

TOWN OF CHAPEL HILL

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

Town Council Meeting Agenda

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

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.

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]

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.

2. Approve all Consent Agenda Items. (Requires two motions)

[19-0773]

By adopting the two resolutions, the Council can approve various

Town Council Meeting Agenda September 25, 2019

resolutions and ordinances without voting on each resolution or ordinance separately. Item #4 requires two separate motions, which is why there are two consent resolutions.

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

[19-0774]

By enacting the budget ordinance amendment, the Council adjusts the General Fund, Off-Street Parking Fund, Transit Fund, and Transit Capital Reserve Fund. By enacting the project ordinance amendments, the Council adjusts the Capital Projects Ordinance Fund, 2015 Streets and Sidewalks Bond Fund, Affordable Housing Fund, and Transit Capital Grants Fund. By adopting the resolutions, the Council amends the Parking Fee Schedule, enters into a supplemental municipal agreement for Old Durham-Chapel Hill Road Bike-Ped Improvements, and accepts funding from the NCDOT towards the Fordham Blvd Sidepath project.

4. Adopt Resolutions Related to Proposed Refunding of Outstanding Build America Bonds (BABs).

[19-0775]

By adopting the resolutions, the Council supports the filing of an application to the Local Government Commission for its approval of refunding bonds in an estimated amount of \$12,500,000, adopts the bond order, and provides for the publication of the bond order.

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]

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

INFORMATION

6. Receive Upcoming Public Hearing Items and Petition Status List.

[19-0777]

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

DISCUSSION

7. Presentation: University of North Carolina at Chapel Hill Semi-Annual Campus Development Report.

[19-0778]

PRESENTER: Evan Yassky, Executive Director, UNC Facilities Planning and Design

Town Council Meeting Agenda September 25, 2019

RECOMMENDATION: That the Council receive the report from University staff, who will present the second of two semi-annual reports for 2019 reviewing the status of current and planned campus development projects.

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

[19-0779]

PRESENTER: Judy Johnson, Planning Operations Manager

RECOMMENDATION: That the Council receive the update.

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]

PRESENTER: John Richardson, Community Resilience Officer

RECOMMENDATION: That the Council adopt a resolution, authorizing the Town Manager to execute an agreement with Duke Energy to convert all street lights in Chapel Hill to energy-saving LED light fixtures under Option A.

10. Update on Climate Action and Response Plan.

[19-0781]

PRESENTER: John Richardson, Community Resilience Officer

RECOMMENDATION: That the Council receive this report and provide continued direction.

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

[19-0782]

PRESENTER: John Richardson, Community Resilience Officer

RECOMMENDATION: That the Council adopt the attached resolution, committing to creating a Climate Action and Response Plan by 2020 to begin transitioning to 80% clean, renewable energy community-wide by 2030, and to reach 100% by 2050.

12. Blue Hill Semiannual Report #10.

[19-0783]

PRESENTER: Corey Liles, Principal Planner

RECOMMENDATION: That the Council receive the report, and adopt a resolution calling a public hearing on October 30, 2019 to consider text amendments regarding massing and permeability standards in the Blue Hill District.

Town Council Meeting Agenda September 25, 2019

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. Boulevard Chapel Hill, NC 27514

Item Overview

Item #: 1., File #: [19-0772], Version: 1

Meeting Date: 9/25/2019

Glen Heights/Windsor Circle Neighborhood Request to Exclude the Neighborhood from the South Martin Luther King, Jr. Boulevard Future Land Use Area.

Staff: Department:

Sabrina M. Oliver, Director and Town Clerk Amy T. Harvey, Deputy Town Clerk Communications and Public Affairs

Overview: 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 <u>Status of Petitions to Council http://www.townofchapelhill.org/town-hall/mayor-and-council/council-minutes-and-videos/petition-status webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.</u>



Recommendation(s):

That the Council consider the petition.



Attachments:

Glen Heights/Windsor Circle Neighborhood Request

Amy Harvey

From: Gary Baum <bgarybaum@gmail.com>
Sent: Thursday, September 19, 2019 7:03 AM

To: Amy Harvey

Cc: Jess Anderson; Pam Hemminger; Jeanne Brown; Alisa Rogers

Subject: Glen Heights/Windsor Circle FLUM Petition

Attachments: Windsor Circle Signatures for FLUM removal_091819.pdf

Follow Up Flag: Follow up Flag Status: Flagged

Categories: Agenda Packet Process

<u>External email:</u> Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Dear City Council, Mayor Hemminger, and Town Planners,

Attached to this email, please find a petition with 99 signatures, which represents 100% of all occupied homes in the Glen Heights/Windsor Circle neighborhood. These residents request that our neighborhood be excluded from the set of areas in the FLUM designated for land use change and that our neighborhood instead retain its current detached single-family home pattern of land use.

Windsor Circle is located off of MLK boulevard in the proposed South Martin Luther King Jr. Boulevard Future Land Use Area.

It is an established and vibrant neighborhood of moderately-priced, single-family homes. The draft FLUM envisions our neighborhood transitioning from single-family homes to higher-density town houses. Preserving this neighborhood in its current form accords with several of the FLUM's principles, including housing diversity and affordability and protecting established single family neighborhoods.

We suspect that the draft FLUM's designation of Glen Heights/Windsor Circle for land use intensification was an oversight on the part of staff who were not familiar with the area. We encourage you and your council colleagues to correct this error by excluding the Windsor Circle neighborhood from the set of parcels designated land use change in the FLUM.

Thank you.

Sincerely,

Gary Baum,

On behalf of the Glen Heights/Windsor Circle Community of Chapel Hill

Please include this cover letter and petition in the packet for next Wednesday's (9/25/2019) Town Council meeting.

Dear Chapel Hill Council Members, Mayor Hemminger, and Town Planners,

The Glen Heights (Windsor Circle) Neighborhood embodies and exemplifies the exact goals of the Future Land Use Map (FLUM). Windsor Circle is diverse in age, gender, occupation, and race. It is one of the few remaining moderately-priced, single-family neighborhoods in Chapel Hill. The residents have a vibrant community culture with regularly scheduled neighborhood events, as well as a high level of involvement within the town and greater Chapel Hill community.

Therefore, we, the undersigned residents of Windsor Circle, respectfully request our neighborhood, in its entirety, be immediately removed from the FLUM plan.

Stephen Keggy	111 Windsor Circle 9/14/19
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Amit Bon	105 Windsor Circle 9/14/19
Claudia Baum	105 Windsor Circle 9/14/19
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Amanda Hartley	122 Windsor Place 9/14/19
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Kaley James	132 windsor circle 7/4/19
Pamela clark	132 Windsur circle 9/14/
Stacy me Donald	122 Windsor Place 9.14.19
Kirstin lester	161 Windsor Circle 9-14-19
Raymel Loster	161 Windsor circle 9-14-19

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GULNARA TEAUCO	CHAPE HILLOW 27516 9-14-2019
Pado Vega	157 Windsor Circle
Carlos Vega, P.K.D.	157 Windsor Circle 9-14-2019
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Tracy lynn	155 Windsor Circle 4/14/14
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	125 WINDER CIRCLE 9-14-19

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Jennie Stabenow	150 Windson Circle 9/15/15
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Janet Johnston	113 Windsor Circle 3/15/18
Paul Johnston	113 windsor Cir. 9/15/19
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Marie Mara	117 Windson Cik Sept 17,2019
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Ariel Larg	165 Windsor Cir Sep 17-2019
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NOTES: 100% of occupied homes signed petition in support of removing Windsor Circle from the 2020-2049 Flum proposed by "Charting our Future" plans.



TOWN OF CHAPEL HILL

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

Meeting Date: 9/25/2019

Item Overview

Item #: 2., File #: [19-0773], Version: 1

Approve all Consent Agenda Items. (Requires two motions)

Staff: Department:

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

Item #4 requires two separate actions. The Council must support an application to the Local Government Commission for its approval of refunding bonds and a bond order authorizing the issuance of General Obligation Rending Bonds prior to directing a notice of publication for the bond order.



Recommendation(s):

That the Council adopt the various resolutions and ordinances by making separate motions on each of the attached resolutions.

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

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Attachments:

- Resolution
- Resolution

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES (2019-09-25/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:

- 3. Approve the Miscellaneous Budget Ordinance Amendments to Adjust Various Fund Budgets for FY 2019-20. (R-3)(R-4)(R-5)(O-1)(O-2)(O-3)(O-4)(O-5)
- 4. Adopt Resolutions Related to Proposed Refunding of Outstanding Build America Bonds (BABs). *Action 1* (R-6) (R-7)

This the 25th day of September, 2019.

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES (2019-09-25/R-2)

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:

- 4. Adopt Resolutions Related to Proposed Refunding of Outstanding Build America Bonds (BABs). *Action 2* (R-8)
- 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. (R-9)

This the 25th day of September, 2019.

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

By adopting the two resolutions, the Council can approve various resolutions and ordinances without voting on each resolution or ordinance separately. Item #4 requires two separate motions, which is why there are two consent resolutions.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 3., File #: [19-0774], Version: 1

Meeting Date: 9/25/2019

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

Staff: Department:

Amy Oland, Director Matt Brinkley, Assistant Director **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, Off-Street Parking Fund, Transit Fund, and the Transit Capital Reserve Fund; and
- Enact the attached project ordinance amendments to adjust the Capital Projects Ordinance Fund, 2015 Streets and Sidewalks Bond Fund, Affordable Housing Fund, and Transit Capital Grants Fund; and
- Adopt the attached resolutions to amend the Parking Fee Schedule, to enter into a supplemental municipal agreement for Old Durham-Chapel Hill Road Bike-Ped Improvements, and to accept funding from the NCDOT towards the Fordham Blvd Sidepath project.

Key Issues:

General Fund

<u>Fiber Line Repairs</u> - The Town received a \$28,139 reimbursement from Wieland for emergency repair work to reattach the Town's IT data fiber and traffic signal fiber cables that were moved during construction at 1730 Fordham Blvd. Enactment of the attached budget ordinance amendment recognizes the \$28,139 received as reimbursement and appropriates the \$28,139 to pay for the repair services rendered.

<u>Coal Ash Remediation</u> - In the adopted FY2020 budget, we budgeted \$246,000 for interim remedial actions at the police station property at 828 Martin Luther King Jr. Blvd. The project consultant refined the scope of work which resulted in a \$69,000 decrease from the original cost projection of \$315,000. Enactment of the attached budget ordinance amendment for the General Fund reduces the amount appropriated for this project in the General Fund and appropriates the \$246,000 as a transfer to the Capital Projects Ordinance Fund where the Coal Ash project has an existing project budget.

Rogers Road Initiative - The Town of Chapel Hill and the Town of Carrboro established a Memorandum of Understanding (MOU) to share project costs (zoning standards, public involvement, ordinance drafting, and market study) for the Rogers Road zoning initiative. Enactment of the attached budget ordinance amendment for the General Fund would recognize the \$15,391 (Carrboro's share of the MOU) and replenish the Planning Department's budget for the project expenditures incurred.

• Off-Street Parking Fund

The Town began leasing 106 Mallette Street on June 1, 2018 to provide more surface parking downtown. Currently the Town manages the parking lot for hourly parking. The lease also allows the Town to manage monthly leasing.

To begin charging for monthly leasing use of this lot, we are asking Council to amend the existing Police-Parking fee schedule. The proposed fee schedule includes a monthly lease fee of \$95 for 106 Mallette Street.

• Transit Fund

<u>FY 2020 Advanced Technology Grant</u> - The North Carolina Department of Transportation awarded the Town \$97,515 (90%) for the purchase of real-time vehicle locators for bus stops. These tablets will provide real-time information to customers about routes served and bus arrival times. The funds require a local match of \$10,835 (10%), which will come from existing funding in the Transit Fund. Enactment of the attached budget ordinance amendment would recognize and appropriate the grant budget of \$108,350 in the Transit Fund.

<u>Go Triangle Buses</u> - In August 2018, the Research Triangle Regional Public Transportation Authority Board of Trustees approved the use of \$1,500,105 from the Orange County Share of the Triangle Transit Tax District revenues to reimburse the Town for the purchase of three buses. Enactment of the attached budget ordinance amendment would recognize and appropriate the \$1,500,105 in the Transit Fund.

Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Grant - The North Carolina Department of Transportation awarded the Town \$120,000 to fund the Town's Senior Shuttle Program by providing reimbursement for operational costs. An additional \$20,000 was awarded to fund a compliance review and design work to bring six existing bus stops into compliance with the Americans with Disabilities Act. These funds will require a local match of \$140,000 (50%), which will come from existing funding in the Transit Fund. Additionally, the Adopted FY20 budget included \$50,234 in revenue that did not carry an offsetting expense and is being adjusted as part of this ordinance. Enactment of the attached budget ordinance amendment would recognize and appropriate the grant budget of \$280,000 and reduce the operating budget by \$50,234 in the Transit Fund.

Capital Projects Ordinance Fund

In May 2019, the Town received a \$2,238 rebate from Duke Energy for replacing HVAC units at Northside Gym with a high-efficiency unit. Enactment of the attached project ordinance amendment would recognize the \$2,238 rebate and allocate those funds back into the Northside Gym Roof project budget.

2015 Streets and Sidewalks Bond Fund

Old Durham Road Bike-Ped Project - In 2007, the Town signed a municipal agreement with the North Carolina Department of Transportation (NCDOT) and the City of Durham for the Old Durham-Chapel Hill Road bike-pedestrian improvements. The Town budgeted a \$21,184 local match at the time. In 2018, the Town budgeted an additional match of \$1.5 million from the 2015 Streets and Sidewalks Bond funds, as project costs were much higher than originally anticipated. The total amount currently budgeted for all phases of this project is \$1,521,184 (\$74,662 for design and \$1,425,338 for construction).

The NCDOT recently sent the Town a supplemental agreement for 20% of the project construction cost, bringing the total local match to \$1,843,687. Right-of-way, utility, and construction costs have increased significantly since the project started in 2007. The Town needs \$322,504 to cover the difference between the existing project budget and the supplemental agreement. The additional match will come from the 2015 Streets and Sidewalks Bond funds that were set aside

Meeting Date: 9/25/2019

Item #: 3., File #: [19-0774], Version: 1

for the Ephesus Church Road sidewalk construction, since that project is under-funded and cannot be constructed until the next bond issuance (tentatively scheduled for spring 2022). Adoption of the attached resolution authorizes the Town Manager to enter into a supplemental municipal agreement between the Town of Chapel Hill and the North Carolina Department of Transportation for construction of the Old Durham-Chapel Hill Road Bike-Ped Improvements and enactment of the attached project ordinance amendment would move \$322,504 from the Ephesus Church Road sidewalk project to the Old Durham-Chapel Hill Road project.

<u>Estes Drive Bike-Ped Project</u> - The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (MPO) Board approved an amendment to the Transportation Improvement Program (TIP) in May 2019 allocating an additional \$500,000 of federal STBG-DA funding to the Estes Drive Bike-Ped Project. Enactment of the attached project ordinance amendment would recognize the \$500,000 and allocate the funds to the Estes Drive Bike-Ped Project.

Fordham Sidepath - The Town is pursuing multi-use paths along both sides of Fordham Boulevard. In the past two years, several sections of multi-use paths were built by private developers in the Blue Hill district. The Town wants to fill in gaps in the multi-use path system that are unlikely to be provided through new development. The proposed Fordham Sidepath project is about 3,500 linear feet of multi-use trail along Fordham Boulevard between Cleland Drive and Willow Drive. The project would replace about 1,800 linear feet of existing path between Cleland Drive and Ridgefield Road. The existing asphalt path is in very poor condition and does not meet modern standards for width. The new path would be 10 foot wide concrete. The proposal calls for extending the path an additional 1,700 linear feet to Willow Drive. The Town is exploring options for the extension. The project currently has a budget of \$558,000. NCDOT provided \$446,400 and the Town provided a \$111,600 local match. We believe the existing budget is inadequate to complete the project. NCDOT has agreed to provide an additional \$400,000 in funding which would require a \$100,000 local match. Acceptance of these funds is time sensitive and a delay could result in losing the grant award. The new project budget will be \$1,058,000. Adoption of the attached resolution would accept funding from the NCDOT and enactment of the attached project ordinance amendment would move \$100,000 from the Ephesus Church Road sidewalk project to the Fordham Sidepath project for the additional local match.

Affordable Housing Fund

The Town received a payment in lieu of providing affordable housing, approved by the Council, for the UNC at Chapel Hill development at 123 West Franklin Street (\$50,000). As stipulated in the Special Use Permit approved for this project, funds are directed to the Town's Affordable Housing Fund. The Council established eligible activities for the use of these funds.

Enactment of the attached project ordinance amendment would recognize the payment in lieu of \$50,000 and would allocate the funds to a general category of grants and deferred loans for projects not yet identified, which allows some flexibility to respond to unanticipated affordable housing requests.

Transit Capital Grants Fund

<u>FTA Section 5339 Grant</u> - The Federal Transit Administration (FTA) awarded the Town \$1,382,000 for the purchase of two electric buses. This award represents 80% of the total cost. The Town was also awarded a state match of \$172,750, which represents 10% of the total cost. The local match for this grant is \$185,250, which will be funded through the Transit Capital Reserve Fund. Enactment of the attached project ordinance amendment establishes the grant budget of \$1,74 0,000 and transfers \$185,250 from the Transit Capital Reserve Fund for the local match.

<u>FTA STP-DA Grant</u> - In August 2018, Chapel Hill Transit was awarded a Federal Transit Administration (FTA) grant for \$917,888 (Federal share at \$697,099 (75%)). The grant is for the

purchase of two clean diesel buses. Originally, the local share of \$220,789 (25%) was budgeted to come from the Transit Capital Reserve Fund for the local match. In May 2019, the Town received an FY20 Urban Match grant from NCDOT in the amount of \$91,570, which will reduce the local match. Enactment of the attached project ordinance amendment recognizes the state grant match of \$91,570 and reduces the local match by \$91,570.

<u>FTA Section 5339 Grant</u> - In August 2018, Chapel Hill Transit was awarded a Federal Transit Administration (FTA) grant for \$592,708 (Federal share at \$474,166 (80%)). The grant is for the purchase of seven 20' Light Transit Vehicles (LTV) for the Demand Response Fleet. Originally, the local share of \$118,542 (20%) was budgeted to come from the Transit Capital Reserve Fund for the local match. In May 2019, the Town received an FY20 Urban Match grant from NCDOT in the amount of \$45,500, which will reduce the local match. Enactment of the attached project ordinance amendment recognizes the state grant match of \$45,500 and reduces the local match by \$45,500.

Where is this item in its process?

Council Adoption of FY 2019-20 Annual Budget



Miscellaneous Budget Amendment to Council



Revised FY 2019-20 Annual Budget

Meeting Date: 9/25/2019



Attachments:

- Resolution Parking Fee Schedule
- Resolution NCDOT Supplemental Municipal Agreement Old Durham Road
- Resolution NCDOT Supplemental Municipal Agreement Fordham Sidepath
- Budget Ordinance
- Project Ordinance Capital Projects Ordinance Fund
- Project Ordinance 2015 Streets and Sidewalks Bond Fund
- Project Ordinance Affordable Housing Fund
- Project Ordinance Transit Capital Grants Fund

Meeting Date: 9/25/2019

A RESOLUTION TO AMEND THE FEE SCHEDULE ADOPTED FOR FISCAL YEAR 2019-2020 (2019-09-25/R-3)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the following additions as amendment to the user fee policies and schedules as adopted on June 12, 2019, as follows:

Monthly Rental Rates:

Parking Facility	Location	Monthly Rate
Mallette St Parking Lot	106 Mallette Street	\$95

Hours of Operation:

Mallette Street Parking Lot - 106 Mallette Street - 8:00am - 8:00pm, Monday through Saturday.

This the 25th day of September, 2019.

Meeting Date: 9/25/2019

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A SUPPLEMENTAL MUNICIPAL AGREEMENT BETWEEN THE TOWN OF CHAPEL HILL AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE OLD DURHAM-CHAPEL HILL ROAD BIKE-PED IMPROVEMENTS (2019-09-25/R-4)

WHEREAS, the Town of Chapel Hill and the North Carolina Department of Transportation (NCDOT) are constructing bicycle lanes and sidewalks along Old Durham Road from US 15-501 to Pope Road; and

WHEREAS, the Town and NCDOT signed a Municipal Agreement to initiate the project in 2007; and

WHEREAS, the Town has already reimbursed NCDOT for the local match of the design and engineering portion of the project, which totaled \$74,662; and

WHEREAS, the Town is responsible for reimbursing NCDOT for 20% of the total construction cost, which is estimated to be \$1,769,025.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to enter into a Supplemental Municipal Agreement between the Town of Chapel Hill and the North Carolina Department of Transportation for Construction of the Old Durham Road Bike-Ped Improvements.

This the 25th day of September, 2019.

A RESOLUTION ACCEPTING \$400,000 FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR RENOVATION AND EXPANSION OF THE FORDHAM BOULEVARD SIDEPATH (2019-09-25/R-5)

WHEREAS, the Town of Chapel Hill has a goal of extending its pedestrian and bicycle transportation system; and

WHEREAS, the existing Fordham Boulevard Sidepath is an important element in the Town's existing and proposed system of off-road, multi-purpose trails; and

WHEREAS, a renovated and extended Sidepath would improve and further link portions of town with pedestrian and bicycle facilities that would promote healthy transportation options; and

WHEREAS, the North Carolina Department of Transportation has offered an additional \$400,000 to be used toward the design and construction of the Fordham Boulevard Sidepath.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Manager or Mayor to execute a performance agreement with the North Carolina Department of Transportation and accepts the \$400,000 in additional funds for the Fordham Boulevard Sidepath project. This the 25th day of September, 2019.

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2019" (2019-09-25/0-1)

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 1	[
APPROPRIATIONS	Current Budget	Increase	Decrease	Revised Budget
GENERAL FUND				
Mayor/Council	\$ 475,446	5 \$ -	\$ -	\$ 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	2,372,578	16,465	-	2,389,043
Attorney	386,581		-	386,581
Planning & Sustainability	2,081,752	15,391	-	2,097,143
Building and Development Services	2,164,364		-	2,164,364
Housing and Community	842,475		-	842,475
Public Works	13,387,996	· ·	-	13,399,670
Police	13,936,251		-	13,936,251
Fire	9,670,559		-	9,670,559
Parks and Recreation	7,253,099		-	7,253,099
Library	3,856,421		-	3,856,421
Non-Departmental	6,142,321		246,000	6,142,321
	\$69,696,525	5 \$ 289,530	\$ 246,000	\$69,740,055
TRANSIT FUND Other Expenses Advanced Technology Grant Go Triangle FY20 Section 5310 Grant	- - -	\$ - \$ 108,350 1,500,105 280,000 \$ 1,888,455 \$	- · · - · · · - · · · · · · · · · · · ·	26,187,014 108,350 1,500,105 280,000 528,075,469
TRANSIT CAPITAL RESERVE FUND Other Expenses Transfer to Capital Grants	\$ 10,000	\$ - \$ 185,250 \$ 185,250 \$	- \$ 	10,000 185,250

ARTICLE II

Meeting Date: 9/25/2019

Item #: 3., File #: [19-0774], Version: 1

DEVENUES		Current					Revised
REVENUES		Budget	 ncrease	D	ecrease		Budget
GENERAL FUND							
Other Revenues	\$65	,127,234	\$ -	\$	-	\$6	5,127,234
Fiber Relocation		-	28,139		-		28,139
Appropriated Fund Balance	4	,569,291	15,391		-		4,584,682
	\$ 69	,696,525	\$ 43,530	\$	-	\$ 6	9,740,055
TRANSIT FUND							
Other Revenues	\$24	,792,491	\$ -	\$	-	\$24	,792,491
Appropriated Fund Balance	1	,595,592	-		-	1	.,595,592
Advanced Technology Grant		-	97,515		-		97,515
Go Triangle		-	1,500,105		-	1	,500,105
FY20 Section 5310 Grant		-	140,000		50,234		89,766
	\$26	,388,083	\$ 1,737,620	\$	50,234	\$28	,075,469
TRANSIT CAPITAL RESERVE FUND							
Other Revenues	\$	10,000	\$ -	\$	-	\$	10,000
Appropriated Fund Balance			185,250				185,250
	\$	10,000	\$ 185,250	\$		\$	195,250

This the 25th day of September, 2019.

