



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 Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh

Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Wednesday, March 22, 2023 7:00 PM

RM 110 | Council Chamber

Language Access Statement

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

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

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

如需口头或
书面翻译服
务，请拨打
919-969-5105.

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In-Person Meeting Notification

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- View on cable television channel at Chapel Hill Gov-TV (townofchapelhill.org/GovTV)
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

Parking

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

Entry and COVID-19 Protocols

- Entrance on the ground floor.
- Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain

ROLL CALL

OPENING

ANNOUNCEMENTS BY COUNCIL MEMBERS

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. Yaniv Cohen Request for Home Occupation Permit Modification. [\[23-0233\]](#)

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.

2. Approve all Consent Agenda Items. [\[23-0234\]](#)
By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.
3. Approve the Remaining American Rescue Plan Act (ARPA) Town Project Allocation. [\[23-0235\]](#)
By enacting the attached project ordinance amendment, the Council approves the final ARPA Parks & Recreation and Greenway funded project allocation.
4. Approve Project Ordinance Amendments to Recognize [\[23-0236\]](#)

Capital Financing Proceeds for FY 2022-23.

By enacting the project ordinances, the Council establishes a budget for the 2023 Public Safety Two-Thirds Bonds Fund and amends the budgets for the 2015 Streets & Sidewalks Bonds Fund and 2018 Affordable Housing Bonds Fund. By enacting the budget ordinance, the Council amends the Public Housing Fund.

- 5.** Award a Bid for Chapel Hill Transit Bus Stop Improvements. [\[23-0237\]](#)

By adopting the resolution, the Council authorizes the Town Manager to execute a contract with White Oak Construction of New Hill in an amount of \$592,630 for Chapel Hill Transit Bus Stop Improvements.

- 6.** Authorize the Town Manager to Execute Deeds for the Greene Tract Property Transfer. [\[23-0238\]](#)

By adopting the resolution, the Council authorizes the Town Manager to execute the final deeds, together with any required supporting documentation for recordation, on behalf of property owner Town of Chapel Hill.

- 7.** Authorize the Manager to Execute the Wave Two Settlement Agreement Related to the National Opioid Litigation. [\[23-0239\]](#)

By adopting the resolution, the Council authorizes the Town Manager to execute a Wave Two Settlement Agreement regarding funding related to the national opioid litigation.

- 8.** Authorizing Changes to the Bylaws of the Chapel Hill Downtown Partnership, Inc. [\[23-0240\]](#)

By adopting the resolution, the Council authorizes changes to the Bylaws of the Chapel Hill Downtown Partnership regarding the Board of Directors membership.

- 9.** Call a Public Hearing to Consider Renewing the Annexation Boundary Agreement between the Towns of Chapel Hill and Carrboro on April 19, 2023. [\[23-0241\]](#)

By adopting the resolution, the Council calls a public hearing on the annexation boundary agreement between the Towns of Chapel Hill and Carrboro.

- 10.** Amend the 2022-23 Council Calendar. [\[23-0242\]](#)

By adopting the resolution, the Council amends the 2022-23 Council calendar to incorporate a Joint Public Hearing on April 20, 2023.

- 11.** Adopt Minutes from November 16, and 30, 2022 and December 7, and 14, 2022 Meetings. [\[23-0243\]](#)

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

INFORMATION

- 12.** Receive Upcoming Public Hearing Items and Petition Status List. [\[23-0244\]](#)

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

- 13.** Blue Hill Semiannual Report #17. [\[23-0245\]](#)

By accepting the report, the Council acknowledges receipt of the Blue Hill Semiannual Report.

- 14.** Receive Report and Recommendations from the Gaps Analysis and Engagement Study. [\[23-0246\]](#)

By accepting the report, the Council acknowledges receipt of this report in advance of a work session scheduled for May.

