volunteer at local shelters and assist with inventory and distribution
- Aid underprivileged neighborhood with necessities such as soap, socks, and shoes

Awards and Skills

- CFA Institute Investments Foundation Certificate Recipient 2019
- 2018 North Carolina Governor Roy Cooper Volunteerism Certificate of Appreciation
- Piano Player for 14 years; Alto Saxophonist for 8 years