AN ORDINANCE TO AMEND THE CAPITAL PROJECT ORDINANCE FOR VARIOUS CAPITAL PROJECTS (2019-09-25/0-2)

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 capital project ordinance for various capital projects funded from a variety of sources is hereby amended to read as follows:

"SECTION I

The capital projects as authorized by the Town Council include various capital projects funded from grants, the Capital Improvements Program funds, and other miscellaneous sources of revenues for a variety of projects extending beyond one year.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation of these projects within terms of funds appropriated here.

SECTION III

Revenues anticipated to be available to the Town to complete the project are hereby amended as follows:

	Current Budget	Revised Budget
Other Revenues Transfer from General Fund Duke Energy Reimbursement	\$ 33,019,076 6,600,460 	\$ 33,019,076 6,846,460 2,238
Total Revenues	\$ 39,619,536	\$ 39,867,774

SECTION IV

Amounts appropriated for capital projects are hereby amended as follows:

	Current Budget	Revised Budget
Other Projects Coal Ash Remediation at 828 MLK Northside Gym Roof Project	\$ 39,081,536 425,000 113,000	\$ 39,081,536 671,000 115,238
Total Expenditures	\$ 39,619,536	\$ 39,867,774

SECTION V

The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget, and shall keep the council informed of any unusual occurrences.

SECTION VI

Copies of this amended projects ordinance shall be entered into the minutes of the Council and copies shall be filed within five days of adoption with the Manager, Business Management Director and Town

Clerk."

This the 25th day of September, 2019.

Meeting Date: 9/25/2019

Item #: 3., File #: [19-0774], Version: 1

AN ORDINANCE TO AMEND THE 2015 STREETS AND SIDEWALKS BOND FUND FOR CAPITAL IMPROVEMENT PROJECTS (2019-09-25/0-3)

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, that the following capital project is hereby amended for Streets and Sidewalk Improvements funded from 2015 General Obligation bonds approved by the voters in November 2015:

"SECTION I

The capital projects as authorized by bond referenda approved in November 2015, and as determined by the Town Council, includes streets and sidewalks capital improvements extending beyond one year.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation of these projects within terms of funds appropriated here.

SECTION III

Revenues anticipated to be available to the Town to complete the project are hereby amended as follows:

	Current Budget		Revised Budget	
Bond Proceeds	\$	8,500,000	\$	8,500,000
Premium on Bonds		878,998		878,998
NCDOT Grant - Sidepath Along Fordham		446,400		846,400
STBGDA Grant - Homestead Road		1,040,000		1,040,000
Community Waste Recycling Grant		14,768		14,768
Transfer from General Fund		1,025		1,025
Payment in Lieu - Estes Drive		107,237		107,237
Interest on Bonds - Estes Drive		43,018		43,018
CMAQ Grant - Estes Drive		2,886,618		2,886,618
STPGDA Grant - Estes Drive		6,400		506,400
Total Revenues	\$	13,924,464	\$	14,824,464

Meeting Date: 9/25/2019

Item #: 3., File #: [19-0774], Version: 1

SECTION IV

Amounts appropriated for capital projects are hereby amended as follows:

	Current Budget		Revised Budget	
Bond Issuance Costs	\$	237,146	\$	237,146
Capital Project Management & Faciliation		451,852		451,852
Martin Luther King Jr Blvd Crosswalks		193,581		193,581
S Columbia St Pavement Marking Plan		11,400		11,400
Market St Crosswalks		47,120		47,120
Longview Drive Traffic Signal		156,933		156,933
Street Resurfacing - 2017		404,424		404,424
Rosemary Street Lighting		336,030		336,030
Rosemary Street Resurfacing		395,576		395,576
Rosemary Street Pavement Markings		54,100		54,100
Amber Alley Lighting		13,970		13,970
Downtown Streetscape - 2017		61,599		61,599
Friday Center Drive Reconstruction		200,000		200,000
Ephesus Fordham Traffic Impact Analysis		190,000		190,000
Traffic Calming		113,000		113,000
Pavement Markings		74,000		74,000
Audible Pedestrian Signals		20,000		20,000
Sidewalks		774,000		774,000
Sidepath Along Fordham		558,000		1,058,000
Recycling Receptacles		18,460		18,460
1% for Art - 2017		30,000		30,000
Estes Drive Bike/Ped MLK to Caswell		3,616,273		4,116,273
Seawell School Road Sidewalk		286,300		286,300
Ephesus Church Road Sidewalk		440,300		17,796
Homestead Road Sidewalk		2,040,400		2,040,400
Street Resurfacing - 2018		775,000		775,000
Varsity&Post Office Alley Improvements		300,000		300,000
Downtown Streetscape - 2018		500,000		500,000
Estes Drive Bike/Ped MLK to Carrboro		70,000		70,000
Old Durham Chapel Hill Road Bike/Ped		1,500,000		1,822,504
1% for Art - 2018		55,000		55,000
Total Expenditures	\$	13,924,464	\$	14,824,464

SECTION V

The Town Manager is hereby directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget, and shall keep the council informed of any unusual occurrences.

SECTION VI

Copies of this amended projects ordinance shall be entered into the minutes of the Council and copies shall be filed within five days of adoption with the Manager, Business Management Director and Town Clerk."

This the 25th day of September, 2019.

AN ORDINANCE TO AMEND THE AFFORDABLE HOUSING FUND ORDINANCE (2019-09-25/0-4)

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 Affordable Housing Fund Ordinance to provide funds to support affordable homeownership opportunities is hereby amended as follows:

"SECTION I

The Affordable Housing Fund Ordinance as authorized by the Town Council provides funds to purchase properties to create permanently affordable homeownership opportunities.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation of these projects within terms of funds appropriated here.

SECTION III

Revenues anticipated to be available to the Town are hereby amended as follows:

	Current Budget		Revised Budget	
Transfer from Housing Loan Trust Fund	\$	155,778	\$	155,778
Loan Repayment		650,799		650,799
Payment in lieu - Affordable Housing		3,152,576		3,202,576
Interest Income		54,612		54,612
Total Revenues	\$	4,013,765	\$	4,063,765

SECTION IV

Amounts appropriated to create permanently affordable homeownership opportunities are hereby amended as follows:

	Current Budget		Revised Budget	
Grants/Deferred Loans	\$	1,117,141	\$	1,167,141
Revolving Loan Fund		650,800		650,800
Rehabilitation & Refurbishment		106,511		106,511
Contributions to HOME Program		338,974		338,974
Contributions to Affordable Housing agencies		165,000		165,000
Contributions to Community Home Trust		394,242		394,242
Contributions to Affordable Housing		632,100		632,100
Homestead Road project		100,000		100,000
Professional Services		50,000		50,000
Miscellaneous Contracted Services		75,000		75,000
Legal Fees		380,000		380,000
Other Expenditures		3,997		3,997
Total Expenditures	\$	4,013,765	\$	4,063,765

Meeting Date: 9/25/2019

SECTION V

The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget, and shall keep the council informed of any unusual occurrences.

SECTION VI

Copies of this amended projects ordinance shall be entered into the minutes of the Council and copies shall be filed within five days of adoption with the Manager, Business Management Director and Town Clerk."

This the 25th day of September, 2019.

AN ORDINANCE TO AMEND A TRANSIT CAPITAL PROJECT ORDINANCE (2019-09-25/0-5)

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, that the transit capital projects ordinance for various capital projects funded from a variety of sources is hereby amended to read as follows:

"SECTION I

Transit capital projects as authorized by the Town Council are capital projects funded from Federal Transit Administration (FTA) grants and grants from the State of North Carolina.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation of these transit capital projects within terms of funds appropriated here.

SECTION III

Revenues anticipated to be available to the Town to complete the project are hereby amended as follows:

Current Budget Revised Budget

	Jan Sile Baagee	
Federal Transit Administration	\$ 6,592,596	\$ 7,974,596
North Carolina Department of Transportation	276,541	586,361
Active Living By Design Grant	260,000	260,000
GO Triangle	2,290,000	2,290,000
UNC Contributions	4,535	4,535
Program Income	606	606
Transfer from Transit Fund	680,255	680,255
Transfer from Capital Reserve	1,268,688	1,316,868
Total Revenues	\$ 11,373,221	\$ 13,113,221

SECTION IV

Amounts appropriated for capital projects are hereby amended as follows:

Item #: 3., File #: [19-0774], Version: 1 Meeting Date: 9/25/2019

	Current Budget	Revised Budget	
Active Living By Design Grant	265,141	265,141	
FY11 Section 5307 Radio System Grant	1,505,000	1,505,000	
FY13 & FY14 Section 5339 Grant	579,696	579,696	
FY17 STP-DA Flex Fund Grant	1,373,586	1,373,586	
FY17 CMAQ Bus Grant	1,400,000	1,400,000	
FY18 GO Triangle Grant	2,838,894	2,838,894	
FY16 Section 5339 Grant	534,037	534,037	
FY18 Section 5339 Grant	592,708	592,708	
FY18 STP-DA Flex Fund Grant	917,888	917,888	
FY18 CMAQ Bus Grant	1,366,271	1,366,271	
FY20 Section 5339 Grant		1,740,000	
Total Expenditures	\$ 11,373,221	\$ 13,113,221	

SECTION V

The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget, and shall keep the council informed of any unusual occurrences.

SECTION VI

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

SECTION VII

Copies of this amended projects ordinance shall be entered into the minutes of the Council and copies shall be filed within five days of adoption with the Manager, Business Management Director and Town Clerk."

This the 25th day of September, 2019.

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, Off-Street Parking Fund, Transit Fund, and Transit Capital Reserve Fund. By enacting the project ordinance amendments, the Council adjusts the Capital Projects Ordinance Fund, 2015 Streets and Sidewalks Bond Fund, Affordable Housing Fund, and Transit Capital Grants Fund. By adopting the resolutions, the Council amends the Parking Fee Schedule, enters into a supplemental municipal agreement for Old Durham-Chapel Hill Road Bike-Ped Improvements, and accepts funding from the NCDOT towards the Fordham Blvd Sidepath project.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 4., File #: [19-0775], Version: 1 Meeting Date: 9/25/2019

Adopt Resolutions Related to Proposed Refunding of Outstanding Build America Bonds (BABs).

Staff: Department:

Maurice Jones, Town Manager Manager's Office
Amy Oland, Director Business Management

Overview: The Business Management Department is currently pursuing refunding the outstanding balance on the Town's Taxable General Obligation Public Improvement Bonds originally issued in October 2010. The attached resolutions would provide preliminary approval for the issuance of refunding bonds, adopt the bond order and provide for the publication of the bond order.



Recommendation(s):

- That the Council adopt the Preliminary Resolution Supporting an Application to the Local Government Commission for its Approval of Refunding Bonds in an estimated amount of up to \$12,500,000. The resolution authorizes the Town Manager, Finance Officer and other Town representatives to take steps necessary to proceed with the refunding of the 2010 Bonds. The actual sale of the bonds is subject to further Council approval; and
 - That the Council adopt the Bond Order for General Obligation Bonds, which is the basic authorizing document for refunding bonds that North Carolina General Statutes require; and
 - That the Council adopt the Resolution Providing for the Publication of the Bond Order.

Key Issues:

A recent drop in tax-exempt municipal bond rates has resulted in opportunities for the Town, through refunding, to save money on its annual debt service by reducing the net interest cost of debt. Based on the analysis performed by the Town's financial advisors, Davenport & Company, there is currently an opportunity to refund the outstanding balance on the Town's Taxable General Obligation Public Improvement Bonds that will provide a net present value savings of approximately \$689,031 over the remaining life of the bonds.

Due to volatility in the interest rate markets the projected savings may change prior to execution. If there are extreme changes in interest rates, it is possible that a portion of or all of the refunding will not be viable. If this occurs, we will execute only that portion of the refunding that produces savings or we will delay the sale until conditions improve.

The expected sale date for the refunding bond issue will be in November 2019. The Local Government Commission (LGC) will sell the bonds using a competitive process with all bids being received in the State Treasurer's Office. The refunding bonds will be outstanding for various periods and with debt service payments in May and November with the first payment to be made in April 2020.

Based on current market rates the proposed refunding details are as follows:

- Bonds to be refunded: G.O. Series 2010
- Remaining debt service on refunded bonds\$ 13,406,343
- Debt service on refunding bonds <u>12,652,883</u>

Meeting Date: 9/25/2019

Item #: 4., File #: [19-0775], Version: 1

•	Savings	\$	753,460
•	Net Present Value of Savings	\$	689,031
•	Percent Savings of Refunded Bonds	6.7	'8%

The Business Management Department will file an application for approval of the Bonds with the LGC, retain Sanford Holshouser LLP as Bond Counsel and Davenport & Company as Financial Advisor, and request the LGC to approve the financing team.

Fiscal Impact/Resources:

The following table shows the expected savings by fiscal year that would be generated by the proposed refunding. This schedule is based on an estimated true interest cost rate of 1.80% for the refunding bonds. Please note that the actual interest rate will not be known until the sale date of the bonds. At that time, we will report back to Council concerning the actual results of this sale.

Figure Voca	Carringa
Fiscal Year	Savings
2019-20	\$ (16,831
2020-21	68,277
2021-22	67,927
2022-23	71,956
2023-24	70,801
2024-25	69,539
2025-26	68,514
2026-27	72,553
2027-28	71,407
2028-29	69,641
2029-30	67,940
2030-31	71,736
Total Savings	\$ 753,460
NPV @ 1.80%	\$ 689,031

Attachments:

- Resolution Supporting Application to LGC for Approval of Bonds
- Resolution to Adopt Bond Order
- Resolution Regarding Publication of Bond Order
- Bond Order Publication Notice

Item #: 4., File #: [19-0775], Version: 1

Meeting Date: 9/25/2019

A RESOLUTION SUPPORTING AN APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR ITS APPROVAL OF REFUNDING BONDS IN AN ESTIMATED AMOUNT OF UP TO \$12,500,000 (2019-09-25/R-6)

WHEREAS, The Town of Chapel Hill has determined that the Town can save money by refunding some of the Town's outstanding debt, and in particular refunding the outstanding balance of the Town's Taxable General Obligation Public Improvement Bonds originally issued in October 2010; and

WHEREAS, North Carolina law requires that the Town's issuance of the refunding bonds be approved by the North Carolina Local Government Commission (the "LGC"), a division of the North Carolina State Treasurer's office.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Chapel Hill, North Carolina, that the Town makes a preliminary determination to refinance the outstanding bonds described above by issuing up to \$12,500,000 of general obligation refunding bonds, and that the Town requests that the LGC approve the issuance of the refunding bonds.

BE IT FURTHER RESOLVED as follows:

- (a) The Council directs the Town Manager, the Finance Officer and all other Town representatives to take all appropriate steps toward the completion of the financing, including completing an application to the LGC for its approval of the refunding bonds. The final issuance of the bonds in any event is subject to the LGC's approval and this Council's subsequent approval.
- (b) The Council directs all Town officers and employees to take all such further action as they may consider appropriate in furtherance of the purposes of this resolution. The Council ratifies all prior actions taken toward accomplishing these purposes.
 - (c) This resolution takes effect immediately.

This the 25th day of September, 2019.

Item #: 4., File #: [19-0775], Version: 1

Meeting Date: 9/25/2019

A BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS IN THE MAXIMUM AMOUNT OF \$12,500,000 TO REFUND EXISTING TOWN BONDS (2019-09-25/R-7)

WHEREAS, The Town of Chapel Hill has determined that refinancing a portion of the Town's outstanding general obligation bonds could provide savings to the Town. The Town has applied to the North Carolina Local Government Commission for its approval of the issuance of Town bonds to carry out the refinancing, and the LGC has accepted the Town's application.

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Chapel Hill, North Carolina, as follows:

- There are hereby ordered to be issued general obligation refunding bonds of the Town to provide for the refinancing of a portion of the Town's outstanding general obligation bonds, including the payment of related financing costs. In particular, the bonds to be refunded may include all or any portion of the Town's Taxable General Obligation Public Improvement Bonds originally issued in October 2010.
- 2. The maximum aggregate principal amount of the bonds issued for such purpose will be \$12,500,000.
- 3. Taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds so issued.
- 4. A sworn statement of debt prepared by the Town's Finance Officer has been filed with the Town Clerk and is available for public inspection.
 - 5. This Bond Order takes effect immediately.

This the 25th day of September 2019.

Item #: 4., File #: [19-0775], Version: 1 Meeting Date: 9/25/2019

A RESOLUTION REGARDING PUBLICATION OF BOND ORDER (2019-09-25/R-8)

WHEREAS, there has been adopted at this meeting a bond order entitled as follows:

"A BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS IN THE MAXIMUM AMOUNT OF \$12,500,000 TO REFUND EXISTING TOWN BONDS"; and

WHEREAS, the North Carolina General Statutes require the publication of a notice to complete the process of authorizing the bonds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill, North Carolina, that the Town Clerk is directed to publish a notice of the adoption of such Bond Order, in the form provided for in Section 159-58 of the General Statutes, one time in a newspaper having general circulation in the Town.

This the 25th day of September, 2019.

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

By adopting the resolutions, the Council supports the filing of an application to the Local Government Commission for its approval of refunding bonds in an estimated amount of \$12,500,000, adopts the bond order, and provides for the publication of the bond order.

Town of Chapel Hill Refunding Bonds -- Notice of Adoption of Bond Order

The Town Council of the Town of Chapel Hill has adopted the following bond order, providing for the issuance of general obligation refunding bonds. Further information regarding the bonds and the bond order appears at the end of this notice.

* * * * * *

A Bond Order Authorizing the Issuance of General Obligation Refunding Bonds in the Maximum Amount of \$12,500,000

WHEREAS -

The Town of Chapel Hill has determined that refinancing a portion of the Town's outstanding general obligation bonds could provide savings to the Town. The Town has applied to the North Carolina Local Government Commission for its approval of the issuance of Town bonds to carry out the refinancing, and the LGC has accepted the Town's application.

BE IT ORDERED by the Town Council of the Town of Chapel Hill, North Carolina, as follows:

- 1. There are hereby ordered to be issued general obligation refunding bonds of the Town to provide for the refinancing of a portion of the Town's outstanding general obligation bonds, including the payment of related financing costs. In particular, the bonds to be refunded may include all or any portion of the Town's Taxable General Obligation Public Improvement Bonds originally issued in October 2010.
- 2. The maximum aggregate principal amount of the bonds issued for such purpose will be \$12,500,000.
- 3. Taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds so issued.
- 4. A sworn statement of debt prepared by the Town's Finance Officer has been filed with the Town Clerk and is available for public inspection.
 - 5. This Bond Order takes effect immediately.

* * * * * *

The foregoing order was adopted by the Town Council of the Town of Chapel Hill on September 25, 2019, and is hereby published this _____ day of ______, 2019. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice.

The finance officer of the Town of Chapel Hill has filed a statement estimating that the total amount of interest that will be paid on the bonds over the expected term of the bonds, if issued, is \$3,079,035. The estimate is preliminary, is for general informational purposes only, and may differ from the actual interest paid on the bonds. If the refunding bonds are issued, the amount of interest payable on those new bonds will be less than the total interest payable on the outstanding bonds that the Town plans to refinance.

By order of the Town Council.

Sabrina Oliver Town Clerk Town of Chapel Hill, North Carolina



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 5., File #: [19-0776], Version: 1

Meeting Date: 9/25/2019

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.

Staff: Department:

Sabrina M. Oliver, Director Amy Harvey, Deputy Town Clerk Nikki Catalano, Transcriptionist 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
- November 28, 2018 Business Meeting
- December 5, 2018 Business Meeting
- January 7, 2019 Legislative Breakfast
- January 9, 2019 Work Session
- January 16, 2019 Business Meeting
- January 30, 2019 Business Meeting
- February 13, 2019 Business Meeting
- February 20, 2019 Business Meeting
- March 4, 2019 Budget Work Session

A RESOLUTION TO ADOPT SUMMARY MINUTES OF COUNCIL MEETINGS (2019-09-25/R-9)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts summary minutes for meetings held on 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.

This the 25 day of September, 2019.

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

Town Council Meeting Minutes - Draft

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
Council Member Rachel Schaevitz

Wednesday, November 28, 2018

7:00 PM

RM 110 | Council Chamber

Roll Call

Present: 8 - 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, and Council Member Karen

Stegman

Absent: 1 - Council Member Rachel Schaevitz

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Communications Manager Catherine Lazorko, Transportation Planning Manager Bergen Watterson, Public Works Director Lance Norris, Operations Manager Judy Johnson, Director of Planning and Development Services Ben Hitchings, Manager of Engineering and Infrastructure Chris Roberts, Housing and Community Executive Director Loryn Clark, Affordable Housing Development Officer Emily Holt, Affordable Housing Manager Nate Broman-Fulks, Community Resilience Officer John Richardson, Stormwater Engineer III Kiel Harms, Solid Waste Services Manager Wendy Simmons, Fire Inspector Donnie Morrissey, Deputy Town Clerk Amy Harvey

OPENING

0.1. Celebrating Successes Video.

[18-0969]

Mayor Hemminger opened the meeting at 7:00 pm with a video titled "A Day in the Life of a School Resource Officer." The video included interviews with school resource officers and showed how they mentor students in Chapel Hill, Carrboro and Orange County classrooms. It stressed the importance of building relationships.

Mayor Hemminger said resource officers keep local youth safe and help them feel welcome in schools. 0.2. Proclamation: Honoring Harvey Milk.

[18-0970]

Mayor Hemminger reminded all that Harvey Milk, a trail-blazer in the LGBTQ movement, had passed away exactly 40 years ago that day.

Council Member Stegman read a proclamation stating that Mr. Milk had been one of the first openly gay politicians to hold office in the United States and had been a hero in the LGBT movement. Elected in San Francisco in 1977, he had been a brilliant coalition builder, community organizer and champion for his district, she said. The proclamation stated that the Town Council stood with the LBGTQ community in honoring Harvey Milk's life and legacy and urged citizens to follow his example by working to improve people's lives through public service.

Former Mayor Mark Kleinschmidt noted the importance of having minorities as elected officials so that others could imagine themselves at the decision-making table as well. He pointed out that Mr. Milk's assassination had occurred at a very tense political time in San Francisco, and said that the country was currently living through such a time again. He urged all to remember Mr. Milk's words about the importance of hope, which helped people persevere and avoid violent responses to disagreements. Mr. Kleinschmidt said that the Town's proclamation provided such hope.

Carrboro Alderman Damon Seils thanked the Council for the proclamation and mentioned that the Town of Carrboro had recently passed a similar proclamation. He pointed out that there were 26 LGBTQ elected officials currently serving in North Carolina and said that Chapel Hill had been the first to put an LGBT person on its Town Council when it elected Joe Herzenberg (1979-1981 and 1987-1993).

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.

0.1. Peter Lee Regarding Traffic Concerns on Homestead Road.

[18-0971]

Peter Lee, a Courtyards at Homestead Road resident, presented two petitions asking for a more integrated and holistic view of the impacts of

a series of accepted and proposed developments along Homestead Road. The petitions suggested that the Town negotiate with UNC to reroute access to the Wood property and requested a detailed schematic of the area with all its proposed entrances, distances between them, and turn lanes shown, he said. Mr. Lee requested that the Town make such information publicly available before making any decision on the Wood property.