DISCUSSION

- 15.** Consider Authorizing the Town Manager to Execute a Development Contract with Community Housing Partners (CHP) for the Redevelopment of Trinity Court. [\[23-0247\]](#)

PRESENTER: Faith Brodie, Public Housing Director
Susan Ellinger, Ellinger & Carr, PLLC

RECOMMENDATION: That the Council authorize the Town Manager to execute a development contract with Community Housing Partners for the redevelopment of the Trinity Court public housing community.

- 16.** Consider Adopting the Council Strategic Focus Areas & Goals 2023-2025. [\[23-0248\]](#)

PRESENTER: Chris Blue, Interim Town Manager.

RECOMMENDATION: That the Council adopt the Strategic Focus Areas & Goals 2023-2025.

ZONING ATLAS AMENDMENTS

Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including opinions, when making Legislative decisions.

- 17.** Close the Legislative Hearing and Consider a Conditional Zoning Application for Tri Pointe Townhomes at 2217 Homestead Road.

[\[23-0249\]](#)

PRESENTER: Tas Lagoo, Senior Planner

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

RECOMMENDATION: That the Council adopt Resolution A and enact Ordinance A, approving the Conditional Zoning Application.

- 18.** Consider a Conditional Zoning Application for Aspen Chapel Hill at 701 Martin Luther King Jr Blvd. from Neighborhood Commercial (NC) and Residential-3 (R-3) to Residential-6-Conditional Zoning District (R-6-CZD). (no attachment)

[\[23-0250\]](#)

SECOND VOTE ON PRIOR MOTION - PUBLIC HEARING IS CLOSED

RECOMMENDATION: That the Council vote on the existing motion to approve this item, per a provision in the Council Procedures Manual that if voting on an item being deliberated for the first-time results in a tie the item is carried over for consideration at the next regular meeting.

SPECIAL USE PERMIT

Special Use Permit: The Application for a Special Use Permit is Quasi-Judicial. Persons wishing to speak are required to take an oath before providing factual evidence relevant to the proposed application.

Witnesses wishing to provide an opinion about technical or other specialized subjects should first establish that at the beginning of their testimony.

- 19.** Close the Evidentiary Hearing and Consider an Application for a Special Use Permit Modification for 1507 & 1509 E. Franklin Street (Project 18-104).

[\[23-0251\]](#)

PRESENTER: Tas Lagoo, Senior Planner

Swearing of all persons wishing to present evidence

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

RECOMMENDATION: That the Council adopt Resolution A, approving the Special Use Permit Modification.

CONTINUED DISCUSSION

- 20.** Approve FY 2022 Excess Fund Balance Appropriation. [\[23-0252\]](#)

PRESENTER: Amy Oland, Business Management Director

RECOMMENDATION: That the Council approve the \$4 million appropriation from the FY 2022 excess fund balance to address facilities, maintenance, equipment, vehicle replacements, and Council initiatives.

CONCEPT PLAN REVIEWS

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.

- 21.** Concept Plan Review: Aura South Elliott, 200 S. Elliott Road. [\[23-0253\]](#)

PRESENTER: Corey Liles, Planning Manager

- a. Review of process
- b. Presentation by the applicant
- c. Comments from the Community Design Commission
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to adopt a resolution transmitting Council comments to the applicant.

RECOMMENDATION: That the Council adopt the resolution transmitting comments to the applicant.

- 22.** Concept Plan Review: Chapel Hill Life Sciences Center, 306 W. Franklin Street. [\[23-0254\]](#)

PRESENTER: Corey Liles, Planning Manager

- a. Review of process
- b. Presentation by the applicant
- c. Comments from the Community Design Commission
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to adopt a resolution transmitting Council comments to the applicant.

RECOMMENDATION: That the Council adopt the resolution transmitting comments to the applicant.

APPOINTMENTS

- 23.** Appointments to the Board of Adjustment. [\[23-0255\]](#)
- 24.** Appointments to the Historic District Commission. [\[23-0256\]](#)
- 25.** Appointments to the Transportation and Connectivity Advisory Board. [\[23-0257\]](#)

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