



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, May 18, 2022 7:00 PM

Virtual Meeting

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.

လၢတၢ်ကတိၤကျိးထံ မ့တမၢ် လၢတၢ်ကွဲးကျိးထံ အတၢ်မၤစၢၤအေဂီၢ် ၢ် ကိးဘၣ် (၉၁၉)-၉၆၉-၅၁၀၅

Virtual Meeting Notification

Town Council members will attend and participate in this meeting remotely, through internet access, and will not physically attend. The Town will not provide a physical location for viewing the meeting.

The public is invited to attend. The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council business meetings and work sessions. Please participate in a voluntary demographic survey <https://www.townofchapelhill.org/demosurvey> before accessing the Zoom webinar registration. After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 879 3668 5537

View Council meetings live at <https://chapelhill.legistar.com/Calendar.aspx> – and on Chapel Hill Gov-TV (townofchapelhill.org/GovTV).

OPENING

ROLL CALL

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

INFORMATION

1. Receive Upcoming Public Hearing Items and Petition Status List. [\[22-0423\]](#)

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

DISCUSSION

2. Open the Public Hearing: Recommended Budget for FY 2022-2023. [\[22-0424\]](#)

PRESENTER: Maurice Jones, Town Manager

- a. Introduction by the Manager
- b. Comments from the public
- c. Comments from the Mayor and Town Council
- d. Motion to close the Public Hearing
- e. Consider enacting the Ordinance on June 8, 2022.

RECOMMENDATION: That the Council receive public comment regarding the recommended budget. See <https://www.townofchapelhill.org/government/departments-services/business-management/budget/2022-2023-budget-development>.

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.

- 3.** Close the Legislative Hearing and Consider an Application for Conditional Zoning for 101 E. Rosemary Street from Town Center-2 (TC-2) to Town Center-3-Conditional Zoning District (TC-3-CZD). [\[22-0425\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- 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 Revised Ordinance A, approving the Conditional Zoning Application.

- 4.** Open the Legislative Hearing: Conditional Zoning Application for the Gimghoul Castle at 742 Gimghoul Road. [\[22-0426\]](#)

PRESENTER: Anya Grahn, 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. Presentation by the applicant
- d. Recommendation of the Planning Commission
- e. Recommendations of other boards and commissions
- f. Comments from the public
- g. Comments and questions from the Mayor and Town Council
- h. Referral to the Manager and Attorney
- i. Motion to continue the Legislative Hearing to June 15, 2022.

RECOMMENDATION: That the Council open the legislative hearing and receive comments on the proposed Conditional Rezoning. That the Council then make a motion to schedule approving the proposed Conditional Rezoning application for June 15, 2022.

SPECIAL USE PERMITS

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.

- 5.** Open an Evidentiary Hearing for an Application for Special Use Permit Modification for Fifth Third Bank at 1800 Fordham Boulevard. [\[22-0427\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

Swearing of all persons wishing to present evidence

- 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. 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 continue Evidentiary Hearing to June 15, 2022
- h. Referral to Manager and Attorney.

RECOMMENDATION: That the Council open the hearing, receive evidence, and continue the hearing to June 15, 2022.

- 6.** Open the Evidentiary Hearing: Special Use Permit Modification-Harris Teeter Fuel Center, 1800 Martin Luther King, Jr. Boulevard. [\[22-0428\]](#)

PRESENTER: Anya Grahn, Principal Planner

Swearing of all persons wishing to present evidence

- 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. 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 continue the Evidentiary Hearing to June 15, 2022
- h. Referral to Manager and Attorney.

RECOMMENDATION: That the Council open the hearing, receive evidence, and continue the hearing to June 15, 2022.

CONCEPT PLAN REVIEW

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

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

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

7. Concept Plan Review: Porthole Alley Redevelopment [\[22-0429\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- 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

8. Appointments to the Board of Adjustment. [\[22-0430\]](#)

9. Appointments to the Historic District Commission. [\[22-0431\]](#)

10. Appointments to the Human Services Advisory Board. [\[22-0432\]](#)

11. Appointments to the Orange Water and Sewer Authority Board of Directors. [\[22-0433\]](#)

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