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

PUBLIC COMMENT - ITEMS NOT ON PRINTED AGENDA

0.2. School of Social Work Students Regarding Recommendations for Coal Ash Site.

[18-0972]

Allison DeMarco, a faculty member at UNC's School of Social Work and a member of the Orange County Partnership to End Homelessness, explained that Council Member Oates had recently participated in a panel discussion regarding the policies and ordinances that may affect those experiencing homelessness. She said that Council Member Oates had then presented a topic for student teams to address. The topic pertained to a coal ash dump under the Chapel Hill Police Station (CHPD), Ms. De Marco explained.

UNC students Caleb Walker Wilson, Anjali Shankar and Jonathan Cushing presented their findings and suggestions for remediation of the property. They agreed that full remediation of the property was the appropriate course of action and that mixed income, mixed use housing development that targets those earning less than the area median incomes should be built on the land.

Council Member Oates recommended that the students email their full, written report to the Mayor and Council.

0.3. Cassidy Hampton Regarding Hope Gardens.

[18-0973]

Cassidy Hampton and Zachary West, co-chairs of Hope Gardens (a UNC-based, non-profit community garden at 2200 Homestead Road), described how they offer garden plots to community members, grow produce for weekly cooking sessions, donate produce, and collaborate with local organizations.

Cassidy Hampton, referred to recent discussions about developing the land. She provided history on Hope Garden and advocated for allowing it to continue in the same capacity that it had for nine years.

Khadyah Amina, a community gardener, described the activities there and the community members who utilize the garden. She characterized Hope Town Council Meeting Minutes - Draft November 28, 2018

Gardens as a wonderful place that had brought community members together and forged relationships.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.1. Mayor Hemminger Regarding Council Member Schaevitz Absence.

[18-0974]

Mayor Hemminger said that Council Member Schaevitz was absent due to travel.

0.2. Mayor Hemminger Congratulations to Public Works
Employees on Completion of North Carolina Local Technical
Assistance Program.

[18-0975]

Mayor Hemminger congratulated Public Works Department employees Rayfield Steven Jr. and Kenny Harden for completing the Technical Assistance Program. The program recognizes the achievement of individuals who significantly increase their knowledge of road maintenance procedures and improve their technical and managerial skills, she said.

0.3. Mayor Hemminger Regarding Rogers Road Community Zoning Meeting.

[18-0976]

Mayor Hemminger said that the Rogers Road Community Zoning Meeting would be held the following evening at 7:00 pm at the RENA Center.

0.4. Mayor Hemminger Regarding Preserving Historic Districts Workshop.

[18-0977]

Mayor Hemminger announced a workshop, hosted by the Historic District Commission, from 9:30 am to 2:00 pm in Town Hall on Saturday. All were welcome, she said.

0.5. Mayor Hemminger Regarding Civil Rights Task Force Celebration.

[18-0978]

Mayor Hemminger said that "Opening Our Future," a special evening honoring the Town's civil rights history and the Chapel Hill Nine, would be held at the Chapel Hill Public Library on Friday at 7:00 pm.

0.6. Mayor Hemminger Regarding Tree Lighting and Holiday Parade.

[18-0979]

Mayor Hemminger said that the annual Christmas tree lighting ceremony would occur outside University Baptist Church on Sunday as 6:00 pm. The holiday parade would happen the following Saturday on Franklin Street, she said.

0.7. Council Member Bell Regarding Habitat Home.

[18-0980]

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Council Member Bell noted that "Fix a Home" volunteers would be working the following day, from 10:00 am to 1:00 pm, to improve property at 112 Cole Street. She encouraged volunteers to help out.

0.8. Council Member Buansi Regarding Meet and Greet with Lee Williams.

[18-0981]

Council Member Buansi said that a "meet and greet" for the new Director of Equity and Inclusion for Chapel Hill-Carrboro City Schools would be held at 101 Edgar Street in Chapel Hill.

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 Mayor pro tem Anderson, that R-1 be adopted as amended to remove Item #2 for later discussion, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. Approve all Consent Agenda Items.

[18-0963]

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

3. Continue the Public Hearings for a Zoning Atlas Amendment and a Special Use Permit-Planned Development-Housing Applications for Active Adults Housing, 2217 Homestead Road to December 5, 2018.

[18-0959]

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

3.1 Amend the 2018 Council Calendar.

[18-0968]

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

INFORMATION

4. Receive Upcoming Public Hearing Items and Petition Status List.

[18-0965]

This item was receive as presented.

DISCUSSION

 Authorize the Town Manager to Issue a Request for Qualifications and Begin Negotiations to Identify Potential Development Partners for Town-Owned Land at 2200 Homestead Road. [18-0964]

Affordable Housing Manager Nate Broman-Fulks gave a PowerPoint presentation providing background from the Town Property Task Force's 2017 report supporting exploration of affordable housing on the Homestead Road site to the Council's June 2018 review of a concept plan. The concept was for a mutually-supportive, self-sustaining, mixed-income community with approximately 140 units of mixed housing that would serve very low income to market rate homes with a mix of home-ownership and rental units, he said.

Mr. Broman-Fulks said that the Town could retain ownership and use a ground lease model with potential development partners. He showed renderings of what the project might look like, from above and while walking through. Staff had been working out a timeline and was refining the financial analysis, he said, and he presented a proposed development review process.

Mr. Broman-Fulks requested authorization to send out a request for qualifications (RFQ) and then begin negotiations. Staff anticipated bringing the Council a potential developer (or developers) in the fourth quarter of 2019, he said.

Council Member Oates asked about possible partners and the types of housing that might interest them. She noted that several organizations had expressed interest in partnering with the Town.

Mr. Broman-Fulks said there had been preliminary discussions with potential partners, but staff had not identified any particular housing type or partner.

Council Member Oates confirmed with Mr. Broman-Fulks that UNC Horizons had recently expressed enthusiasm for the concept plan. Staff was hopeful that they might be a partner but had not currently designated any units for anyone, Mr. Broman Fulks said.

Council Member Oates also confirmed with him that UNC Horizons's model would likely be apartments, but that was yet to be determined. She verified that Community Home Trust had attended meetings and was up-to-date on the project.

Council Member Oates asked how the Town's \$5 million contribution to the project would be spent.

Mr. Broman-Fulks replied that staff had been refining the financial analysis and was anticipating a possible \$5 million gap; however, specific funding decisions would be made by the Council at a later time, he said.

Council Member Stegman confirmed with Mr. Broman-Fulks that conversations were ongoing, but final decisions on the development plan were anticipated for FY 2020-21.

Mayor pro tem Anderson clarified that the Council was merely being asked to approve issuing RFQs and that other issues would be addressed in the future.

Mayor Hemminger said the project differed from others in that the Town was putting out different ideas to find out who might build it. Sending out RFQs would formalize that, she said.

Council Member Parker asked how much flexibility potential developers would have. Mr. Broman-Fulks explained that the Town would outline its vision and let developers respond with their experiences. The idea was to be flexible with regard to how the vision would be achieved, he said.

Chitita Howard, a Homestead Road neighbor, said that there was much citizen interest in affordable housing (AH). She asked the Council to communicate with citizens in simple terms about how AH funding would be spent.

Council Member Bell stressed the importance of opening the project up to ideas from those who were involved in interesting AH projects throughout the nation.

Council Member Oates agreed and stressed that the Town should be as innovative and strategic regarding AH as possible. She proposed starting with the demographics and special interest groups that the Town would serve and finding out what type of housing those groups wanted. First find out who the market is and how the Town can serve them, and then go out and find out who will contribute to building the project, she advised.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that R-2 be adopted. The motion carried by a unanimous vote.

5. Consider an Application for Land Use Management Ordinance Text Amendment -Self-Storage Facility, Conditioned.

[18-0940]

Operations Manager Judy Johnson outlined a text amendment (TA) that would allow conditioned self-storage to become a special use within the OI-2 zoning district and a special regulation that would include a floor area ratio (FAR) of 0.290. She reviewed the specific text changes and the definition of FAR and recommended that the Council adopt R-4, the resolution of consistency and enactment of Ordinance-1, approving the revised text amendment.

Council Member Parker said that he wanted to understand the overall philosophy behind why self-storage could not be principally used on certain properties.

Ms. Johnson explained that it stemmed from an interest in not having a self-storage facility on a lot by itself since it would not activate the street. Having it secondary to the main principal activity on the property would allow street engagement, she said, noting that the self-storage building could be at the back of the lot.

Council Member Gu clarified the meaning of primary and secondary uses with Ms. Johnson and asked why 0.290 FAR would be applied to conditioned self-storage while other uses remain at .26.

Ms. Johnson explained that the FAR change was in response to the applicant's request. It could be argued that self-storage could be bigger than an office building, for example, due to its lower impact per square foot, she said.

Mayor Hemminger confirmed that the Planning Commission had approved the text amendment.

D.R. Bryan, the developer who had requested the TA, explained that the Vilcom Associates property owner's board was trying to build conditioned self-storage in one of its buildings. He argued that FAR, in general, was an outdated concept that no longer meant anything and is currently used.

Mayor Hemminger confirmed with Ms. Johnson that an applicant wanting to build self-storage on an OI-2 lot would still have to go through the SUP process.

Ms. Johnson noted that there were very few properties in OI-2 where the option would be available and they would most likely seek a rezoning as well as an SUP.

Mayor Hemminger emphasized that the Town did not want self-storage for use because it wanted to create active, commercial spaces that bring jobs and retail. While there is a need for self-storage, the Council wanted to make sure there was balance, she said.

Ms. Johnson commented that there was space in the back of some lots where self-storage could potentially be done without affecting the streetscape.

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

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that R-4 be adopted. The motion carried by a unanimous vote.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Stegman, that O-1 be enacted. The motion carried by a unanimous vote.

6. Consider Authorizing the Town Manager to Execute a Cooperative Agreement with GoTriangle on the Durham-Orange Light Rail Transit Project. [18-0966]

Transportation Planning Manager Bergen Watterson opened the discussion of a cooperative agreement between the Town and GoTriangle (GT) regarding the Durham-Orange Light Rail Transit Project. She recommended that the Council adopt Resolution 6, which would authorize the Manager to execute the agreement.

Interim Durham-Orange Light Rail Transit Project Director John Tallmadge provided details and a timeline for the project. He discussed aspects of the cooperative agreement and noted GT's goal of applying for a federal grant in April 2019. GT expected to then receive the full funding agreement in September 2019, prior to the November 2019 deadline, and hoped to then have access to \$190 million in state funding for the project, he said.

Mr. Tallmadge noted that the Town's cooperative agreement was one of a dozen or so that were critical. He explained what the agreement entailed and its associated requirements. He discussed how Town comments were being included along the way and noted a plan for communicating to the public in advance of changes to traffic patterns during construction.

Mr. Tallmadge mentioned some comparisons with the City of Durham's cooperative agreement and said that GT had received more feedback from Durham than Chapel Hill. GT had been able to accept all of the Town's comments, he said, adding that the different jurisdictions' organizations and processes had led to different wording in the documents. GT was willing to work through the language with Town staff, if needed, he said.

Mayor pro tem Anderson asked if anything was missing from Chapel Hill's agreement when it was compared with Durham's.

Director of Planning and Development Services Ben Hitchings replied that there was an explicit delineation of stormwater standards in Durham's agreement. There was also a section on relocation of public utilities in Durham's agreement that differed from the Town's, since Chapel Hill worked with OWASA rather than running its own water and sewer service. Mr. Hitchings offered to do a more detailed review, if the Council desired.

Mayor Hemminger said that aligning the two documents with regard to content and formatting would make it easier for the public to understand. She noted that citizens who lived in the overlapping districts of Chapel Hill and Durham County had been looking at all of the documents. The

agreements needed to be easier, more transparent, and similar, she said.

Mayor pro tem Anderson ascertained from staff that Durham's review committee had not included elected officials.

Council Member Gu asked for a description of the 50 percent design review process, and GT Manager of Design and Engineering Dave Charters provided that. He said that it was similar for all of the project's stakeholders.

Council Member Gu requested that staff report on its conclusions, based on the 50 percent review, and Manager of Engineering and Infrastructure Chris Roberts summarized the review process and listed the required submissions. He said that it had been reviewed for both engineering and stormwater and that staff was comfortable with the 50 percent drawings as they were.

Council Member Gu asked for a general overview of the kind of stormwater management procedures that were in place.

Stormwater Engineer Kiel Harms provided details about standards and confirmed that staff was comfortable with the 50 percent plans.

Mayor Hemminger verified with Town staff that they had no concerns with the 50 percent plans.

Council Member Gu said that she wanted to know more details about the staff's review process and what issues it had looked into. She asked Mr. Harms if he had any concerns he wanted GT to address.

Mr. Harms replied that the Durham agreement had been a little more explicit with regard to stormwater. He felt that Chapel Hill's staff had arrived at the same conclusions but had not been as explicit in the agreement itself, he said. He said that a 50 percent review was a little different from a standard review process, and he described the multiple rounds of review.

Council Member Gu asked staff if input from Town advisory boards would be helpful.

Mr. Hitchings replied that the plan included highly detailed engineering drawings and that confirming compliance with Town standards was a very technical exercise. He pointed out that such an analysis was what the Town's professional staff was trained to do, as opposed to addressing the kinds of policy issues that advisory boards often do.

Council Member Buansi asked if an environmental evaluation that had been noted in Durham's agreement had been conducted only for Durham.

November 28, 2018

Mr. Charters replied that a draft environmental impact study (EIS) had been done for the entire project alignment. As changes were made, a few had resulted in a supplemental EIS, he said.

Council Member Buansi recommended that the same language be included, at least as a reference, in the draft agreement with the Town.

Mayor pro tem Anderson asked if a side-by-side comparison had been done with Durham's 2018 funding agreement and if there was any reason why those would be difficult to compare.

Mr. Hitchings replied that the essence of that reimbursement agreement was fairly basic. The Town would track the time involved in the review and then bill GT for all the staff time spent on reviewing their plan, he said.

Mayor pro tem Anderson confirmed with GT that any consultant time, if needed, would be reimbursed at the consultant's rate.

Ken Larson, a Chapel Hill resident, cautioned against signing any agreement, stating that citizens had been brainwashed by GT to believe light rail would be an asset to the community. Mr. Larson said that crossings would block traffic and there would be noise all along the route. He asked the Council to make sure the Town was protected before signing any agreements.

Joan Guilkey, a Chapel Hill resident, said that the Council should have received a letter from citizens regarding their concerns about the agreement's process and content. She mentioned some of those concerns and asked the Council to make sure it addressed them. Ms. Guilkey cautioned against rushing to sign the agreement, which would be binding. It required more than a cursory review, she said.

Charles Humble, a Chapel Hill resident, said he was not aware of any meetings where Town staff, Town advisory boards, or members of the public had been invited to look at the project's impact on wetlands, noise, or public safety. He mentioned objections that had been raised in Durham and said that the Town should give the project more time and thought as well.

Jeff Prather, a Chapel Hill/Durham County resident and retired environmental expert, said that GT had not earned the Town's approval and the Council should not relinquish control. High noise levels at night could be a significant problem, he said.

Cheri Hardman, a Chapel Hill/Durham County resident and president of The Oaks III HOA, also expressed concern about potential noise levels. She recommended that the Council not sign any agreement until it had obtained more information.

Carol Hazard, representing the Laurel Hill HOA, said that her historic neighborhood would be directly impacted by construction and trains. She said that the project could worsen a nearby intersection, reduce property values, add pollution, and negatively affect Glenwood Elementary School. Ms. Hazard stated that much more evaluation needed to be done before the Council signed a cooperative agreement.

John Morris, a Chapel Hill resident, listed several problems in the agreement that needed to be fixed and asked the Council to not give GT a "blank check" to use at its own discretion. He pointed out that the agreement would terminate on December 31, 2021 if GT had not obtained federal funds by that point, while NC law says that state funds would not be provided for the project if federal funds were not obtained by November 30, 2019. The Town did not need to be chained to a dead project for two more years, Mr. Morris said. He asked the Council to take more time to get the agreement right.

Julie McClintock, representing Chapel Hill Alliance for a Livable Town (CHALT), noted a letter that CHALT and other residents had sent to the Town earlier in day. CHALT had serious problems with the project's efficiency, she said, arguing that the current agreement was not ready to be signed. The main problem was that the Town did not know much about the specifics of the project, she said, pointing out that a master plan was not in place. Chapel Hill needed to build in the kind of public review that Durham had in its agreement, Ms. McClintock argued.

Alex Cabanes, a Chapel Hill resident, explained why he did not trust GT when it typically says that all is perfect and there are no problems. There should be oversight of GT's plans, he said.

Pamela Kansohoff, a Chapel Hill resident, agreed that more information was needed. She asked if a noise impact study had been done and expressed concern about the many unknowns and areas for error. She asked the Council to not abdicate its overview responsibility.

Council Member Bell said that the Council's job was to set policy. The Manager and staff, who were equipped to assess the environmental and structural impacts of the project, had said that the differences between the Durham and Chapel Hill agreements were insignificant, she pointed out. Council Member Bell said she did support making the language between the two agreements more similar, however.

Council Member GU expressed concerns about the process and noted the need to ensure that the Town's most expensive and impactful project would be of high quality. She had not seen enough specifics to judge whether there was a solid process in place, she said. She strongly recommended that the agreement include a mechanism for a public process that would allow input from Town experts and advisory boards.

Council Member Stegman said that she respected the long community process and the support for light rail had occurred before she was on the Council and did not want to return to that. However, she agreed with others about making the document more understandable, clarifying the cost reimbursement section, and adding more concrete stormwater and environmental details, she said.

Council Member Parker agreed that some sections of the agreement needed to be revised and improved. He said that questions regarding the expiration date would be worth looking into. He supported having staff compare the Chapel Hill and Durham agreements and bringing that back at the Council's December 5, 2018 meeting, he said.

Council Member Buansi said that he was not comfortable voting on the agreement, as it was written. He indicated an area regarding Town requirements that needed to be clarified. He said he agreed with others that the Town's document should be aligned with Durham's and that he needed more time to look over Durham's agreement. Council Member Buansi said that he needed answers to specific questions before he would vote on the cooperative agreement.

Council Member Oates said December 31, 2018 seemed like GT's internal deadline, but the hard deadline would be in January. She pointed out that some members of the public and the Council had not gotten answers to their questions -- regarding noise, for example. The Town Council could not approve something with noise that would affect citizens' sleep any more than it could approve something that would affect air or water, she said. She asked that the noise mitigation technology be spelled out in the agreement, which she said needed to be much clearer, more detailed, and more specific.

Mayor pro tem Anderson agreed with others regarding the need for more clarity and said it would be good to see the 50 percent drawings. The comparison with Durham had shown that the Town needed to give more thought to what the document contained, she said. She proposed determining why there was a discrepancy regarding deadline dates. The Council was not trying to "derail" the project, but was trying to be thoughtful about getting the best possible light rail project, Mayor pro tem Anderson explained.

Mayor Hemminger pointed out that the specific standards regarding parking lots that had been included in Durham's agreement had not been spelled out in the Town's.

Mr. Charters replied that the Town's parking lots in Gateway Station were subject to some things the linear alignment was not. He pointed out that a transportation project had different rules than a single property development project did.

Mayor Hemminger asked that the agreement actually specify "parking lots," and she asked for more information about transformers as well.

Dave Shore, GT design and engineering manager, replied that there would be a traction power substation at every 1.5 to 2-mile interval along the 18 mile project. The two or three boxes in Chapel Hill would be about 14 feet wide/40 feet long/10 feet high and would have security fences around them, he said.

Mayor Hemminger confirmed that those transformers were part of the 50 percent drawing set and would be included in the 90 percent plans. She also confirmed that GT would share those plans for review and would answer the Town's questions.

Mayor Hemminger verified with GT representatives that all structures associated with the project would be included with the design submission and that periodic meetings with stakeholders would show how the design was progressing. She confirmed with Mr. Charters that a written report regarding noise levels was expected the next day.

Geoff Greene, senior planner with GT, explained that the noise and vibration report would be highly technical and based on a sound equivalence level (SEL). He said that sound at the transit power substations would be 99 decibels. However, when compressed to one second, the actual maximum sound emitted would be 63 decibels, he said.

Mayor Hemminger determined from Mr. Greene that an outside air condition was an example of something in the 60-decibel range. She requested that such information be made more available and understandable in the document.

Mayor Hemminger confirmed with Mr. Greene that one turn near Glenwood Elementary School would generate noise, but would not be nearly as sharp as the one at the maintenance facility. She verified with Mr. Charters that GT's community representative would reach out to residents of the Laurel Hill community regarding the issue.

Mayor Hemminger recommended comparing the Town's and Durham's agreements in order to guarantee that all standards are met and to include similar language and formatting where possible. The agreement also needed to include reimbursement for Town staff time, she pointed out.

Town Attorney Ralph Karpinos amended the resolution with alternate language that addressed the Council's concerns, and Mayor Hemminger read those additions regarding stormwater standards and management, relocation of public utilities, environmental evaluations, opportunities for Council and public input, cost reimbursement, expiration date, and issues

regarding noise impacts that were referenced in the proposed Durham agreement that were not included in Chapel Hill's draft agreement.

Mr. Karpinos' recommendations also included aligning the framework of the Town's two agreements to the extent possible and returning to the Council with a proposed cooperative agreement for Council consideration (on December 5, 2018, if possible), Mayor Hemminger said.

Council Member Gu verified with Mayor Hemminger that the Town could negotiate a maximum noise level with GT.

Council Member Buansi confirmed with Mayor Hemminger that additional questions and concerns by Council members could be submitted up to the December 5, 2018 Council meeting.

Mayor Hemminger asked how important the December 5th deadline was to GT, and Mr. Charters replied that it was important to make changes as soon as possible because GT had already told the Federal Trade Administration that the language was settled.

Council Member Oates confirmed with the Town Manager that he would respond the following day about whether or not staff could realistically meet the December 5th deadline.

Mayor pro tem Anderson confirmed with Mr. Charters that having all of the agreements in place by the end of the year was important but that the project would not end if the Town was not able to have its agreement ready by December 5th.

A motion was made by Council Member Parker, seconded by Council Member Stegman, that R-6 be adopted as amended. The motion carried by the following vote:

Aye:

7 - Mayor Hemminger, Council Member Bell, Council Member Buansi, Council Member Gu, Council Member Oates, Council Member Parker, and Council Member Stegman

Nay:

1 - Mayor pro tem Anderson

7. Approve the Interlocal Agreement for the Provision of Solid Waste and Recycling Programs and Services.

[18-0967]

Public Works Director Lance Norris gave a PowerPoint presentation on the history of the Solid Waste Advisory Group (SWAG), which was tasked in 2014 to propose collaborative solutions to Orange County's solid waste issues. He explained that SWAG was comprised of representatives from Chapel Hill, Carrboro, Hillsborough and Orange County and also included one representative each from UNC and UNC Healthcare. All parties had been seeking an interlocal agreement since 2012, he said.

Mr. Norris recommended the Council approve the proposed agreement and noted that all of the other jurisdictions had already done so. He said that UNC and UNC Healthcare were not parties to the agreement but that it acknowledged the vital roles they play. Mr. Norris said the SWAG had unanimously approved the revised version and recommended the Council adopt Resolution 7 for approval.

Mayor Hemminger said that the Town and broader community cared about recycling and reducing the waste stream and had been working together for a long time on the issue.

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

ADJOURNMENT

The meeting was adjourned at 10:37 p.m.



TOWN OF CHAPEL HILL

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

Town Council Meeting Minutes - Draft

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 Council Member Rachel Schaevitz

Wednesday, December 5, 2018

7:00 PM

RM 110 | Council Chamber

Roll Call

Present:

9 - Mayor Pam Hemminger, Mayor pro tem Jessica Anderson, Council Member Donna Bell, Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Nancy Oates, Council Member Michael Parker, Council Member Karen Stegman, and Council Member Rachel Schaevitz

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Assistant Town Manager Mary Jane Nirdlinger, Town Attorney Ralph Karpinos, Communications Specialist Mark Losey, Director of Planning and Development Services Ben Hitchings, Planner II Jake Lowman, Manager of Engineering & Infrastructure Chris Roberts, Housing and Community Executive Director Loryn Clark, Planner I Becky McDonnell, Fire Marshal Tommy Gregory, Traffic Engineering Manager Kumar Neppalli, Police Officer Rick Fahrer, Communications and Public Affairs Director and Town Clerk Sabrina Oliver

OPENING

0.1 0.1. Successes Video: Holiday Safety.

[18-1013]

Mayor Hemminger opened the meeting at 7:00 pm with a "Success Video" that reminded the community about safety regarding Christmas trees.

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 petitions, 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, agreeemnt, or consent.

1. Petitions from the Public and Council Members.

[18-0984]

a. Environmental Stewardship Advisory Board Regarding Solar Energy Systems.

Tom Henkel, former vice chair of the Environmental Stewardship Advisory Board, distributed a handout and explained proposed additions to a petition on solar energy systems that he had submitted a few months earlier.

A motion was made by Mayor pro tem Anderson, 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.

1.1 1.1. Paul Pritchard Request to Defer Reforestation at Cleland, Rogerson, and Oakwood Intersection.

[18-1014]

Paul Pritchard, a Chapel Hill resident, said that a planned conversion of open space at the intersection of Rogerson, Cleland and Oakwood was completely counter to the purpose for which open space had been dedicated and sold to the Town. He warned against creating a swampy area in its place and said that his petition already included 165 signatures from neighbors who wanted the project deferred for additional dialogue.

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

1.2 1.2. Andrew Ross Request Regarding Permanent Space for Chapel Hill Farmer's Market.

[18-1015]

Andrew Ross, representing the Chapel Hill Farmers Market, presented part of a video showing farmers and others who support having a permanent Farmers Market at the Town-owned American Legion property. Mr. Ross pointed out how the Farmers Market benefited the Town and said that the American Legion Task Force -- as well as survey respondents and charrette participants -- had supported the idea.

A motion was made by Mayor pro tem Anderson, seconded by Council

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Member Schaevitz, that this Petition be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

1.3 1.3. Renuka Soll Regarding Gun Buyback Petition.

[18-1016]

Renuka Soll asked if her petition, which the Council had received in spring 2018, had been overlooked. The petition had included an end-of-year time limit, but there had been no response, and it was not listed on the Town's website, she said.

Mayor Hemminger said that the petition should have been on the list and that she would get back to Ms. Soll about it the next day.

PUBLIC COMMENT - ITEMS NOT ON PRINTED AGENDA

ANNOUNCEMENTS BY COUNCIL MEMBERS

1.4 1.4. Council Member Oates Regarding Meeting.

[18-1017]

Council Member Oates pointed out that the meeting was likely to be long and that those who might need more space might want to sit in the front row.

1.5 1.5. Mayor Hemminger Regarding Agenda Changes.

[18-1018]

The Council agreed to move Item 9 to a date in January. They also added an item to the Consent Agenda: to appoint Council Member Parker to the Metropolitan Planning Organization with Mayor Hemminger as the alternate.

1.6 1.6. Mayor Hemminger Regarding Event to Honor Civil Rights History and Chapel Hill Nine.

[18-1019]

Mayor Hemminger said a recent "Opening Our Future" event honoring the Town's civil rights history had been very well attended. The four remaining members of the Chapel Hill Nine were there, she said, explaining that those nine men had staged a sit-in at Colonial Drug Store in 1969, when they were teens. She said the Colonial Drug sit-in had been the nation's first such protest by high school students and that the Town was very proud of those men.

1.7. Mayor Hemminger Regarding Council Committee on Economic Sustainability Meeting.

[18-1020]

Mayor Hemminger said the Council Committee on Economic Sustainability would meet on Friday at 8:00 am at the Chapel Hill Public Library.

1.8 1.8. Mayor Hemminger Regarding Holiday Parade.

[18-1021]

Mayor Hemminger said the annual holiday parade would take place on Franklin Street on Saturday, beginning at 10:00 am.

Town Council Meeting Minutes - Draft December 5, 2018 1.9 1.9. Mayor Hemminger Regarding Potential Winter Weather. [18-1022] Mayor Hemminger noted there was a chance of bad weather on Saturday night. She advised citizens to watch for updates on the Town website. **CONSENT** Approval of the Consent Agenda A motion was made by Council Member Parker, seconded by Council Member Buansi, that R-1 be adopted as amended to add Item 5.1, which approved the Consent Agenda. The motion carried by a unanimous vote. 2. Approve all Consent Agenda Items. [18-0985] This resolution(s) and/or ordinance(s) was adopted and/or enacted. 3. Adopt a Resolution Supporting an Application for Transportation [18-0986] Demand Management (TDM) Grant. This resolution(s) and/or ordinance(s) was adopted and/or enacted. 4. Adopt a Resolution Opposing North Carolina Department of [18-0987] Transportation Incursion into the Oosting Natural Area. This resolution(s) and/or ordinance(s) was adopted and/or enacted. Amend the 2018-19 Council Calendar. 5. [18-0988] This resolution(s) and/or ordinance(s) was adopted and/or enacted. 5.1 Make Council Appointments to the Metropolitan Planning [18-1012] Organization Policy Board. This resolution(s) and/or ordinance(s) was adopted and/or enacted. **INFORMATION** 6. Receive Upcoming Public Hearing Items and Petition Status [18-0989] List. This item was received as presented. DISCUSSION 7. Consider a Resolution in Support of Campaign to Make North [18-0990] Carolina a No-Torture State. Peggy Misch, speaking on behalf of a campaign to make North Carolina a no-torture state, asked for a Council resolution regarding an annual reading of the Bill of Rights at noon on December 15, 2018 at the Peace

and Justice Plaza in Downtown Chapel Hill. Ms. Misch said that Mayor protem Anderson would read the 10 amendments that had been added before

the Constitution was ratified in 1791. She called special attention to the 8th amendment which prohibits excessive bail, fines, and cruel and unusual punishment. Ms. Misch said that citizens would be able to sign a related petition at the event.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Bell, that R-5 be adopted. The motion carried by a unanimous vote.

SPECIAL USE PERMIT

Consider an Application for Special Use Permit
 Modification-Tri-City Medical Building, 5002 Barbee Chapel Road.

[18-0991]

Planner Jake Lowman presented a Special Use Permit modification request to extend the start date for Tri City Medical Office Building. He provided background on the project and recommended that the Council close the public hearing and adopt Resolution A in favor of the action.

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

A motion was made by Mayor pro tem Anderson, seconded by Council Member Bell, that R-6 be adopted. The motion carried by a unanimous vote.

Continued Discussion

9. North South Bus Rapid Transit - Locally Preferred Alternative Update.

[18-0992]

This item was deferred to January 2019.

10. Open the Public Hearing and Consider a Request to Close a Portion of the Public Right-of-Way on Aberdeen Drive for the Expansion of the Lumina Theater.

[18-1000]

Manager of Engineering and Infrastructure Chris Roberts gave a PowerPoint presentation on a request from Dixon Pitt/Bryan Properties to open a public hearing regarding a partial closing of the public right-of-way at Aberdeen Drive. He showed the Southern Village location on a map and indicated where the applicant wanted to expand the Lumina Theater and add a tap room.

Mr. Roberts described how a sidewalk would need to be shifted. He said that no concerns had been raised regarding the request and a related Zoning Compliance Permit application was underway. He recommended that the Council open and close the public hearing and adopt Resolution 9 approving the closure.

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

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

ZONING ATLAS AMENDMENT and SPECIAL USE PERMIT

ZONING ATLAS AMENDMENT

11. Discussion and Consideration of an Application for Zoning Atlas Amendment - Homestead Road Active Adult Housing, 2217 Homestead Road (Project #17-107).

[18-0943]

Principal Planner Judy Johnson presented a rezoning application for an Active Adults Housing project, including a revised resolution of consistency, a revised rezoning ordinance, and an affordable housing agreement. She reviewed the process thus far and explained the applicant's request to rezone from Residential 2 to Residential 5 Conditional, which would change the site's designation from medium to high density on the land use map.

Ms. Johnson gave a PowerPoint presentation, showing a map of the site and nearby properties. She pointed out that the Town's affordable housing (AH) expectation with a request for higher density was 15 percent. With the applicant's proposal of 190 units, that would mean 28.5 affordable units, but the applicant had proposed a \$315,000 payment in lieu or an equivalent value of on-site units, she said.

Ms. Johnson noted that the Town's Housing Advisory Board (HAB) had endorsed the applicant's \$315,000 proposal. She discussed options for Council consideration. If the Council were to find the application acceptable, then it should close the public hearing, adopt Resolution 10, enact Ordinance 1 and continue to Item 12, she said.

Council Member Stegman confirmed with Ms. Johnson that the applicant was asking for a floor area bonus.

Applicant Josh Gurlitz presented information regarding the proposed rezoning, addressed density and traffic issues, and discussed impervious surface, environmental concerns, and the Town's Inclusionary Zoning Ordinance. He said that restricting the project to senior citizens would reduce its impact and render it medium density even though the number of units would increase with the rezoning. He said the Special Use Permit (SUP) modification would increase the population by 23 people and the proposed \$315,000 payment in lieu would subsidize 14 permanently affordable homes.

Mr. Gurlitz noted sidewalk and road improvements that had or would be made in the area, and noted that construction documents for road widening were in the Council's packet. He mentioned an HNTB traffic impact analysis regarding the active senior demographic. He argued that the project fit into the Inclusionary Zoning category because the Town did not have rental housing specifically for the over 55 age group which was a community need specified in the Town's purpose statement.

Mr. Gurlitz noted that the HAB had unanimously recommended a \$315,000 payment in lieu to subsidize 14 permanently affordable homes. He accepted that recommendation, he said, but he noted that it was not consistent with the way the Town had treated other projects. He pointed out that the project had already incurred about \$700,000 worth of additional Town-requested project costs.

Council Member Oates pointed out that 15 percent of Timber Hollow's units were affordable.

Mr. Gurlitz agreed, with respect to new construction, but said that those units represented only 4.5 percent of the project.

Mayor pro tem Anderson confirmed with Mr. Gurlitz that his target group would be people in their 70s to late 80s and that there would be 109 one-bedroom and 82 two-bedroom units. She verified with him that the project was expected to be 90 percent occupied.

Council Member Gu confirmed with Town Attorney Ralph Karpinos that the condition the units be for seniors only would run with the land. A future property owner could ask for that to be changed, but it would take a Council vote to do so, Mr. Karpinos said.

Mary Jean Seyda, HAB chair, explained the process by which the HAB had reached its recommendation for a payment in lieu for AH. She said she had not realized the applicant had changed his proposal to include units. Therefore, what was on the Council's agenda had never been before the HAB, she said.

Mayor Hemminger confirmed with Ms. Seyda that the HAB had voted in favor of a \$315,000 payment in lieu.

Mayor pro tem Anderson asked how the HAB had gone from an original \$2.4 million estimate to \$315,000, and Ms. Seyda replied some HAB members thought \$2.4 million for 28 units of housing would kill the project. The HAB had ultimately based its recommendation on the amount of subsidies that would go toward a home from Habitat for Humanity or the Community Home Trust, she said.

Susan Levy, executive director at Habitat for Humanity and chair of the

Orange County Affordable Housing Coalition said the Coalition had not been aware of the HAB's recommendation for a \$315,000 payment in lieu until early November after the Coalition had reached a consensus that the developer should provide 10 percent of the total number of units as affordable to a single-person household earning 60 percent and below the area median income (AMI). Affordability should be for a minimum of 20 years, but 30 years would be preferable, she said.

Ms. Levy said given the circumstances, the Coalition had revised its recommendation to propose that 5 percent of the units be affordable to single-person households at or below 60 percent of AMI for a minimum of 20 years. She said that was a reasonable compromise between what the developer was offering and what the Coalition would have recommended if it had been engaged sooner.

Ms. Levy encouraged the Council to develop a realistic and fair policy so everyone would know the rules. She said the applicant's current offer was not adequate, coming nowhere close to the 15 percent the Town required for home-ownership. Actual units were highly preferable to payments in lieu, and \$315,000 was unlikely to produce many new units -- and certainly not in a timely manner, she said.

Ryan Nathaniel Lavalley, an occupational therapist with the Orange County Department on Aging, stated that housing for seniors should be distinctly different from regular apartments and the Town should encourage developers to take advantage of the Department on Aging's training regarding standards and amenities. He proposed having an accessible bus route in the area to increase access to the Seymour Center and decrease traffic.

Cherie Rosemond, representing UNC Partnerships in Aging, said that 80 percent of seniors prefer to age in their communities but have difficulty finding affordable rent. She shared anecdotal information about Orange County seniors who were in need of rental housing.

Cheryl Tate, speaking on behalf of Homestead Village residents, said there was not a compelling need for senior housing in Chapel Hill. She had seen apartment rentals on Zillow that were affordable and in more convenient locations than the development being proposed, she said.

Derek Ross, a Courtyards at Homestead resident, argued that there was no compelling evidence to justify rezoning from R-2 to R-5 next to a well-designed R-2 senior facility and none to support that the proposal would be good for the targeted age group. He also said there was no evidence the applicant had the expertise to manage such a facility.

Peter Lee, a Chapel Hill resident, urged the Council to stand firm for a larger payment in lieu and to deny the rezoning request. He expressed concern that a senior could rent a unit and then allow his or her child or

grandchild to live in it.

Martin Malloy, a Chapel Hill resident, listed several design features needed in senior housing and said the project would be just another apartment building without them. He asked the Council to deny the rezoning request.

Josh Kim, a Chapel Hill resident, said the proposed building would be too tall and too dense for the neighborhood.

Lee Ann Swanecamp and Wayne Vanderburg, Chapel Hill residents, argued that there already was too much density and too much traffic on Homestead Road.

Scott Windham, a Chapel Hill resident, discussed the integrity of the zoning process and said the area zoned R-2 constituted a promise to citizens. The proposal to rezone it to R-5 represented a breach of trust, he said. Mr. Windham urged the Council to move forward with managed, consistent, and coherent development. He also expressed concern about property values being compromised.

Jackie Jenks, executive director of The Inter-Faith Council, said that the Town desperately needed AH. However, as a Homestead area resident, she was personally concerned about traffic and quality of life issues for those who already live there, she said. Ms. Jenks acknowledged that AH was one reason to accommodate greater density and said she hoped that any change in zoning would automatically result in onsite AH units, not a payment in lieu. She asked the Council to seriously consider the AH Coalition's recommendation that 5 percent of the units be affordable to households at or below 60 percent of AMI for a minimum of 20 years.

Hudson Vaughan, representing the Marion Cheeks Jackson Center, read biographies of seniors who needed affordable apartments. If the developer were to build what was currently allowed in R-2, it could offer 60 ownership units with nine required to be permanently affordable, he said. Mr. Vaughan argued that tripling the density should result in more affordable units on the site and pointed out that each development sets a precedent for the next.

Alex Eyssen, vice president of development at Bainbridge Companies, explained that he had been working with Mr. Gulitz on the project and provided background on the proposal. It would be a relatively new space that would not be the same as independent living or assisted living, he said. Mr. Eyssen asked the Council to support the SUP, noting that the HAB and all other Town boards and committees had unanimously approved the request.

Ali Aran, a Chapel Hill resident, said that the neighbors' opinions had not been well represented. He was not against AH or senior citizens' rights, but was uncomfortable with the proposal because of the number of projects already going on within a short stretch of Homestead Road, he said. Mr. Aran said that HNTB's updated traffic analysis had not included 2200 Homestead and The Townhomes. In addition, the proposed project was too tall and dense, he said.

Council Member Stegman said she disagreed with the applicant's suggestion that the proposed AH component complied with the spirit of the Town's 2020 Comprehensive Plan and Inclusionary Zoning Policy. She read from the Town's 2009 resolution regarding AH and said the applicant's proposal did not come close. She expressed agreement with the speakers who had said that affordable units were far preferable to a payment in lieu.

Council Member Stegman said she recognized that it was late in the process and that there was openness to payment in lieu. However, that would have to come a lot closer to the intent of the ordinance, she said. She acknowledged there were some good elements in the application, but suggested the applicant return in January after having further discussion with staff.

Mayor pro tem Anderson said she agreed with all that Council Member Stegman had said and that she preferred on-site units to a payment in lieu. There was a need for active senior housing in Town, but the request was radical in terms of the rezoning, she said.

Council Member Gu agreed that there was a critical need for senior rental apartments in Town, but said she felt confused about how AH was being discussed. The Town's Inclusionary Zoning Ordinance was unclear with regard to rentals, and she agreed with the applicant and speakers about the need for a coherent Town plan, she said. Council Member Gu proposed that the HAB and developer talk and come up with a reasonable proposal, adding that she strongly preferred having affordable units on site. In addition, Council Member Gu emphasized the importance of having the development standards for senior housing.

Council Member Bell recommended that the developer and staff discuss following the Coalition for Affordable Housing's recommendation. She said the best way to get predictability was to develop property as it is zoned, but pointed out that zoning was not written in stone. Council Member Bell recommended getting the issues addressed before January or February and said AH was the one still standing out in her mind.

Council Member Parker agreed that the Coalition's proposal of five percent (10 units) was reasonable and achievable. He expressed sympathy for the developer over the Council's "amorphous" process, but "we are where we are and it's important to get those units on site," he said. Council Member Parker said that he understood the neighbors' concerns about density, but he was comfortable with 11 units per acre. He agreed with

the speakers who had said the Town needed to take a more comprehensive look at traffic on Homestead Road.

Council Member Buansi expressed agreement with Council Member Stegman's comments and suggested the applicant work with staff and return with a stronger plan in January. The applicant was asking for a significant rezoning, so the Town should ask for more in return, he said. He pointed out that the spirit of the Inclusionary Zoning Ordinance was to develop mixed income, integrated communities and that the proposal for a payment in lieu did not achieve that. He strongly preferred on-site units and would like to see more than 5 percent, Council Member Buansi said.

Council Member Schaevitz stated she generally agrees that the proposed use was a good one for the area and said she liked the idea of senior rentals on the property, provided that they were built to appropriate standards. She agreed with others that the project was not consistent with the 2020 Comprehensive Plan, and she strongly advocated for units on site.

Council Member Schaevitz said she appreciated the Coalition's proposal but agreed with Council Member Buansi that the developer and staff should work toward more than 5 percent. She pointed out the HAB had proposed a payment in lieu formula that the Council had not addressed. The Council needed to move on that and build more predictability in for developers going forward, she said. She would continue to prefer and strongly advocate for units on site, Council Member Schaevitz said.

Council Member Oates pointed out that traffic in the area posed a danger, especially for those who are older and have slower reaction time. She was not convinced that rezoning to R-5 was consistent with the 2020 Comprehensive Plan, she said, but added that her greatest concern pertained to affordability. She provided anecdotal information about the Town's pressing need for AH and said she strongly advocated for having 28 units on site that would be affordable in perpetuity.

Mayor Hemminger said she wanted to see units on site as well. The concern about younger people staying in the units would be addressed by requiring that units be owner occupied, she pointed out. She said the location would be great for seniors and noted the Town did need senior housing. She asked the applicant for a response.

Mr. Gurlitz replied that he definitely was interested in working with staff and coming back in January. He asked if he could also have an opportunity to get feedback from Council members during that period.

Mayor Hemminger confirmed with Mr. Karpinos that Council members could provide individual feedback to staff which could then be shared with Mr. Gurlitz. The Council could not provide feedback to the applicant as a group, Mr. Karpinos said.

Council Member Bell proposed giving staff direction regarding 5 percent (10 units) or 15 percent (28 units). She said that the range was usually between 30 and 80 percent and that she supported the Affordable Housing Coalition's recommendation for 60 percent.

Council Member Parker proposed the applicant share some of its financial information with staff so the Town could better understand the numbers behind its decision-making process.

Mayor Hemminger expressed agreement with Council Member Bell's recommendation for a range, and for having staff try to forge an agreement. She pointed out the next item on the Council's agenda (the related SUP) would be postponed to January 16, 2019 as well.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that this Zoning Atlas Amendment be continued to January 16, 2019. The motion carried by a unanimous vote.

SPECIAL USE PERMIT

12. Discuss and Consider an Application for Special Use Permit - Homestead Road Active Adults Housing, 2217 Homestead Road (Project #17-096).

[18-0942]

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that this Special Use Permit be continued to January 16, 2019. The motion carried by a unanimous vote.

Continued Discussion

13. Consider Authorizing the Town Manager to Execute a Cooperative Agreement with GoTriangle on the Durham-Orange Light Rail Transit Project.

[18-1001]

Planning Director Ben Hitchings opened the continuing discussion with GoTriangle (GT) regarding a cooperative agreement for the Light Rail Transit (LRT) project. He presented three options for Council's consideration: 1) take a Council vote on the agreement tonight; 2) send staff back for further discussions with GT and defer the vote to the Council's January 16, 2019 meeting; or 3) send the item back to staff and authorize the Town Manager to finalize the agreement based upon Council direction.

Mr. Hitchings summarized the Council's previous discussion and feedback. He said that staff had worked since that time to revise and align the agreement more with Durham's cooperative agreement, as the Council had requested. Mr. Hitchings noted key revisions pertained to stormwater, landscaping, public notification and communication, GT's responsibilities,

December 5, 2018

and more.

Mayor Hemminger said the agreement had been much improved and the Council appreciated all the effort that had gone into achieving that.

Mayor pro tem Anderson asked about a discrepancy regarding termination dates of 2019 or 2021.

GT Interim Project Director John Tallmadge explained that GT had asked for a 2021 date (rather than the state's November 2019 date) to avoid adding an additional action that all parties would have to take. He said the later date enabled GT to decide whether or not and how to go forward without requiring additional activities that would have to come afterward.

Mayor pro tem Anderson asked if there was a reason why GT could not just ask for an extension -- or have a mechanism for an automatic extension if funding came through in some other form -- rather than adding years when there was no funding attached. She asked why the Town's date could not be the end of December 2019. If GT needed to meet with the commissioners within 15 days that would give them time to negotiate, she said.

Mr. Tallmadge explained that GT's goal was for the parties to proceed, unless a decision were made to not do so. If Orange County, Durham County and GT decided not to continue, then the agreement would expire. So the effort was to get language that would have those three cost-sharing parties agree to not pursue the LRT project and terminate the agreement, rather than tying it to the Orange County Transit Plan, he said.

Council Member Parker suggested a date of perhaps six months or a year beyond November, or other language that would set a shorter deadline. Perhaps the deadline could be when it is removed from the Orange County Transit Plan, he said. Council Member Parker said that GT should not need two years, and he asked if mid-2020 would give them enough time.

Mr. Tallmadge noted the difficulty of forecasting what all the positions might be, and said GT was trying to tie the date to the funding partners' decision about whether to proceed with the project. He asked the Council to think about the proposed language, and about whether or not it could be tied to the earlier of the 2021 date or a decision by the cost-sharing partners to no longer pursue the project.

Council Member Buansi said that Council Member Parker's suggestion to have the agreement terminate in mid-2020 seemed like more than enough time for GT to figure out whether it had an agreement from the funding partners. He did not understand why GT would not accept that, he said.

Mr. Tallmadge expressed willingness to accept a November 1, 2020 date

and Mayor Hemminger confirmed with Council Member Buansi that it would be better. Council Member Buansi said that he still wondered, however, why GT needed an entire year.

Mr. Tallmadge replied that he was merely speculating, since he did not know what the variables would be. If the decision were made to remove GT from the plan, the document could be terminated at that point, he said.

Council Member Schaevitz clarified GTs' suggestion: If the Federal Transit Authority (FTA) full-funding grant and state funding were not in place by November 30, 2019, then the other funding partners would have two years to figure out how to move forward without that funding.

Mr. Tallmadge replied that it was a standard agreement that allowed for time for the unknown. The cost-sharing agreement did not have an indefinite period of time to determine a direction forward after not receiving one of those sources of big funding, he said.

Council Member Schaevitz asked Mr. Tallmadge to provide more information on the timeline and Mayor pro tem Anderson said she was still not clear about why it was such a problem. Why couldn't the Council put it on a consent agenda if the state or federal government did not come up with funding, she wondered.

Council Member Bell said that settling the date would avoid having to have the same conversation again with a different Council. She said that Mr. Tallmadge seemed to be saying that the collaboration would be void if the funding did not exist. She pointed out that the agreement was only about the process of creating the LRT. If that does not exist, then the document does not exist, and that was why it would be terminated or just expire on December 31, 2021, said Council Member Bell.

Mr. Tallmadge replied that Council Member Bell's assessment was absolutely true and that he had been trying to point out the viability of the project did not rest solely with GT.

Council Member Bell said the proposed date avoided putting the onus on a new Council to try and figure out the details of the Town's collaboration with GT regarding stations within the Town's jurisdiction.

Mayor Hemminger asked if six months (June 1st) would meet GT's need, and Council Member Buansi expressed support for that date.

Council Member Bell said she supported six months as well, as long as it would not put GT in a position of not being able to meet an agreed-upon deadline.

Mayor pro tem Anderson said that looking out for the Town's interests was

the point of the agreement. The FTA not funding the project would be because of financial risk or environmental impact, and the Council should have the opportunity to renegotiate or add items to the agreement, she said.

Council Member Gu said November 2019 was a very important checkpoint at which she would still want to hear the concerns and feedback from the FTA or state in order to decide whether to continue as is or make adjustments. It made sense to give that same opportunity to the new Council at that time, she said. For that reason, it seemed natural to link the Town's agreement to that key point in funding, she said.

Mr. Tallmadge agreed that November 30, 2019 was critical. The full funding grant would need to be in place by that time or else a serious decision would need to be made by the cost-sharing partners, he said. However, the cooperative agreement was not about whether the project would go forward or not; it was about how GT and the Town would work together effectively, he said. Whether or not the agreement is in place would not affect the decision about going forward; that would be an Orange County, Durham County and GT decision, he pointed out.

Council Member Gu and Mayor Hemminger noted the importance of the November 2019 deadline.

Council Member Parker said the 2019 deadline was important but was imposed by the state and the FTA was not bound by it. The state could give GT an extension because it was basically trying to force the FTA to agree by November 19, he said. He added that it was not unusual for the FTA to delay its decisions on full funding agreements.

Council Member Parker outlined possible funding scenarios and said that GT was trying to achieve breathing space and an ability to accommodate changes in the schedule. He did not think that anyone would assume that the project could be built without the \$1.25 million from the FTA, so it was not a question of us getting money from somewhere else, he said. The project depended on FTA funding and would not happen without it, he said.

Council Member Stegman suggested having the same timeline as those in the other agreements. If that was not workable, then a year would be reasonable, she said. She disagreed with the idea of putting it on a consent agenda to be re-litigated every couple of years.

Mayor Hemminger proposed that the Council move on to other topics and return to the termination date issue during the comments portion of the meeting. She asked if GT was amenable to having a public information session at the 75 percent of design point, and Mr. Tallmadge agreed but pointed out that GT would have only the basis of engineering design drawings, not complete drawings, at that point. He offered to do a series

of meetings over the next six months and to put that in the agreement.

Council Member Oates verified with Mr. Hitchings that a summary of staff responses to Council members' requests was attached to the Council's packets. She confirmed that Durham City Council had approved a rail maintenance facility that the Town did not have land use authority over even though Chapel Hill citizens lived there. Council Member Oates asked if there was anything the Town could do to ensure that GT would mitigate noise for those who live in that area.

Mr. Tallmadge began to reply, but Mayor Hemminger asked if GT was amenable to having Town staff review transformer boxes to make sure they conformed to Town standards.

Mr. Tallmadge replied that it was appropriate for GT to bring those to the Town's Community Design Commission for comments on the visual aspects.

Mayor Hemminger confirmed with Mr. Hitchings that a requirement to meet the Town's stormwater requirements was in the document, as was a specific provision that would make parking and station areas outside the right-of-way subject to the Town's stormwater requirements. Regarding a question about Town versus state standards, Mr. Tallmadge said GT would follow whichever were most stringent.

Mr. Tallmadge went on to explain language about limiting noise impacts to the acceptable range in the noise ordinance as currently written. He discussed Town and GT coordination during project design regarding noise levels.

Rachel Baker, from GT's legal team, pointed out that GT was proposing revised language to the noise ordinance in order to address the Council's concerns.

Mr. Tallmadge explained that the purpose of the language was to recognize that GT's analysis had found that noise levels would fall within the decibel levels of the Town's current noise ordinance.

Council Member Parker pointed out that development projects were held to the standards at the time of development. However, the LRT project would need to comply with those standards when it ultimately went live and he wanted to be sure that the standards would be met in actuality, not just on paper, he said.

Mr. Tallmadge reviewed the process that GT used for noise testing where potential moderate impacts had been identified along the corridor. He said that GT would have a policy for how it would mitigate noise projected impacts and would monitor noise on an ongoing basis as the system aged. GT did not expect to have impacts higher than the current noise

ordinance, he said.

Council Member Oates asked how GT planned to protect Chapel Hill citizens who live near maintenance facilities and how the Council could get that into the contract.

Mr. Tallmadge replied that even Creekside Elementary School, which was about 1/4-mile away, would not have noise impacts from the rail operations and maintenance facility. There would be some "wheel squeal" but that would be mitigated by lubrication, and the sound would be significantly quieter than a city bus accelerating down the street, he said.

Council Member Oates verified with Mr. Tallmadge that horns would not be tested in the morning at that maintenance facility. GT would find sites to test horns that were not in populated areas, he said.

Mayor Hemminger asked about the process for communicating with GT if noise did bother Town residents, and Mr. Tallmadge said that GT had discussed having a safety manager/noise compliance officer for the system and would definitely identify such a process and contact individuals.

Council Member Gu asked why compliance with noise mitigation standards was not included with the standards for stormwater, buffering, parking, landscaping, etc...

Mr. Hitchings explained that the noise ordinance was located in a different section in the Code of Ordinances than the ECP (engineering construction permit) process. He asked Mr. Tallmadge if a reference to noise modeling and testing could be included as part of ECP review.

Mr. Tallmadge replied that he was wary of having minor changes trigger another noise analysis as project design advanced. That would cost several hundred thousand dollars, he said.

Katherine Eggleston, GT project development manager, said that the FTA had an environmental evaluation check list that GT used to determine whether changes to the project during design were substantive enough to require further environmental analysis.

Council Member Gu confirmed with Ms. Eggleston that noise was one of the categories on that checklist and asked that it be linked with the ECP.

Ms. Baker read proposed new language on public involvement which included GT providing regular updates to staff and Council and holding public workshops related to design, construction and operations.

Mr. Tallmadge addressed three other specific edits pertaining to a plan for disadvantaged business enterprise participation, a change in how budget

information was described and characterized, and CDC advice on enclosures for utilities.

Council Member Oates confirmed with Mr. Tallmadge that the CDC's input would be advisory in nature.

Mr. Hitchings said that GT might commit to, "GT is willing to make aesthetic adjustments that do not compromise functionality."

Mr. Tallmadge asked that "practicable changes" be inserted due to cost impacts and constraints.

Ms. Baker proposed, "Go Triangle will use reasonable efforts to incorporate comments to the extent practicable," and Mayor Hemminger asked staff to work out the language with GT.

Sue Hunter, representing NEXT, a community organization that advocates for transit infrastructure and smart growth, commended all for the multi-member partnership and the example set for proactive intergovernmental cooperation. She encouraged the Council to vote in favor of the agreement, stating that the project was for the greater good of the community and reflected the will of voters who had supported the transit tax.

Kira Heikes, a UNC graduate student, said many University employees, graduate students, post doctorates, researchers, faculty members, staff, and young professionals would take full advantage of LRT. She asked the Council to vote in favor of the agreement.

Maia Hutt, speaking for the Southern Environmental Law Center, asked the Council to sign the agreement and pointed out that the transportation sector was the single greatest source of greenhouse gas emission. The LRT project was an opportunity to stop and even reverse that unsustainable trend, she said.

Nick Jimenez, of the Southern Environmental Law Center, noted several health benefits of light rail and asked the Council to vote in favor of the agreement.

Molly DeMarco, a NEXT member, gave examples of how GT had shown itself to be a good partner over time and urged the Council to vote for agreement.

Joan Guilkey, a Chapel Hill resident, said that the proposed improvements to the agreement were helpful but that other issues had still not been addressed. She said that Option 2 (more discussion with staff and deferring to January) was most likely to protect the Town. Leaving the November 30, 2019 date for termination of the project would send a signal to the Orange County Commissioners that the Town agrees to continue

paying GT every month from then until December 2021, she said.

Julie McClintock, representing CHALT (Chapel Hill Alliance for a Livable Town) advocated for November 30, 2019 as the ending date of the contract if FTA funding was not forthcoming. She pointed out that September 30, 2019 was the date when the FTA was expected to approve or disapprove the full funding agreement application. Therefore, November 20, 2019 would give the FTA some time and would allow the Council to make a decision on moving forward based on what the FTA says, she said.

Ms. McClintock said that any FTA denial would be based on concerns related to management, financial risk, capability, or environmental impact; therefore, the Town should not waive its right to evaluate a way forward which it would do if it kept the agreement going for two more years, she said. Ms. McClintock raised other concerns and asked the Council to not do anything that would remove the Town's leverage.

Council Member Gu verified with Mayor Hemminger that the Town's cooperative agreement was about the construction approval process only. She confirmed with Mayor Hemminger and Mr. Tallmadge that expiration of the agreement would have no implications regarding funding.

Mayor Hemminger expressed a preference for Option 3 (more staff discussions with GT and authorize the Manager to finalize the document) and verified that there was consensus on the Council regarding language that had been added.

Council Member Schaevitz confirmed with Mr. Hitchings that a reimbursement cap of \$75,000 was in a separate reimbursement agreement with GT. She also verified with him that the amount was a little less than the agreement with Durham because Durham's included more stations and miles.

Council Member Gu ascertained from Mr. Hitchings that \$75,000 translated into more than 2,000 hours of staff review.

Council Member Buansi asked about the urgency behind getting the agreement approved rather than postponing it to January.

Ms. Eggleston explained that the FTA could assign additional risk to a project if a third party agreement had not been executed at the time of the risk assessment. That might mean that GT would be expected to have additional contingency funds to cover that risk, she said. Ms. Eggleston said GT had been given two weeks to provide updates and additional information for the FTA to consider in its quantitative analysis.

Council Member Parker said he did not think extending the agreement would imply that the Council was approving spending more money, noting

that the project would end if the FTA turned the application down. Stating that a deadline at the end of April 2020 would give comfort to some of his colleagues, he moved Option 3 with an agreement expiration date of April 30, 2020.

Council Member Oates argued for keeping the November 30, 2019 date. If something dramatic were to change, the Council would be flexible in extending that, she said.

Council Member Stegman said she did not want to put an arbitrary deadline in place that would hamper the process for GT. It was a big and complicated project, and the Town needed to give GT enough time, she said. Council Member Stegman said she did not think the date was as big an issue as the Council was making it out to be.

Council Member Gu suggested linking the expiration date to federal and state funding and suggested two months after final funding decisions are made.

Mayor pro tem Anderson agreed to that as a reasonable solution.

Mayor Hemminger called for a vote and the motion failed.

Council Member Gu said she preferred Option 2 because so much had just been added and she had not had a chance to look at the edits. In addition, she hoped the expiration date would be linked to the funding decision, she said.

Council Member Schaevitz confirmed with Mr. Tallmadge that GT had an executed \$99,000 interim reimbursement agreement with the City of Durham for the first range of work, and a full reimbursement agreement was being negotiated. The cooperative agreement with Durham had been executed on Monday night, but the reimbursement agreement was independent of that, he said. Mr. Tallmadge explained that the purpose of the towns' two cooperative agreements were the same, but it was taking Durham longer to estimate the scope of work because its project was larger.

Mayor Hemminger spoke again in favor of Option 3. She said that the date seemed to be where the Council was stuck.

A motion was made by Council Member Parker, seconded by Council Member Buansi, for Option 3 with an expiration of three months after a final determination by FTA that would not fund the project. Mayor pro tem Anderson requested a friendly amendment stating that the Manager would try to share a final draft with Council members for individual review. The motion carried by a unanimous vote.

14. Consider a Proposal for an Advisory Board Membership Policy

[18-1002]

Amendment and a Code of Ordinance Text Amendment.

Planner Becky McDonnell provided background on the Advisory Board Membership Policy and Code of Ordinance amendments. The Council had asked for clarification of the attendance policy and there had been a question about whether board members were aware of a childcare and transportation reimbursement policy, she said. She also said that the Human Services Advisory Board had asked to update part of its policy.

Ms. McDonnell reviewed each of the following recommended changes: adoption of Resolution 15 regarding advisory board membership policy changes; enactment of Ordinance 2 to amend the Code of Ordinances to update the attendance and length of term for several boards; adoption of Resolution 16 (the Resolution of Consistency with the Comprehensive Plan); and enactment of Ordinance 3 to amend the Land Use Management Ordinance.

Mayor pro tem Anderson confirmed with Ms. McDonnell that Resolution 15 could include information about who would notify a person that s/he was about to be removed from a board. She also verified that the Environmental Stewardship Advisory Board would change from nine to 10 members and that the Stormwater Advisory Board was not being eliminated.

Council Member Parker ascertained from Ms. McDonnell that the definition of "excused absence" essentially included sickness, death, or other emergencies.

Council Member Gu verified that there would be a new seat on the Environmental Stewardship Advisory Board. As the Council liaison to that board, she had heard them express concern about having an even number of seats, she said. She also said the Environmental Stewardship Advisory Board had suggested having a liaison from stormwater attend their meetings. That was different from their current proposal, she pointed out.

Ms. McDonnell offered to obtain more information on those matters.

Mayor Hemminger and Mayor pro tem Anderson discussed creating more clarity around the boards' different roles.

Council Member Oates verified that one intent of R-15 was that excused absences be at the discretion of the board chair.

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

A motion was made by Mayor pro tem Anderson, seconded by Council Member Bell, that O-2 be enacted. The motion carried unanimously.

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15. Consider a Land Use Management Ordinance Text Amendment

[18-1003]

- Proposed Changes to Sections 8.3 (Board of Adjustment) and 8.4 (Historic District Commission).

A motion was made by Mayor pro tem Anderson, seconded by Council Member Bell, that the public hearing be closed. The motion carried by a unanimous vote.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Buansi, that R-16 be adopted. The motion carried by a unanimous vote.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Bell, that O-3 be enacted. The motion carried by a unanimous vote.

ADJOURNMENT

The meeting was adjourned at 12:07 a.m.



TOWN OF CHAPEL HILL

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

Town Council Meeting Minutes - Draft

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
Council Member Rachel Schaevitz

Monday, January 7, 2019

8:30 AM

Library Meeting Room A

Roll call

Present: 8 - Mayor Pam Hemminger, Mayor pro tem Jessica Anderson,

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 - Council Member Donna Bell

Other Attendees

Town Manager Maurice Jones, Town Attorney Ralph Karpinos, Deputy Town Manager Florentine Miller, Mayoral Aide Jeanne Brown, Planning Director Ben Hitchings, Interim Business Management Director Amy Oland, Police Chief and Executive Director for Community Safety Chris Blue, Assistant Town Manager Mary Jane Nirdlinger, Transit Business Analyst Rick Shreve, Senator Floyd McKissick, Representative Verla Insko, Representative Marcia Morey, Representative Mary Ann Black, Representative Robert Reives, Representative Graig Meyer, Beau Mills (Metro Mayors), Vickie Miller (NC League of Municipalities), Orange County Commission Chair Penny Rich, Communications and Public Affairs Director and Town Clerk Sabrina Oliver

WELCOME AND INTRODUCTION BY THE MAYOR

Mayor Hemminger opened the meeting with a welcome. She explained that due to new district map changes Sen. McKissick represented District 20 in Durham County, Rep. Morey represents District 30 in Durham County, and Rep. Meyer represents District 50 (Orange and Caswell counties) which includes Weaver Dairy Road and Parkside community portions of Orange County that are located in Chapel Hill, and that County Commissioner Rich is an at large representative.

COMMENTS FROM THE LEGISLATIVE DELEGATION

Rep. Insko said that after November's election, the slate was now clean and that she was excited and eager and working hard to push Medicaid expansion, adding that the Republicans would insist upon a work requirement and a 2

percent co-pay. Sen. McKissick said that new legislators were elected from urban areas, which provides better representation and a greater voice. Rep. Insko said that outside organizations were training people and working on issues and bi-partisan legislation.

Rep. Morey, said she would be working on criminal justice reform. She said that Chapel Hill Police Chief Chris Blue had been a very helpful resource, and added that committee assignments had not yet been made.

Rep. Black, who represents House District 29 in Durham County and the Durham County portion of Chapel Hill, said she had worked for years in human services as a social worker and she had asked for a number of committees in those areas.

Rep. Meyer said he would be working on education and school construction bonds, and other bipartisan interests in education. He added that he'd also be working for Medicaid expansion. He said he didn't believe a lot would be accomplished in this session, and the impact on local government will be a long process not completed by June 30.

COMMENTS FROM THE MAYOR AND TOWN COUNCIL

Mayor Hemminger said she was happy for the break of the super majority, she said there were many community concerns. Elected officials discussed the following issues.

- Bill to expand investment options for Other Postemployment Benefits
 (OPEB) Mayor Hemminger said the hope was that this would open a
 way for more units to establish trusts and would prefer it to be statewide.
 It was noted that Durham and Charlotte do have other options.
- **Gun buy-back program** elected officials noted issues with this program. Chief Blue said the program is now structured that the guns have to be sold back to whomever wants to buy them. He said buy-back programs also create storage issues, and it is difficult to find a gunsmith to destroy the guns and there is no legislative guidance on resell. Mayor pro tem Anderson said she believed the political will was a little better, with the things that were happening around the country.
- State Transit Management Program it was noted that during the last session the state had cut the program by 26 percent (\$686,000/annually). Council Member Parker noted that there was \$700,000 in undistributed grants, and it was a statewide problem.
- Climate Change Mayor Hemminger said everyone was taking a look at climate change issues, and that there was a plan for an agreement with other partners, education on single use plastics, how to replenish trees, storm water, etc. She said there would be a meeting with DOT, government units, and community groups for a better outcome, and partnerships. She added that the goal was to have water rules rewritten by the end of the year.

- Electric scooters (Birds) Mayor Hemminger said these had launched nationwide, and Chapel Hill was negotiating to give the Birds back and find a scooter that is regulate-able and safe. She said you can't fight progress but we can learn how to legislate to protect the public. Rep. Black said they were working on a bill for the aging and electric wheelchairs. All agreed that legislation was needed to address various motorized vehicles.
- **Complete Streets** Mr. Hitchings said he would love to see more state funding to match state policy. Rep Meyers said DOT was providing funding for pedestrian areas, and that is really an economic development strategy. Mayor Hemminger said the MPOs are advocating for that. Mr. Mills said that Complete Streets had been a most successful program.
- Mr. Mills said the Metropolitan Mayors Coalition supported the NC League of Municipalities' goals, by working with 540 cities to do things to help them with their missions. He said he had concerns about cities funding schools. He said it was not the best use of funds. He also mentioned concerns about the Firefighters Separation Allowance, similar to what police have, that would fall on the last employer to cover the entire benefit. He said the coalition was also very engaged on broadband, and that would come up in the next session. Mr. Mills said the Coalition was considering re-affiliating with the League, because it would allow for focus on very urban issues. He said the Coalition had made gains as an urban group on affordable housing. He said the sales tax issue was scary and they needed to get that debate off the table. Mayor Hemminger asked Mr. Mills to let them know if he heard anything concerning sales tax redistribution.
- Confederate Monuments Mayor Hemminger said this was straining the Town's resources and there was great concern about pedestrian and vehicular interaction. She said there were also concerns about the Jefferson Davis Highway marker located in Chapel Hill, and they were reaching out to see if they could give it back to the United Daughters of the Confederacy. Rep. Meyers cautioned that they were not out of the legislative woods yet, because the issue could be slipped into another bill. Mayor Hemming shared the story of the Chapel Hill Nine and how the Town had created a Civil Rights Timeline that was created with the history makers, storytellers, educators, and other members of the Historic Civil Rights Commemorations Task Force.

a. Local Bill Issues (no attachment). [19-0018]
b. Statewide Issues (no attachment). [19-0019]
c. League of Municipalities Advocacy Goals. (no attachment) [19-0020]
d. Metro Mayors Coalition Issues. (no attachment) [19-0021]

OTHER ISSUES

a. Other Issues. (no attachment)

[19-0022]

ADJOURNMENT

The meeting adjourned at 10:09 a.m.



TOWN OF CHAPEL HILL

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

Town Council Meeting Minutes - Draft

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 Council Member Rachel Schaevitz

Wednesday, January 9, 2019

6:30 PM

Library Room B

Roll Call

Present: 8 - Mayor Pam Hemminger, Mayor pro tem Jessica Anderson,

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 - Council Member Donna Bell

Other Attendees

Town Manager Maurice Jones, Town Attorney Ralph Karpinos, Deputy Town Manager Florentine Miller, Director of Organizational and Strategic Initiatives Rae Buckley, Planning Director Ben Hitchings, Land Use Management Ordinance Project Manager Alisa Duffey Rogers, Communications and Public Affairs Director and Town Clerk Sabrina Oliver.

OPENING

Mayor Hemminger called the meeting to order at 6:30 p.m. She explained that Mayor pro-tem Anderson would run the meeting due to the mayor having a cold.

ANNOUNCEMENTS

Mayor Hemminger welcomed everyone to stop by the Parks and Recreation Center at Hargraves on Saturday to discuss the new programs taking place.

Mayor Hemminger mentioned a retreat on Friday, January 24th at 4 p.m. at LAUNCH, and on January 25th from 9 a.m. to 4 p.m. at the School for Leadership Development. She said Saturday would entail a major focus on budget planning.

AGENDA ITEM(S)

1. Charting Our Future - Refining the Future Land Use Map.

[19-0017]

Land Use Management Ordinance Project Manager, Ms. Duffey Rogers

began her presentation by reading out the agenda. She briefly discussed the items which had shaped Chapel Hill over the last 30 years, namely; the master landscape plan along with the entranceway corridors, the comprehensive plan, joint planning efforts with Orange County and Carrboro, and the Land Use Management Ordinance (LUMO).

Ms. Duffy Rogers highlighted the six main focus areas identified in *Chapel Hill 2020*, North Martin Luther King, Jr. Blvd.; South Martin Luther King, Jr. Blvd.; North US 15-501; Downtown; NC 54; and South US 15-501, and provided an explanation of their strengths, weaknesses, and the future opportunities they could provide for Chapel Hill.

Mayor pro-tem Anderson brought up the topic of storm water issues and asked if overlay maps could assist in finding a resolution. She was interested in discussing any constraints that had arisen and was interested in conducting an economic analysis. Ms. Duffey Rogers said the staff would come up with some strategic goals and that this would be a focus during the next retreat.

Ms. Duffey Rogers' then presented the results of a MetroQuest Survey that was conducted from August 2018 to October 29, 2018. The survey had 704 participants, 16,780 individual data points, and 1,673 written comments. Each of the focus areas had an "At a Glance" section with land use principles. Each area was summarized, with key takeaways outlined, and a SWOT (Strengths, Weaknesses, Opportunities and Threats). Various land uses were also defined.

Maps of each focus area had been set up on easels in the meeting room, and following Ms. Duffey Rogers' presentation Council members participated in an exercise to assist in determining potential future focus areas in Chapel Hill along with their land use type. Ms. Duffey Rogers said she would take pictures of all the maps and would share the results with Council at their next meeting on the 16th. She let the Council know that the consultants would be making a draft for council consideration.

Council members viewed the maps, made notes, and had a short discussion following the exercise.

Mayor Hemminger reminded the Council of their next meeting on Wednesday, January 16, 2019.

ADJOURNMENT

The Mayor adjourned the meeting at 8:40 p.m.



TOWN OF CHAPEL HILL

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Town Council Meeting Minutes - Draft

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 Council Member Rachel Schaevitz

Wednesday, January 16, 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, Communications Manager Catherine Lazorko, Transit Director Brian Litchfield, Operations Manager Judy Johnson, Planning Director Ben Hitchings, LUMO Project Manager Alisa Duffey Rogers, Downtown Special Project Manager Sarah Poulton, Lieutenant Steve Lehew, Transit Development Manager Matthew Cecil, Director of Organizational and Strategic Initiatives Rae Buckley, Police Chief and Executive Director for Community Safety Chris Blue, Fire Inspector Greg Peeler, Deputy Town Clerk Amy Harvey

OPENING

Mayor Hemminger opened the meeting at 7:00 p.m.

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. Ann Loftin Petition Regarding Flooding in Briarcliff and Ridgefield.

[19-0025]

Ann Loftin, a Chapel Hill resident, said that flooding in her Briarcliff neighborhood had reached a critical "mess"and she described water damage to her house. Ms. Loftin said that many others had signed her petition, and she asked the Council to appoint someone to talk with them as soon as possible.

Mayor Hemminger assured Ms. Loftin that the Town was taking the issue seriously. She said that the Metro Mayors had raised the issue with FEMA and that Carrboro Mayor Lydia Lavelle had been working with FEMA to see what help might be available.

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.

1.1. Claudia Sheppard Regarding Eubanks Road and Northwood Neighborhood.

[19-0066]

Claudia Sheppard, representing Neighbors for Northwood, petitioned the Council to not allow the NC Department of Transportation (DOT) to reroute Eubanks Road through their residential neighborhood as part of its Interstate 40 widening project. She said that doing so would destroy homes, lower property values, threaten well and septic systems, and radically alter the character of Northwood. The petition asked the Council to officially endorse Plan 4B, which most closely aligns with protecting the neighborhood.

Mayor pro tem Anderson expressed enthusiastic support for Plan 4B and said she was eager to vote for it.

Mayor Hemminger confirmed with the Town Manager Maurice Jones that the item would come before the Council on January 30, 2019.

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

1.2. John Morris Regarding GoTriangle Meetings and Materials.

[19-0064]

John Morris, a Chapel Hill resident, said that he had not been allowed to attend a closed light rail transit (LRT) meeting in Durham. He expressed concern that the public would not be given enough information to fully consider the choices. Mr. Morris petitioned the Council to urge the Orange County Commissioners to make information from the January 10, 2019 meeting public and to have future GoTriangle/Durham County meetings open to the press and public.

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Mayor Hemminger commented that the Town had asked GoTriangle to provide meeting summaries but staff had not yet received them.

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.

1.3. Mayor Hemminger and Council Members Buansi and Stegman Regarding the Jefferson Davis Highway Marker.

[19-0065]

Mayor Hemminger explained that there had been numerous requests to remove the Jefferson Davis Highway marker from Franklin Street. She and Council Members Stegman and Buansi were petitioning the Council to authorize the Town Attorney to write a letter to the NC Attorney General for an opinion on whether the marker could be removed, she said.

A motion was made by Council Member Buansi, seconded by Council Member Stegman, that this Petition be received and authorize the Town Attorney to prepare the letter. The motion carried by a unanimous vote.

PUBLIC COMMENT - ITEMS NOT ON PRINTED AGENDA

ANNOUNCEMENTS BY COUNCIL MEMBERS

1.4. Council Member Oates Regarding State Historic
 Preservation Office Meeting Regarding Historic District.

[19-0071]

Council Member Oates said that a meeting about possibly extending the Historic District to the west would be held the following day at 5:30 pm at Town Hall.

1.5. Council Member Stegman Regarding Advancing Racial Equity Workshop in Charlotte.

[19-0067]

Council Member Stegman said that she had participated in the Racial Equity Workshop and praised the training that it offered. She would share more information about that with Council members, she said.

1.6. Mayor Hemminger Regarding Rental Assistance Program Meeting.

[19-0068]

Mayor Hemminger announced a meeting on ways to improve the Rental Assistance Program from 6:30-8:00 pm on January 17th at the Hargraves Center. There would be a second session on Saturday at 11:00 am at the Chapel Hill Public Library, she said.

1.7. Mayor Hemminger Regarding Public Information Meetings Regarding Cedar Fork Subwatershed Study.

[19-0069]

Mayor Hemminger said that two public information meetings regarding the Cedar Forks Sub-watershed Study would be held on January 23rd at the

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Chapel Hill Public Library at 11:30 am and 5:30 pm.

1.8. Mayor Hemminger Regarding Martin Luther King, Jr Events. [19-0070]

Mayor Hemminger noted that a number of events would be held in Town on Martin Luther King Day. An NAACP rally and interfaith service would begin at 9:00 am at Peace and Justice Plaza and would be followed by a service at First Baptist Church, she said.

CONSENT

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.

2. Approve all Consent Agenda Items. [19-0026]

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

3. Approve the Miscellaneous Budget Ordinance Amendments to [19-0027]
Adjust Various Fund Budgets for FY 2018-19.

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

4. Appoint Two New Members to the Varsity Theatre Task Force. [19-0028]

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

Continue the Public Hearings for the Active Adults, 2217
 Homestead Road, Applications for Rezoning and Special Use

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

6. Adopt Minutes from October 25, 2017 and November 1, 15, 29, [19-0030] 2017 and December 6, 2017 Meetings.

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

INFORMATION

7. Receive Upcoming Public Hearing Items and Petition Status [19-0031]

List.

This item was received as presented.

Permit to January 30, 2019.

8. Receive Signed Cooperative Agreement with GoTriangle on the [19-0032]
Durham-Orange Light Rail Transit Project.

This item was received as presented.

DISCUSSION

9. Consider UNC Health Care Eastowne Master Plan Project Timeline.

[19-0033]

Planning Director Ben Hitchings recommended that the Council receive information regarding UNC Healthcare's master planning process and share comments with the applicant. He reminded Council members that several conditions had been discussed during a prior meeting with UNC Healthcare representatives. These included delineating an alignment for a multi-use path, having considerable public input during the master planning process, and doing a future traffic analysis, Mr. Hitchings said.

Simon George, Vice President for Real Estate and Development at UNC Healthcare, gave a PowerPoint presentation on how UNC Healthcare planned to conduct its Eastowne master planning process. He described the project team, gave an overview of the planned medical office building, and outlined a collaborative planning process that included UNC Healthcare, the Town, the public, and other stakeholders. Mr. George said that the medical office building was scheduled for completion in fall 2020.

John Martin, a Principal with Elkus Manfredi Architects, discussed the unique opportunity of working with the Town to shape a vision for the 48-acre Eastowne project. He discussed a review process and schedule and pointed out that the applicant had agreed to not propose additional structures until the master plan was completed. Mr. Martin said that the applicant was leaning toward a Development Agreement (DA) process with a long-range vision of 30-50 years.

Mr. Martin proposed a four-phase planning process that would include six to seven months of visioning/public input, multiple scenarios for developing the 48 acres, narrowing down to a preferred alternative, and negotiating a final DA. Mr. Martin expressed confidence that these steps could be accomplished in 18 months but acknowledged that it might take longer.

Mr. George explained that the next step would be a work session with the Town on February 6, 2019. He said he hoped for a February 20th Council resolution on the process and schedule. Public meetings could then begin in March, he said.

Mayor pro tem Anderson asked when a scope of work for an urban designer would be determined.

Mr. Hitchings replied that he would return with that information.

Mayor Hemminger pointed out that such things could be discussed at an upcoming Council work session.

Council Member Parker asked about the Town's staff role and whether staff had assessed its internal resources for going through the process

that UNC Healthcare had outlined.

Mr. Hitchings replied that the project was in the Town's work plan and that he would enumerate staff's role more specifically if Council were interested in negotiating a DA.

Council Member Schaevitz confirmed with Mr. Hitchings that the quasi-judicial process associated with a Special Use Permit (SUP) would begin with the filing of a formal application. The Council could participate in discussions at the concept plan stage of an SUP, Mr. Hitchings pointed out.

Council Member Gu asked about Master Land Use Plans, and Mr. Hitchings explained that they involved a quasi-judicial decision on a master plan at the outset with details of the project coming through as an SUP. Master Land Use Plans were not that appealing to applicants such as UNC Healthcare because they require multiple quasi-judicial hearings, he said.

Council Member Gu pointed out that the Town was in the process of developing its Future Land Use Map (FLUM). She asked if any consideration had been given to integrating that with UNC Healthcare's long-term master planning process.

Mr. Hitchings replied that Council decisions regarding the FLUM could certainly be included in high level discussions. The DA process would go into much more detail over a period of months to specifically describe activities that would be appropriate and allowable on the Eastowne site, he said. Mr. Hitchings said that higher level guidance from the FLUM could be communicated to the applicant and included in the public discussions.

Mayor Hemminger confirmed with Council members that none of them were concerned about using a DA process. She suggested that they think about guiding principles to bring forward at the Council work session.

Council Member Schaevitz confirmed that UNC Healthcare and Town staff would make arrangements for the Council to tour the site.

Julie McClintock, a Chapel Hill resident, told of her experience with the Carolina North DA when she was a Council member. She said that the Town had begun by developing guiding principles. Two major issues had been transportation and environment, which was also the case with Eastowne, she pointed out. Ms. McClintock said that there had been public meetings with UNC's Board of Trustees and public comment at every meeting.

Council Member Bell asked staff to bring back a summary of information that the previous Council had provided regarding development in that area. Being reminded of the foundations that previous Councils had set would allow the Town to fill in new information rather than reinventing the

wheel, she said.

Mayor pro tem Anderson asked how the Council could address the applicant's master plan in the context of the surrounding area.

Mr. Hitchings replied that staff had been assembling a presentation that would look at different quadrants of that gateway area in a holistic fashion. He would bring that to Council in February or March 2019, he said.

Council Member Parker noted the importance of having a Town negotiating position and not simply reacting to UNC Healthcare's proposal. He suggested that staff start harvesting information that would help the Council clarify the Town's goals.

Mr. Hitchings replied that such a conversation could begin on February 6th at the Council's work session.

Council Member Buansi expressed appreciation to UNC Healthcare for offering to be flexible regarding time and for creating a website. He stressed the importance of updating the website as fast as possible so citizens would feel informed when they could not attend meetings.

This item was received as presented.

10. North South Bus Rapid Transit - Locally Preferred Alternative Update. (*Reissued from 12/5/18)

[19-0034]

Transit Director Brian Litchfield gave a PowerPoint presentation on the Bus Rapid Transit (BRT) project for the Town's north-south corridor. He provided a brief history on the project's origin and goals and on the Council's adoption of a locally preferred alternative in 2016. He described the technical and policy committee memberships and discussed public engagement efforts.

Mr. Litchfield said the Town would be looking at station placement/design and streetscape during the 30 percent design phase of the project. The Town would then submit a request to the Federal Transportation Administration (FTA) for consideration to move into the engineering phase, he said.

Mr. Litchfield noted that the Council had adopted three locally preferred alternative (LPA) options in 2016. He said that opportunities to make adjustments to station locations and other changes would exist through 30 percent design and the environmental work. Mr. Litchfield proposed that the Council adopt a revised LPA.

Julia Suprock, a transportation planner with AECOM Consultants, said that extending the BRT to Durham Technical Community College in Hillsborough had been considered but that low ridership would not justify the cost. She

explained the consideration and analysis that had gone into trying to narrow down multiple guideway options at the northern end of the route. Ms. Suprock outlined several recommendations and gave reasons for AECOM's recommendation to eliminate a center running guideway option.

Council Member Oates asked about right-of-way (ROW) issues between Estes Drive and Hillsborough Street.

Ms. Suprock explained that a narrower ROW at that location meant more constraints on having a median. Council Member Oates confirmed with Ms. Suprock that there was a potential to take a little extra ROW, but doing so would increase capital costs.

Dan Meyers, a project lead with AECOM Consultants, discussed adding bike and pedestrian facilities and innovative ways to provide safety. He said the plan would increase the bike route from about 60 percent to about 84 percent of the BRT line. Mr. Meyers reviewed next steps and recommended the Council adopt the revised LPA with several changes he had listed.

Council Member Stegman said Martin Luther King Jr. Boulevard (MLK) was dangerous for pedestrians and bicyclists. She asked if there were details about what improvements would look like.

Mr. Meyers replied that those details would be addressed as part of the 30 percent design over the next four to five months.

Mayor pro tem Anderson asked for more information on a "pretty substantial" funding gap.

Mr. Litchfield replied there was no guarantee of federal funds but that the FTA had viewed the project favorably. Staff continued to work on the challenge of non-federal funding, he said. He explained that a small portion would come through the Orange County Transit Plan tax, but the rest would have to come from state or other non-federal sources. Mr. Litchfield discussed possible funding sources and said the local funding gap would be between \$5.8 million and \$10.5 million, depending on which alternative was ultimately chosen.

Council Member Buansi confirmed with Mr. Litchfield that BRT would make fewer stops than current buses but that some level of local bus service would continue as well.

Council Member Parker verified with Mr. Litchfield that the savings derived from not having to purchase new buses would help fill a small portion of the funding gap.

Council Member Gu asked about the impact of narrowing dedicated areas on cars and other traffic

Mr. Litchhfield replied that a traffic impact analysis would be performed. He pointed out that DOT controlled that section of the road. Constructing a lane would be more likely than converting one, he said.

Council Member Gu confirmed with Mr. Litchfield that a multi-use path was envisioned for most of the corridor.

Mayor Hemminger verified that the current plan was for nine lanes. She described that as "massive" and like a freeway at an entryway to the community. It may be challenging for pedestrians, she said, adding that she was interested in reducing the number of lanes. She expressed concern about "losing the feel of who we are".

Mayor pro tem Anderson ascertained from Mr. Litchfield that urban design would begin when the project moved into the 30-percent design stage. She argued for beginning that earlier, and Mr. Litchfield offered to return with a response to that prior to the 20-percent design phase.

Mayor Hemminger confirmed with Mr. Litchfield that the Transit Partners (UNC and Carrboro) had discussed the current update at their meetings and that the Town's advisory board chairs could be involved.

Mayor pro tem Anderson said she did not necessarily want the 20-percent design coming back to her. However, she would like to have more input into the 30-percent design from urban design experts, she said.

Mr. Litchfield replied that a review of the corridor's potential would generally be done later in the process when the federal funding was in place. However, he could look into doing it in the environmental phase rather than the engineering phase, he said. He offered to return with more information about the feasibility and cost of doing so.

Council Member Schaevitz confirmed that there would be a reduction in the median from north of Homestead Road up to Eubanks Road. She ascertained from the presenters that there would be opportunities for some greenspace in the median, and the distance from one side of Martin Luther King Jr. Blvd. to the other would not change in most cases. She was not as concerned with the number of lanes as she was with how wide the road would look and feel, Council Member Schaevitz said.

Council Member Parker said, in summary, that the Council wanted to know what kind of total street environment it was creating up and down the corridor. They wanted to create an urban environment that people want to be in with a BRT, rather than imposing a BRT on the existing environment, he said. Council Member Parker noted that Council members generally wanted MLK to be a boulevard, rather than a highway.

Council Member Bell said there was value in going from seven to nine

lanes, but also a value in making sure it is well-designed as a place for people to be in. She cautioned against designing something that DOT could not implement. The Town needed to remember that it did not own the road and that DOT needed to be part of any conversation, she pointed out.

Council Member Oates said that it seemed as though the Town would need all of those lanes to meet the traffic count that DOT had described. She would be watching for how those lanes would merge down to one without creating a bottleneck in the Downtown area, she said.

Mr. Litchfield and Ms. Suprock agreed with that concern and said that the traffic analysis would address that area as well. The biggest time-saver would come from having a dedicated lane through downtown, they said.

Council Member Gu requested that the next presentation include options for different types of intersections, numbers of lanes, and so forth -- for both the proposed street width and narrower.

Council Member Schaevitz said she was more interested in conversion than construction, but wondered how that would affect the timeline.

Mr. Litchfield agreed to provide further analysis of those options, and Mr. Meyers said that DOT was willing to convert if it could be sure there would not be traffic backups.

Council Member Buansi asked for visual examples of the different lane widths, and Mr. Litchfield replied that Pittsborough Street by the Carolina Inn was about 10.5 feet wide. He would return with pictures, he said.

Mayor pro tem Anderson moved that staff look into the fiscal impact of having a transit-oriented development consultant do a corridor study with an advisory committee of Town board members and Council members concurrently with the 30-percent design work.

Council Member Oates confirmed that the Council would address the cost before hiring such a consultant, and the motion passed unanimously.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Schaevitz, that R-5 be adopted as amended. The motion carried by a unanimous vote.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Schaevitz, that R-5 be adopted as amended. The motion carried by a unanimous vote.

11. Charting Our Future - Considerations for the Refined Future Land Use Map.

[19-0035]

Land Use Management Ordinance (LUMO) Project Manager Alisa Duffy Rogers gave a PowerPoint presentation on the Refined Future Land Use Map (FLUM), which she characterized as a bridge that provided the Town with policy guidance as it moved into the LUMO rewrite process. The FLUM would be an amendment to the Chapel Hill 2020 Comprehensive Plan that would replace the current land use plan, she expalined.

Ms. Duffy Rogers listed the Town's Future Focus Areas and discussed the results of an online citizens' preference survey. The survey would be one input into the FLUM refinement process, she said. She said that a separate Council survey had found an agreement on concentrating development at transit hubs, connecting those hubs to adjacent neighborhoods with multi-modal connections, and creating activated pedestrian-oriented spaces in places such as University Place.

Ms. Duffy Rogers noted that some Council members had indicated concern about having five-story buildings adjacent to Northside. She was not sure if that concern applied to use, height, or both, she said. The Council had also indicated concern about height at West Franklin, North Graham, and North Robertson, and she hoped to get more clarification about those and any other concerns, she said.

Ms. Duffy Rogers explained that she would return to the Council with a blueprint on February 8, 2019. If Council concurred with that document, she would bring back a draft FLUM on March 1st, she said. She would present these documents to the Council Committee on Economic Sustainability as well, Ms. Duffy Rogers said.

Council Member Gu asked about a set of maps regarding stormwater, traffic, public spaces, and more.

Ms. Duffy Rogers replied that the draft FLUM would include examples of what staff believed should be in the map series. They would ask the Council on March 1st what others should be included, she said.

Council Member Stegman asked about fiscal analysis, such as data on how particular types of development were related to population growth and data to evaluate the impact of potential plans.

Ms. Duffy Rogers replied that she recalled a discussion about giving the blueprint to the Town's economic development officer for evaluation of whether or not the uses shown would benefit the Town's tax base and/or meet any anticipated needs for non-residential development.

Council Member Stegman asked if something similar would be possible for residential development.

Ms. Duffy Rogers offered to bring back an answer regarding how some number of units might or might not meet the Town's population needs.

Council Member Stegman asked if staff was planning to incorporate Council values.

Ms. Duffy Rogers replied that staff anticipated adding Council and community input and then giving the Council an opportunity to review and discuss.

Mayor pro tem Anderson asked if that would also be the time when they would include environment, traffic, and other considerations. How would the Town integrate things such as flood areas into its decision-making without an overlay map, she asked.

Ms. Duffy Rogers replied that staff fully intended to have a map series that would bring many of the Town's previous planning efforts together.

Mayor pro tem Anderson verified with Ms. Duffy Rogers that those maps would be available during the first portion of the LUMO rewrite.

Council Member Parker pointed out that the FLUM was meant to be an articulation of what the Town wanted to look like over the next 30-40 years. The Council would not want to adopt its FLUM if its desires could not be met, he said. For example, the Town could not tell residents that it would like to have a station in an area that was a floodplain, he said.

Ms. Duffy Rogers replied that a swath in a floodplain would be recognized as part of the FLUM.

Council Members Gu and Anderson expressed concern about the order of things. They expressed a preference for having more guidance regarding constraints and so forth when making choices for what would go in specific areas, rather than having those choices edited out afterward because they were not feasible.

Ms. Duffy Rogers replied that the purpose of the prior exercise in which Council members had made choices was to provide staff with general guidance on the Council's preferences for land use, density, and intensity. It was to get some general feedback, she said.

Council Member Oates confirmed with Ms. Duffy Rogers that the blueprint would be sent to Council members on the Monday before the February 8th meeting.

Linda Brown, a Chapel Hill resident, said that the FLUM must match the promise of the Paris Accord regarding climate change. She said that a well-designed plan should identify streams and include information about low-lying areas that must be protected for water quality and to mitigate the effects of flooding. Ms. Brown made several recommendations and comments regarding greenspace, transit, air quality, density, and the cost

of services versus property tax revenue. She said the draft land use maps bore no relation to reality.

Ms. McClintock said the draft land use maps lacked a theme and appeared to call for a bland uniformity along all corridors and adjacent neighborhoods. Carrying it out would result in "a soulless, characterless town that looks a lot like other towns that have lost their history and identity," she said. She had identified a number of omissions and would send that information to the Town, she said. Ms. McClintock also read a statement from Kimberly Brewer, a Chapel Hill resident, which said that pushing density would destroy her affordable neighborhood.

Ms. Duffy Rogers asked for clarification of a Council comment about the use and height of structures along West Rosemary Street.

Mayor pro tem Anderson and Council Member Buansi explained that the Council did not want tall buildings overshadowing adjacent neighborhoods.

Council Member Parker pointed out that Downtown was like a mosaic with virtually every block being different. For example, the north sides of West Rosemary and West Franklin Streets should be treated differently from their south sides, he said.

Ms. Duffy Rogers replied that this confirmed what she had understood since the West Rosemary Street Guide limited the height to 48 feet on the south side.

Mayor pro tem Anderson said the Town needed to do more work on its guiding principles and the trade-offs between different uses in different places. The Council needed to be more specific about how it made choices, she said, adding that she was not against density per se if it served a purpose. Mayor pro tem Anderson stated she was not feeling good about the draft maps.

Ms. Duffy Rogers proposed that the Council wait and evaluate the blueprint she would present on February 8th. If it did not represent what the Council wanted, staff could back up and have more conversations about goals, she said. She said some of the Council's concerns would apply more to the LUMO rewrite. Moving from the FLUM directly into the LUMO seemed to be causing uncertainty, she said, adding that the Council seemed to want to bridge that gap in the early part of the LUMO rewrite.

Mayor Hemminger stated that Council members were wondering what was being used as guiding principles. She said the Council had given consistent messages about transitions to neighborhoods, staying on corridors, not redoing the map for the entire community, getting around/mobility, and so forth. However, it had not specifically stated aspects, such as mixes of housing, the character of entryways, etc., she said. It seemed like it was being put together and handed to the

consultant to draw when there were still pieces that had not been discussed, said Mayor Hemminger.

Mayor Hemminger said she wondered if Ms. Duffy Rogers would remember that the Council wanted green spaces, public spaces, connections to things, a specific transit node rather than just a stop, and tree canopy, to name a few. What is the Town really saying with "nurturing our environment" and what does that mean today, she said. Mayor Hemminger pointed out that the Council's retreat would occur before February 8th, so they might have more information on the blueprint, she said.

Mayor pro tem Anderson said the Council had not had an opportunity to describe the "amazing and inspirational" spaces it was trying to create. It had not discussed how to move beyond something that currently looks incremental to an exciting vision of where they were trying to go, she said.

This item was received as presented.

12. Electric Scooter Update.

[19-0036]

Downtown Special Projects Manager Sarah Poulton gave a PowerPoint presentation on the "constantly changing" situation regarding electric scooters in North Carolina. She explained that the scooters contained electric motors that could accelerate up to 25 mph without assistance. The cost of purchase was about \$400, she said.

Ms. Poulton said that various companies had been promoting rentable, shareable scooters which cost about \$1.00 to unlock and about 15-cents per minute. In August, Scootershare had dropped about 90 scooters on the periphery of UNC's campus and were later removed at the request of the University and Town, she said. Additional scooter companies had reached out with offers as well, she said.

Ms. Poulton discussed issues pertaining to safety and sidewalk clutter and said the Town had been working closely with UNC and Carrboro regarding the topic. She provided information on approaches other municipalities had taken.

Lieutenant Steve Lahey, representing the Special Operations Division of the Chapel Hill Police Department, discussed local ordinances that affect the operation of scooters within Town limits. He said there was no clear-cut definition of electric scooters in NC state law, so they would currently be classified as mopeds. A scooter would need to be registered and insured, a rider would need to wear a DOT helmet, and the scooter could not be ridden on sidewalks, he said. Lt. Lahey said the NC Legislature was aware of the issue and might address it in the current year.

Council Member Stegman confirmed with Mayor Hemminger and Ms. Poulton that scooter companies did not provide helmets and that riders in towns that allow scooters did not typically wear them.

Mayor Hemminger confirmed from Ms. Poulton that she had not seen any municipality allow higher than 15 mph even though a scooters' mechanical maximum is 25 mph. Mayor Hemminger said some cities had mandated locking them at 10 or 12 mph.

Council Member Stegman asked about age limits, and Ms. Poulton said some companies do require riders to attest they are 18 or over.

Than Austin, Associate Director with UNC Transportation and Parking, shared the University's experience with having scooters dropped on campus and receiving many complaints during that two-day period. The University has since updated its ordinance to prohibit any sort of electric motorized vehicles on campus sidewalks. UNC was waiting to see what happened with state law and what the best practice would be, he said.

Ms. Poulton said that staff's next steps would be to receive feedback from the Council, the Transportation and Connectivity Advisory Board, and other stakeholders. Staff would monitor state actions and continue collaborating with UNC and the Town of Carrboro, she said.

Mayor pro tem Anderson confirmed with Ms. Poulton that some municipalities had tried to provide parking spaces in order to reduce sidewalk clutter, but it was not clear how they had been enforcing that. Mayor pro tem Anderson and Mr. Austin mentioned parking ideas that included "docks" and "nests," and Council Member Stegman said that some places had been experimenting with geo-fencing which continues to charge a user who does not leave the scooter in the right place.

Mayor pro tem Anderson wondered if the Town could do a pilot program, but Ms. Poulton replied that it was difficult to imagine a pilot program that did not have UNC's and Carrboro's participation.

Council Members Parker and Gu verified with Ms. Poulton that the scooters had small headlights and governors that monitored speed. However, they could go faster than the monitored speed when going downhill, Ms. Poulton pointed out.

Council Member Gu verified with Manager Jones that the Town would need to consider whether it has the capacity to actually enforce any rules that it put in place. Allowing scooters would have a budgetary impact, and that was why other places had imposed fees to offset the cost, Mr. Jones said.

Council Member Buansi asked if there had been any discernible impact on the Carolina Bike Program during the days when scooters were dropped at UNC campus. Mr. Austin said he assumed there had been. The University had invested heavily in its bike share program and the same people who use that would probably use scooters, he pointed out.

Council Member Buansi asked if other municipalities had fined people who left scooters in the wrong places.

Ms. Poulton replied that Durham planned to charge \$50 for having to relocate a scooter and that others were also considering fines.

John Reese, a Chapel Hill resident, recommended the Council think about how the Town could accommodate alternate, affordable means of transportation such as scooters. People ride them on sidewalks because they are not comfortable riding on streets, he pointed out. Mr. Reese proposed that the Town double down on making every street safe for bikes, scooters, and other alternate forms of transportation.

Bob Epting, a Chapel Hill resident, testified about serious injuries that his daughter and her friend had suffered while riding scooters at night in Raleigh without helmets. Electric scooters were "an invitation to disaster for people who have not ridden them and hit unexpected conditions," he said. Mr. Epting said that class action suits were being filed against scooter companies and municipalities that allow them on unsafe streets.

Council Member Buansi expressed concern about risks to those with disabilities. He stressed the importance of anticipating such problems in advance.

Council Member Stegman said she was excited about alternative forms of transit and their importance to the environment, traffic, and affordability. She acknowledged the concerns about safety and disability access, but noted that some companies were being responsive to those concerns. The Town had the opportunity to say what it wanted and let companies compete, she pointed out.

Council Member Parker pointed out that scooters and other forms of alternative transportation were coming and the country would have to figure it out. He said about that all electrically-powered devices would have unique challenges and recommended the Town be part of a national conversation and rely on the wisdom of other places.

Council Member Schaevitz verified with Ms. Poulton that Carrboro was approaching scooters like bikeshare operations and was waiting to learn what the state legislature decided. Carrboro had agreed that a coordinated approach with the Town and UNC made the most sense, Ms. Poulton said.

Council Member Schaevitz said that she had initially been less interested

because of the safety issues but was keeping an open mind.

Council Member Oates asked about liability issues.

Town Attorney Ralph Karpinos replied that liability was based on specific facts and was difficult to answer in the abstract.

Mayor pro tem Anderson expressed support for coordinating with partners, waiting to see what the legislature does, and thinking about how to address safety issues.

Council Member Gu agreed that safety was a top priority. She said the Town would need to address how to control, monitor and enforce speed before she would feel comfortable introducing electric scooters to the Town.

Council Member Bell asked if any of the companies provided public education regarding safety, and Council Member Stegman said that some of them did.

Mayor Hemminger said that best practices were to keep them off sidewalks and have a lower speed, according to other mayors. She agreed that the Town should coordinate any effort with Carrboro and UNC and said that geo-fencing could also keep scooters out of areas where they were not allowed.

This item was received as presented.

13. Update on the Negotiations for the Amity Station Development Agreement.

[19-0037]

Council Member Parker gave a PowerPoint presentation regarding negotiations he, and Council Members Oates, Anderson and Bell had been having regarding the Amity Station, a proposed mixed-use project on 2.3 acres on West Rosemary Street. He said that Council adoption of Resolution 6 would authorize those negotiations to continue.

Council Member Parker provided background on the project since 2017. He noted that the site was located in the Northside Neighborhood Conservation District. Negotiations had reached an impasse in June 2018 over whether graduate students would be excluded from the development, but had resumed again in August 2018, he said. Council Member Parker said the Committee had voted (3-1) to continue negotiating, subject to concurrence from the full Council. Key issues for further negotiation pertained to the scope, community benefits, and Town assistance issues, he said.

Council Member Schaevitz noted the financial implications of having no timeline.

Council Member Buansi asked how Northside residents felt about the project, and Mayor pro tem Anderson and Council Member Parker referred him to an email from Hudson Vaughn.

Council Member Parker characterized the project as "tolerable". He said it was not clear if the Northside neighborhood saw the affordable housing as a direct benefit to them and that he had doubts about whether the project, as currently proposed, provided enough community benefits.

Mayor pro tem Anderson acknowledged that she had been the dissenting vote. Amity Station was not what the Town wanted, she said, adding that the current proposal did not meet the Rosemary Street Guidelines. She felt strongly that it was not the right project for the site, she said.

Council Member Stegman noted that one of the Council's goals was for Downtown to not just appeal to students. She asked the negotiating team if the project had the potential to have other people living there.

Council Member Bell said she thought the project would attract graduate students and young professionals, but would not bring families to the Downtown. Multi-family housing on a very expensive piece of land would not create housing opportunities for people in the middle income range, she said.

Council Member Bell said she agreed that the project was not exciting, but said that exciting projects did not typically get built. She proposed asking staff what things would be valuable to the Town at that location. Council Member Bell said the neighbors had been fatigued early in the process. She blamed the Council, in part, for not being the adults in the room and telling the neighbors and developer to keep talking to each other, she said.

Mayor Hemminger said she wanted the negotiating team to continue and perhaps create a timeline with an end date. She did not want to make a decision about the project itself at the current time, she said.

A motion was made by Council Member Parker, seconded by Council Member Oates, that R-6 be adopted. The motion carried by the following vote:

Aye:

- 6 Mayor Hemminger, Council Member Bell, Council Member Buansi, Council Member Oates, Council Member Parker, and Council Member Stegman
- Nay: 3 Mayor pro tem Anderson, Council Member Gu, and Council Member Schaevitz

APPOINTMENTS

14. Appointment to the Parks, Greenways and Recreation

[19-0038]

Commission.

The Council appointed Lydia Ndugga and Renuka Soll to the Parks, Greenways, and Recreation Commission.

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

A motion was made by Council Member Parker, seconded by Council Member Buansi, that the Council entered into closed session as authorized by N.C. General Statute Section 143-318.11(a)(3) to consult with the Town Attorney. The motion carried by a unanimous vote.

ADJOURNMENT

The Council recessed the meeting at 11:31 p.m. and adjourned the meeting at the conclusion of the closed session.



TOWN OF CHAPEL HILL

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

Town Council Meeting Minutes - Draft

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 Council Member Rachel Schaevitz

Wednesday, January 30, 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, Senior Legal Advisor Tiffanie Sneed, Communications Specialist Mark Losey, Operations Manager Judy Johnson, Planning Director Ben Hitchings, LUMO Project Manager Alisa Duffey Rogers, Housing and Community Executive Director Loryn Clark, Library Director and Community Arts & Culture Director Susan Brown, Housing and Community Assistant Director Sarah Vinas, Principal Planner Cory Liles, Special Projects Coordinator and Library Molly Luby, Interim Parks and Recreation Director Linda Smith, Ombuds Beth Vasquez, Community Connections Coordinator Megan Peters, Resident Services Coordinator John French, Police Officer Rick Fahrer, Fire Marshal Tommy Gregory, Transcriptionist Nikki Catalano, Deputy Town Clerk Amy Harvey

OPENING

0.01 Successes Video: 2018 Successes in the Council Goal Areas of Affordable Housing and Vibrant and Inclusive Community.

[19-0094]

Mayor Hemminger opened the meeting at 7:00 pm and introduced a "Celebrating Successes" video regarding the Town's progress toward creating affordable housing (AH).

The video, narrated by Town Manager Maurice Jones, explained that a recently-approved \$10 million General Obligation Bond would help develop 400 and preserve 300 AH units in Town over the next five years. The video described other Town initiatives as well, such as a People's Academy, a Historic Civil Rights Commemorations Task Force, a Building Integrated

Communities initiative, and a Good Neighbor initiative.

Mayor Hemminger said that more "Celebrating Successes" videos would be presented at future Council meetings. She pointed out that the Town would celebrate its 200th birthday on November 20, 2019.

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.

0.02 Molly McConnell Regarding Funding for New Road in Glen Lennox.

[19-0095]

Molly McConnell, a Glen Lennox resident, addressed Town funding for a road through her community that the NC Department of Transportation (DOT) was requiring. She described the diverse, mixed-use neighborhood and asked the Council to help it thrive. Ms. McConnell said that Glen Lennox's developer, Clay Grubb, worked well with residents during redevelopment. She asked not to penalize Mr. Grubb for being a compassionate, collaborative, and ethical developer.

Mayor Hemminger said that the Council and the Economic Sustainability Board had been discussing options and would continue to do so.

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

0.03 Jeff Charles Request Regarding Police Participation in Review Process of New Developments.

[19-0096]

Jeff Charles, a Chapel Hill resident, petitioned the Council to have the Police Chief provide input into new development projects that require new parking signs, one-way streets, stop lights, and other similar provisions.

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.

0.04 Joan Guilkey Regarding Displacement of Residents from the Park Apartments.

[19-0097]

Joan Guilkey, a Chapel Hill resident, addressed the displacement of more than 400 tenants from the Park Apartments when it is demolished. She said that tenants had been told just before Christmas that they must vacate by June 1, 2019. Since those tenants were not able to afford market rate apartments, they would be excluded from living in Town, she said. Ms. Guilkey strongly urged the Mayor and Council to require that funds for AH be put toward housing and relocation for those residents.

Mayor Hemminger replied that the Department of Housing and Community had been working with tenants individually. They held the first meeting the previous week and had been working to identify properties in and around Town with similar rents, she said. Mayor Hemminger said that no tenants had signed leases and that all had been informed about the process when they renewed their leases more than a year ago.

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

0.05 Pam Hart Regarding Displacement from Park Apartments.

[19-0098]

Pam Hart, a Park Apartments resident, said that letters to Park Apartments residents informing them they had six months to vacate had been delivered on December 18, 2018. She told the Council about her personal struggle prior to finally finding an affordable unit at Park Apartments six years ago. Ms. Hart asked the Council for help, noting that many Park Apartments residents lacked transportation and needed to live close to where they work.

Mayor Hemminger repeated her previous comments about how the Town was working hard to find options to address the issue. Staff understood the transit needs as well, she said.

This item was received as presented.

0.06 Mayor Hemminger Regarding Sending Resolution to GoTriangle Requesting Clarification and Corrections to Transit-Oriented Development Guidebook. [19-0099]

Council Member Schaevitz read a resolution regarding Council's support of having the Mayor send a letter to GoTriangle requesting clarifications and corrections to the Transit-Oriented Development Guidebook.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that R-0.1 be adopted. The motion carried by a unanimous vote.

PUBLIC COMMENT - ITEMS NOT ON PRINTED AGENDA

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.07 Mayor Hemminger Regarding Farewell Reception for UNC Chancellor Folt.

[19-0100]

Mayor Hemminger said she had attended a farewell reception for UNC Chancellor Carol Folt earlier in the day. She said that a proclamation presented there had noted Chancellor Folt's contributions to the community which included: Arts Everywhere, Environmental Three Zeros, and Innovate Carolina. Mayor Hemminger pointed out that Chancellor Folt had also enabled the removal of the "Silent Sam" pedestal from McCorkle Place. She appreciated all that Chancellor Folt had done and wished her well, she said.

0.08 Mayor Hemminger Regarding Chapel Hill Transit Community Meeting for Multi-Use Path and along Corridor from and Eubanks Road to Southern Village. [19-0101]

Mayor Hemminger said that Chapel Hill Transit would hold a community meeting on multi-use paths for cyclists and pedestrians on Monday, February 4th from 6:30-8:00 pm at the Chapel Hill Public Library.

0.09 Mayor Hemminger Regarding Thorpe Internship Fair.

[19-0102]

Mayor Hemminger announced that a fair for undergraduates interested in paid internships with the Town would be held on February 5th from 2:00-5:00 pm at the Chapel Hill Public Library.

0.10 Mayor Hemminger Regarding Work Session on February 6.

[19-0103]

Mayor Hemminger said that the Council would hold a meeting regarding downtown parking and the Eastowne Master Plan at the Chapel Hill Public Library on Wednesday, February 6th, beginning at 6:30 pm.

0.11 Mayor Hemminger Regarding Council Committee on Economic Sustainability Meeting.

[19-0104]

Mayor Hemminger said that a Council Committee on Economic Sustainability meeting at 8:00 am at the Public Library on February 8th would include a presentation from Kidzu Museum and more.

0.12 Council Member Buansi Regarding NAACP Symposium.

[19-0105]

Council Member Buansi said the Chapel Hill-Carrboro NAACP would host a symposium regarding lynching, racial terror and monuments of hate at the Jerry M. Passmore Center in Hillsborough on February 9th from 10:00 am to 2:00 pm.

CONSENT

Town Council Meeting Minutes - Draft January 30, 2019

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.

1. Approve all Consent Agenda Items.

[19-0072]

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

 Authorize the Town Manager to Enter into a Municipal Agreement with NCDOT and Accept Federal Funds for Construction of the Homestead Road Sidewalk Project. [19-0073]

Mayor Hemminger commented on how this authorization would move the project forward and free Town funds for other sidewalk projects.

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

3. Call a Public Hearing to Facilitate the Issuance of Bonds by the Educational Foundation, Inc. for February 13, 2019.

[19-0074]

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

4. Amend the 2018-19 Council Calendar.

[19-0075]

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

INFORMATION

5. Receive Upcoming Public Hearing Items and Petition Status List.

[19-0076]

These items were received as presented.

DISCUSSION

6. Consideration of the Extraterritorial Jurisdiction (ETJ) Study Areas as Part of the Charting Our Future Project.

[19-0077]

Land Use Management Ordinance (LUMO) Project Manager Alisa Duffy Rogers gave a PowerPoint presentation on the Town's vision for two areas: north of Interstate 40 (I-40) and south of Southern Village. She said that some community members had requested that the Council add those areas to the Future Land Use Map (FLUM) refinement process and that the Orange County Commissioners seemed open to looking at additional land uses in those locations.

Ms. Duffy Rogers described the areas and pointed out that they were both

in the Town's extraterritorial jurisdiction (ETJ). She said that allowing increased residential density and commercial uses in those areas would be a departure from the established vision, so a new visioning process would be required. She described what such a process might entail, including approximate costs and timing.

Ms. Duffy Rogers recommended that the Council adopt a resolution that would postpone consideration of land use for the northern area, authorize the Manager to continue working with governmental partners prior to planning and executing a visioning effort for the southern area, and continue the process of refining the FLUM with the possibility of amending it after the visioning effort was complete.

Council Member Parker confirmed with Ms. Duffy Rogers that the current process of refining the FLUM would continue undisturbed and that the process being outlined would begin in 2020 and run in parallel with that. He asked what she imagined a conceptual agreement with the other parties would look like and how it would come about.

Ms. Duffy Rogers replied that the Town would present what it had received from community members to the other governmental bodies and ask them if they would be open to moving the Urban Services Boundary. This would occur prior to any effort to look at alternative land uses, she said.

Council Member Gu recalled Ms. Duffy Rogers previously saying taking such a step would delay the FLUM. She confirmed that the situation had changed because some responsibilities were being shifted to a consultant, and staff had additional intern help. Council Member Gu also confirmed with Ms. Duffy Rogers that it would take two separate processes to address both areas, with more issues and potential projects in the southern area.

Council Member Gu asked about obtaining more public input before moving forward, and Ms. Duffy Rogers explained that she was merely proposing asking the Town's ETJ partners (Orange County, Hillsborough, Carrboro) if they were open to the idea. If they were, then the Town would start a visioning process that would include community input, Ms. Duffy Rogers explained.

Mayor Hemminger pointed out that the proposed path would determine whether or not the Town could move forward. If any one of the partners refused, then there would be no point in having any process at all, she said.

Council Member Stegman confirmed with Ms. Duffy Rogers that most components of the 1992 Southern Small Area Plan had ended when the Chapel Hill 2020 Comprehensive Plan was adopted. That Southern Plan was no longer a binding document, but it did provide good information about soil and other aspects of the area, Ms. Duffy Rogers said.

Council Member Bell verified with staff that the proposal was the result of a petition that had come to Council. It also seemed like a response to the Council's question about whether the LUMO rewriting process was the right time to think about those two areas, she said.

Council Member Schaevitz commented on the "multiple possible chicken and egg scenarios" she could imagine. She confirmed with Ms. Duffy Rogers that staff would merely be asking the Commissioners if they were conceptually open to more density. "If they say no, that stops the process," Ms. Duffy Rogers said.

Mayor pro tem Anderson verified with Ms. Duffy Rogers that the idea began when staff came forward with an update on refining the FLUM, and the Chapel Hill-Carrboro Chamber of Commerce had asked to include those areas, as well. The Council asked staff to begin talks with governmental partners, Ms. Duffy Rogers said.

Mayor pro tem Anderson remarked that such conversations with ETJ partners could lead to density arguments if the Town did not know the projects and have a purpose.

Ms. Duffy Rogers replied that the idea was to ask about interest before spending any time, money or effort.

Council Member Oates commented that asking would imply that the Town was open to the idea, though. She suggested finding out why the boundary was originally set and asking those who had been involved fi they thought the proposal was a good idea.

Ms. Duffy Rogers replied that topographical features in the southern part of Town had partially led to creating the boundary. However, technological advances might make that line not as critical now, she said, adding that she was more than willing to do more research.

Julie McClintock, a Chapel Hill resident, recommended that the Council solicit the opinions of those who live in the areas in question. She said that contemplating a process was premature when neither the public nor the Council had been asked to evaluate the proposal's merits. As a former Council member, she had been involved with creating the southern water and sewer boundary, she said, and she recommended that the Council hold a public meeting regarding it.

Katie Loovis, representing the Chapel Hill-Carrboro Chamber of Commerce, reminded the Council that there had been specific areas on the FLUM that it wanted to explore regarding 30 years into the future. She encouraged the Council to plan ahead when thinking about the FLUM, rather than merely responding to applications. The business community wanted to know what the Council wanted, she said.

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Margaret Brown, a southern area resident who had been involved with creating the Southern Small Area Plan, provided background and explained state legislation on watershed protection. She said that the intent of Southern Village was to avoid sprawl and that the urban services boundary was intended to be the open space next to it. Ms. Brown said that all of the issues regarding public health and protecting the drinking water supply remained the same as it had been in the 1990s.

Julie Coleman, a former Planning Commission member, said that her 10-acre property on Smith Level Road had been threatened three times since being deemed as the open space that allowed Southern Village. She described some of those past threats and urged the Council to maintain its urban service boundaries.

Livy Ludington, a Smith Level Road area resident and a Triangle Land Conservancy planner, said that she had participated in creating the rural buffer and had worked hard on watershed protection. Clean water and air in rural areas needed to be protected in a careful way, she said, and she said the process was moving too quickly. Ms. Ludington expressed support for a public process and said she hoped Orange County Commissioners would remember and understand the importance of not extending water and sewer.

Mayor pro tem Anderson expressed support for holding a public meeting before going to the ETJ partners.

Council Members Schaevitz, Gu, Parker and Buansi agreed and said that a public meeting should include the kind of institutional knowledge the speakers had presented.

Council Member Gu stressed the need for more background information before exploring costs and benefits.

Council Member Oates expressed reluctance to do anything that would slow the FLUM and LUMO rewrites and recommended determining whether the Council was actually interested in moving its urban services boundary before proceeding. She said it would be helpful to know if the Town needed as much watershed as it did 20 years ago.

Mayor Hemminger noted that there was consensus among Council members to compile historical information that would help them understand past decisions before presenting to the other entities. The Council also needed to understand changes in the Jordan Lake Rules, she said.

Mayor pro tem Anderson moved Resolution 5, as amended, to hold a public meeting that would include background information about the previous planning process and to do so prior to contacting ETJ partners.

Mayor Hemminger asked for a friendly amendment to request information

about the possibility of moving the boundary on a Town-owned, 10-acre parcel.

Mayor pro tem Anderson asked that the public meeting include background information on that parcel and potential affordable housing uses.

Council Member Bell said she supported the resolution but wondered if the Council was trying to get information to take it forward or to decide whether or not to move forward at all.

Mayor Hemminger, Mayor pro tem Anderson and Council Member Parker discussed the wording and Senior Legal Adviser Tiffanie Sneed recommended that the resolution state that comments received from the public meeting would be brought back to Council to consider next steps.

Mayor Hemminger proposed removing bullet 2 from the original resolution, and Mayor pro tem Anderson moved an amended Resolution 5 with bullet 2 removed and the proposed new wording.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, that R-5 be adopted as amended. The motion carried by a unanimous vote.

7. Youth Initiative Update.

[19-0078]

Executive Director for Housing and Community Loryn Clark provided background on the Youth Initiative Report. She explained that "youth" included middle and high school aged people who were in school, out of school, home schooled, and in non-traditional programs. The intent was to be as inclusive as possible, she said. Ms. Clark asked the Council to provide feedback on the report and the proposed next steps.

Chapel Hill Public Library Director Susan Brown gave a PowerPoint presentation with background on the project and its goal. The intent was to gather demographic information on Chapel Hill youth, to listen and directly engage with them, and to identify next steps, she said. She described a "human-centered design" approach that staff had used with 180 youth in 14 focus groups.

Community Connections Coordinator Meghan Peters discussed the demographic data that staff had gathered and analyzed. She said that the Town's youth were 63 percent white, and that 17 percent of them were Asian which was the highest minority population. Racial inequities did exist in the local school system and there was a disparity in academic achievement among high school students by race and ethnicity, she said.

Ms. Peters reported that one in three students said their families were experiencing financial stress. A large percentage of their families earned more than \$100,000, but 42 percent earned less than \$50,000, she said. She mentioned mental health and wellness challenges and reported that

one in four high school and one in five middle school youth felt sad or hopeless for two weeks or more to have stopped their usual activities.

Chapel Hill Public Library Special Projects Coordinator Molly Luby presented the focus group findings. The study had targeted a diverse group with a focus on minority populations, she said, pointing out that those demographics closely matched the community as a whole. She characterized youth participants as "smart, caring, often goofy, sometimes heartbreaking, thoughtful, and engaged." Ms. Luby shared information about where youth go, how they spend time, the people in their lives, what was important to them, and their goals, challenges and obstacles.

Chapel Hill Police Chief and Executive Director for Community Safety Chris Blue summarized the findings and discussed next steps. He said that Chapel Hill youth wanted safe, inclusive, and welcoming spaces. They had very busy schedules and felt immense pressure to succeed, he said. He noted that discrimination had an impact on them and that some faced mental health challenges.

Chief Blue said that the next steps would be to engage and recruit young people to help create spaces and make improvements in Town facilities. He outlined several ideas for youth-friendly initiatives. He also suggested reconvening and strengthening community partnerships and recommended having young people test solutions. Chief Blue said that the Town would continue to strengthen its collaboration with the school system and would involve it in solutions. Staff would return to the Council in fall 2019 with a report on pilot programs, he said.

Mayor Hemminger praised staff for asking young people about what they wanted, rather than making assumptions. She expressed support for the first steps as outlined.

Mayor pro tem Anderson asked about improving the existing Teen Center, and the presenters replied that most youth did not seem to know about it. Ms Luby said that most of the youth they had spoken with did not necessarily want a space that was just for teens.

Council Member Schaevitz asked if staff had ideas for places of interest other than the Public Library, and Chief Blue replied that parks and open spaces had received high marks. Council Member Schaevitz said she was interested in learning what the Town could do to offer free, healthy food and mentioned she would be willing to help with that.

Council Member Parker asked if staff had identified different reactions or concerns from youth based on factors such as ethnicity.

Ms. Luby replied that data from one group of African American middle-school boys had shown that they did not feel positive about some of the places that were overwhelmingly positive for others. For example,

they felt uncomfortable on Franklin Street and had some disturbing experiences in Town, she said.

Council Member Parker said that he was not surprised and that it might be worthwhile to think about working with adults, as well.

Council Member Gu verified with Chief Blue that taking the information to the school system would be an important next step. She asked how staff would keep the dialog open with teens, and Chief Blue said that staff would take that question back to the youth themselves.

Council Member Stegman noted that research had shown that interaction with animals could reduce stress. The Orange County Animal Shelter and other rescue groups might be potential partners, she pointed out.

Council Member Oates noted the importance of a having a safe, clean, healthy, and judgement-free place for teens to hang out.

Mayor pro tem Anderson stressed the value of having cross-sector connections. A young person who tells a police officer or librarian that they are having a mental health issue should receive the same information as they would receive from a school counselor, she said.

Mayor Hemminger verified with staff that there were about 5,000 teens in Chapel Hill. She said the Town was not in a position to build a teen center, so finding places where youth could feel safe and connect with each other and the community was the goal. She hoped staff would find out what kinds of activities youth would like to see at the Public Library, through the Parks and Recreation Department, and so forth, she said. Mayor Hemminger said that Town partners were learning from each other and that she wanted to keep the initiative going.

This item was received as presented.

8. Consider Approving a Memorandum of Understanding, Job Description, and Work Plan for Orange County Food Council.

[19-0079]

Assistant Director of Housing and Community Sarah Vinas gave a PowerPoint summary of the Orange County Food Council's request to establish a joint funding agreement with local governments. She explained that the Food Council had been formed in 2016 to grow a local food system that would ensure health, sustainable agriculture, and access for all Orange County residents.

Ms. Vinas explained that the Food Council had approached all local governments in 2018 with a proposal to share funding for a coordinator position and for operating support. She described the formula for determining funding contributions to the position's \$71,000 budget. The Town would contribute 41 percent (\$29,000) with about \$9,000 of that needed in the current fiscal year, she said.

Ms. Vinas pointed out that the Council had approved up to \$25,000 from the Community Development Block Grant Plan in June 2018 but had asked that the joint agreement come back for approval before that money was spent. An updated Resolution 6 asked the Council to authorize the Mayor to execute a memo of understanding and to provide input on the work plan, she said.

Mayor pro tem Anderson said she thought the update would include performance measures.

Ms. Vinas replied that the current purpose was to obtain feedback on the work plan, which would be a living, working document that local governments would shape.

Council Member Oates, liaison to the Food Council, verified that Orange County had been supplying most of the funding but that the grant had run out.

Jennifer Vuillermet, a Chapel Hill attorney and Food Economy Work Group member, said that the purpose of a local food system was to bridge local agriculture with urban areas by bringing products into Town and distributing them through a regional approach. She said the agreement would help bring healthy food and economic benefits to the Town.

Hannah Quigley, a Chapel Hill resident and lead of the Local Food Economy Work Group, said that the Food Council was using a holistic approach to the local food system. The approach included farmers, chefs, business owners, food workers, consumers, and more, she said. The only way to succeed was to work across all jurisdictions with all the stakeholders, said Ms. Quigley.

Ken Dawson, an Orange County farmer and the Agriculture Preservation Board member on the Food Council, explained that Orange County's agriculture was in transition with the trend being toward higher numbers of smaller farms. He pointed out how much local farmers were contributing to the local economy and said that establishing a coordinator position would go a long way toward supporting the Food Council's work.

Barry Phillips, a Hillsborough resident, recommended that the Council approve the resolution and gave several reasons why having a full-time staff person would positively impact the local economy.

Mayor pro tem Anderson clarified with Mayor Hemminger that UNC had provided some grant money to see if the Food Council had viability, but Mayor Hemminger said the funding had run out.

Mayor pro tem Anderson said she wondered why the funding formula did not have Orange County paying more, since much of the goal seemed to be in support of Orange County farmers. In addition, she thought the performance measures needed a lot of work and that food access needed to be addressed as well, she said.

Ashley Mercer, of the Orange County Health Department, explained that the Food Council's role was to be a coordinator and it did not currently provide services or programming. It was not a direct service model, but it wanted to address long-term and immediate issues, she said.

Mayor pro tem Anderson asked if anything was being done to address general food access and if there were performance measures specific to that.

Ms. Mercer directed the Council's attention to a food access work group that was referenced in the work plan. One of the primary goals was to coordinate and streamline existing services and activities around food access and to not duplicate efforts, she said. She explained that the Food Council addressed equity issues, such as figuring out ways to have access to food without there being a stigma involved.

Council Member Gu also commented on the need for metrics and asked for clarification that the three-month-old document was a living one that would improve as feedback was incorporated. She noted a reference to UNC and the Chapel Hill-Carrboro Public School System and said she was surprised that they were not listed as partners. She wondered why UNC was not contributing resources, she said.

Council Member Bell pointed out that collaborations take time and said she was interested in knowing how effective the Food Council's stakeholders thought it had been. She said that Council members asking for information that people did not have was sometimes a problem when people were trying to start new initiatives.

Council Member Oates said she was the Council's representative on the Partnership to End Homelessness as well and explained how the two organizations differed. She said it sounded as though the Food Council had a lot of potential and proposed that the Town Council agree to provide the \$9,000. That would fund the program to the end of the Town's budget year and would give the Food Council time to come up with some focused and achievable goals, she said.

Mayor Hemminger pointed out that the Town was in the process of developing its next fiscal budget and was also being asked for a two-year financial commitment to the Food Council with an 18-month review. Extending it only to July 1, 2019 "would put an interesting dynamic on the budgeting of this," she said.

Ms. Mercer stressed the need for staff support and stated that not everything could be perfectly measured at the current time. Having a

coordinator would allow the Food Council to provide recommendations for funding to gatekeepers, such as the Council, she said.

Council Member Schaevitz noted that Council members had asked for metrics and quantitative deliverables. The Food Council needed to do a better job of explaining its work in a way that was accessible, she said, adding that three examples of how the program worked would be just as interesting, persuasive and informative as statistics.

Mayor Hemminger said that she saw immense potential, and there needed to be a food access person involved.

Council Member Parker moved Resolution 6, with a caveat that a seat be designated for a food access representative.

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

9. Consider a Resolution Opposing Alternative 4A as a Design for Modifications to Eubanks Road and NC 86.

[19-0080]

Mayor Hemminger asked that Item 9 be rephrased as follows: Consider a Resolution for a Design Modification to the Eubanks Road and NC 86 Proposal. The Town should say what it wants and do better than merely opposing Alternative 4A, she said.

Planner Corey Liles gave a PowerPoint overview of the I-40 widening project and associated interchange redesigns. He explained that DOT's proposal to realign roads (Alternative 4A) would cut off access to homes in the Northwood neighborhood and potentially disrupt that community's well. Mr. Liles said that Northwood had submitted a citizens' petition with more than 500 signatures opposing 4A. The Transportation and Connectivity Board stated opposition to it as well, he said.

Mr. Liles explained that the DOT responded to community push-back with an Alternative 4B, which would keep Eubanks Road in its current alignment and add a turnaround on Martin Luther King Jr. Boulevard. He compared the probable impacts of the two alternatives and noted there would be much less disruption with 4B.

Mr. Liles said the DOT would respond after the public comment period ended on February 8, 2019 and that it hoped to begin construction in 2023. Staff was recommending that the Council adopt Resolution 7, which would oppose Alternative 4A and outline criteria for design refinement, he said.

Mayor Hemminger read additional recommendations included in Resolution 7. She said that any resolution the Council moved forward would go to the

Transportation Board, the DOT, the Orange County Commissioners, the Town's legislative delegation, and "whoever else the Council could think of".

Council Member Stegman confirmed that a second bullet, regarding alternative modes of travel, included bikes and pedestrians. Mayor Hemminger proposed amending the resolution to make that specific. The Council voted unanimously in favor of Resolution 7, as amended, and Mayor Hemminger noted that there was a February 8, 2019 deadline for comments.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Oates, that R-7 be adopted as amended. The motion carried by a unanimous vote.

ZONING ATLAS AMENDMENT(S) and SPECIAL USE PERMIT(S)

The development proposal(s) below involves two separate steps: a rezoning application and an application for a special use permit. These two hearings will be conducted separately. You may sign up to speak on each item.

ZONING ATLAS AMENDMENT(S)

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.

10. Consider an Application for Zoning Atlas Amendment - Independent Senior Housing, 2217 Homestead Road (Project #17-107).

[19-0081]

Operations Manager for Planning Judy Johnson pointed out that there were two hearings on the agenda, one for a rezoning and the other for a Special Use Permit. She explained that the applicant's request to rezone property at 2217 Homestead Road from Residential-2 to Residential-5-Conditional would mean going from medium density to high density and creating a change on the Town's Land Use Map. Ms. Johnson described the site and nearby properties.

Town Manager Maurice Jones said the applicant had originally offered a \$315,000 payment in lieu of on-site affordable housing (AH), but the Council directed staff to negotiate for actual AH units. The resulting proposal was for 20 AH units, which would rent at 60 percent of area median income (AMI) for 30 years, he said.

Mr. Jones mentioned several items the applicant requested in return for the AH units. He said that staff believed the proposal offered an important community benefit and recommended that the Council consider adopting Resolution 8 and enacting O-2, to rezone the property. Mayor Hemminger confirmed with Mr. Jones that one of the Town's concessions was to cap building permit fees at \$10,000, and Mayor pro tem Anderson confirmed that fees would be an estimated \$103,000 without that provision.

Council Member Stegman asked about the value of the 20 AH units over 30 years, and Mr. Jones agreed to return with that information.

Mayor Hemminger and Council Member Oates verified that requirements such as the 55 and over age restriction would be addressed in the Special Use Permit process.

Mayor pro tem Anderson asked what would happen to tenants when the AH units reverted to market rate in 30 years.

Mr. Jones replied that those tenants would be notified as they neared the 30-year deadline.

Dianne Martin, representing Courtyards at Homestead citizens, expressed concern about traffic and the rezoning's impact on her neighborhood's harmony and overall quality of life. She said that the proposal did not address the need for moderate senior AH. In addition, rare and specimen hardwoods would have to be removed, so there would not be the environmental savings that the applicant had claimed, she said.

Ms. Martin showed an artist's drawing of what a four-story building might look like "looming over" The Courtyards at Homestead. The proposed project would have a negative impact on the character and quality of life for The Courtyards' residents and would constitute a breach of trust by the Council, she said.

Martin Molloy raised several objections to the proposed project and said that some Council members did not seem to care about The Courtyards at Homestead residents. He asked Council members to think about how they would feel and vote if the project were proposed for their backyards.

Maggie West, representing the Orange County Affordable Housing Coalition, said she was glad to see the proposed changes which offered more units for a longer period of time. She noted that the proposal did not commit to leasing units to households earning less than 60 percent AMI and said that meant the applicant might not be required to verify that tenants were income qualified.

Ms. West stressed the importance of making sure that the rental units would not simply be a good deal for tenants who could afford more. She pointed out that the agreement did not specify how the Town would enforce the AH provision over 30 years or how the development would verify that tenants meet the income qualifications over the life of the

agreement.

Christy Beacham, whose parents live at The Courtyards at Homestead, asked the Council to not vote on the resolution at the current time and to consider those who were already living in the area.

Mayor Hemminger confirmed with Mr. Jones that language addressing the issues regarding AH that Ms. West had raised could be added to the document.

Richard Gurlitz, representing the applicant, noted that there was a requirement in the agreement to come up with an AH program. He appeared skeptical of the rendering that Ms. West had presented.

Mayor pro tem Anderson confirmed with Mr. Gurlitz that he intended to present his own rendering to the Community Design Commission during the zoning compliance portion of the process. She and Council Member Parker pointed out that the Council typically saw such renderings as well.

Mr. Gurlitz replied that he could show a cross-section of the site but hated to have to come back another time. He pointed out that the ordinance did not require a rendering at the current level of review but said he would be glad to provide one. When Mayor pro tem Anderson pressed for a response to the scale that Ms. Martin's drawing had shown, he characterized it as ridiculous.

Mayor pro tem Anderson asked about ADA accessibility and about what made the development a senior community rather than merely one with an age restriction.

Mr. Gurlitz replied that units would have universal design and be prepped for ADA compliance. For example, not every bathroom would have grab bars, but they would all be prepped for that and management would install them for anyone who wanted that when they moved in, he explained.

Mayor pro tem Anderson asked again what made the proposed apartments different from other apartments, and Mr. Gurlitz replied that the primary difference would be the 55+ age restriction, the amenities geared for that age group, and the way it would be managed.

Council Member Gu confirmed with Mr. Gurlitz that management probably would work with another organization to recruit, verify, and refer tenants.

Lee Lambert, a realtor representing the applicant, said that primary applicants would need to verify their age but spouses would not have to be 55 or older. Income would primarily be verified by a third party, the Town, or partnering agencies such as Community Home Trust, he said. Mr. Lambert described additional ADA amenities and said that including the 20

AH units would cost the applicant approximately \$4 million.

Council Member Parker confirmed that the AH units would be rented to whoever was moving in at the time that they became available and that language regarding that could be put into the agreement.

Council Member Bell expressed interest in the applicant having a memo of understanding with one of the Town's AH providers, and Mr. Gurlitz pointed out that Item 7 of the agreement required that. Council Member Bell said she appreciated the 20 AH units and thought that 60 percent AMI was acceptable.

Council Member Schaevitz said she was not comfortable with zoning an R-5 community next to an R-2 neighborhood because the transition was inappropriate.

Council Member Buansi said he appreciated the AH units but wanted to see a rendering that showed actual scale.

Council Member Oates asked to see a rendering showing scale as well. She noted that the land itself was 15 feet taller than her own nearby neighborhood and said she thought the rendering the neighbor had presented seemed right. She asked staff to make sure that actual language pertaining to universal design and ADA compliance was in the document.

Council Member Oates pointed out that approximately 10,000 people said during the CH 2020 Comprehensive Plan process that they wanted medium density residential development in the strip of land near Carolina North. There would have to be a huge community benefit to allow the proposed project, she said.

Council Member Oates pointed out that someone who moved in to the proposed development when they were 60 could be evicted at age 90, and she asked about including a grandfathering clause. She also questioned setting a precedent for capping permit fees for for-profit projects. She did like the reduction to 60 percent AMI, she said, but added that the Community Home Trust was probably not the appropriate agency for the project.

The applicant and staff discussed possible non-profit agencies, and Mr. Lambert said that such information could be part of the AH agreement.

Ms. Sneed reminded the Council that they were still addressing the rezoning but that much of the evidence being presented would be more appropriate for the Special Use Permit process.

Mayor pro tem Anderson said that going from R-2 to R-5 was a big jump and she was not sure it considered what else was going on in the area.

Moreover, it would go against the zoning that the community had set forth as a vision, and she did not feel that Town fees were negotiable or that there should be a limit on the number of years for affordability, she said. Mayor pro tem Anderson also said that she could not support a project when she could not see how it would fit in with the surrounding neighborhood.

Council Member Stegman pointed out that the Council had been discussing how it did not want sprawl, how the Town needed to respond to climate change, and changes in the Homestead area of Town in particular. Because of those things, the Town's land use policies needed to trend toward greater density, she said. She said that four stories was reasonable but that the project would need to be done well and look good. Council Member Stegman said she was open to the rezoning but understood why others wanted to see a rendering first.

Council Member Gu asked for an example of another place in Town where an R-2 zone was right next to an R-5-C zone. There was no response.

Council Member Parker argued that the issue was not density, per se, but how the project would look and feel and relate to nearby buildings. The applicant had not given the Council the tool to make that decision, he said. He added that the AH proposal was "not a bad deal".

Mayor Hemminger commented on the great need in Town for both senior and affordable housing and said that she liked the proposed open space and the reduction in impervious surface; however, there did not appear to be six Council votes for a rezoning, she said, and pointed out that not being able to see what it would look like was bothering Council members.

Mayor Hemminger recommended a motion to delay to February 13, 2019, and Council Member Parker moved to recess the hearing until that date. Mayor Hemminger pointed out that Agenda Item 11, regarding the Special Use Permit, would be moved to February 13th as well.

Council Member Oates requested that the item be placed early on the February 13th agenda.

A motion was made by Council Member Parker, seconded by Mayor pro tem Anderson, that the Public Hearing be continued to February 13, 2019. The motion carried by a unanimous vote.

SPECIAL USE PERMIT(S)

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.

11. Consider an Application for Special Use Permit - Independent Senior Housing Chapel Hill, 2217 Homestead Road (Project #17-096).

[19-0082]

A motion was made by Council Member Parker, seconded by Mayor pro tem Anderson, that the Public Hearing be continued to February 13, 2019. The motion carried by a unanimous vote.

ADJOURNMENT

The meeting was adjourned at 11:12 p.m.



TOWN OF CHAPEL HILL

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

Town Council Meeting Minutes - Draft

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 Council Member Rachel Schaevitz

Wednesday, February 13, 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, Communications Manager Catherine Lazorko, Planning Operations Manager Judy Johnson, Planning Director Ben Hitchings, Housing and Community Executive Director Loryn Clark, Business Management Director Amy Oland, Planner II Michael Sudol, Fire Chief Matt Sullivan, Community Resilience Officer John Richardson, Affordable Housing Manager Nate Broman-Fulks, Community Connections Coordinator Megan Peters, Housing and Community Administrative Coordinator Carla Burnette, Communications and Public Affairs Director and Town Clerk Sabrina Oliver, Deputy Town Clerk Amy Harvey

OPENING

0.01 Successes Video: 2018 Successes in the Council Goal Areas of Environmental Stewardship and Connected Community.

[19-0142]

Mayor Hemminger introduced a "Celebrating Successes" video, narrated by Town Manager Maurice Jones, that addressed the Town's progress in reaching its environmental stewardship and connected community goals. In the video, Mr. Jones discussed various Town improvements for the environment, and enhanced transit, bicycle, and pedestrian experience.

1. UNC co-gen Plans. (no attachment)

[19-0127]

PRESENTER: Brad Ives, Associate Vice Chancellor for Campus

Enterprises and Chief Sustainability Officer

Mayor Hemminger opened the business meeting at 7:00 pm and welcomed the public. She said that the Town was in the process of putting together a Climate Action Plan in partnership with the University of North Carolina at Chapel Hill (UNC), and she introduced Associate Vice Chancellor Brad Ives to present the University's plan to move away from coal.

Mr. Ives outlined the progress that UNC had made toward a "Three Zeros Environmental Initiative" that would eventually lead to zero greenhouse gasses, water neutrality, and zero landfill waste. He described how UNC's co-generation plant generated steam and electricity, 72 percent of which was currently fueled by 75 tons of coal a year. The other 28 percent was fueled by natural gas, he said. He said that UNC's co-generation plant was one of the cleanest and most efficient of its type in the world.

Mr. Ives emphasized that the University was absolutely committed to getting off coal and said that it was currently increasing the amount of natural gas it used from 25 to 50 percent. He acknowledged, however, that 50 percent was its maximum capability which left the challenge of what to do about the other 50 percent.

Mr. Ives discussed UNC's long-term master plan and the state legislature's passage of a Green Source Advantage Program to allow large users of electricity to purchase up to 40 percent of their loads through Duke Energy. Legislators were trying to fix errors in that program in order to get positive rulings from the Utilities Commission, he said. He said that he was personally committed to environmentalism at UNC.

Mayor pro tem Anderson verified with Mr. Ives that the University provided electricity and steam to UNC's hospital buildings that were on its campus but that the hospital generated its own chilled water and had its own backup power. She also confirmed that joint planning with the Town regarding environmentalism had been informal.

Mr. Ives said that he saw no reason why Chapel Hill should not be one of the leading environmental communities in the nation. He would especially welcome the Town's participation regarding waste such as plastics, he said.

Elizabeth O'Nan, a Chapel Hill resident, pointed out that she had petitioned the Council in October 2018 to look into a "secretly proposed" permit for UNC's coal plant, but had received no response. That permit would allow greatly increased exposures to hydrogen chloride and potentially to other pollutants, she said. Ms. O'Nan said that she and her daughter had experienced increased nose, eye, throat and upper respiratory irritation since moving near UNC. To delay converting to a safe alternative would be "tantamount to premeditated, random homicide," she said.

Ms. O'Nan, discussed the potential use of biofuel pellets to replace coal. She offered to send Council members a link to more information regarding that.

John Wagner, a Chapel Hill native, said that UNC had pledged in 2009 to end its use of coal by 2020. The fact that it was not planning to stop using fossil fuel and was planning to use coal until 2050 was extremely disappointing, he said. Mr. Wagner stated that UNC's plan to move to methane would be 86 to 100 times worse for the climate than coal and that moving to biofuels would be unacceptable as well. He encouraged the Council to stop the University from burning coal and to urge it to move to safer alternatives.

Christine Carlson, a Chapel Hill resident, expressed concern about UNC's clear-cutting of trees, disposal of coal ash, and dumping of medical waste in Town. The University's request for an air quality permit for its co-generation facility concerned her because UNC needed to think about sustainable, not combustible, energy, she said. Ms. Carlson asked the Council to delay the University's request until a thorough assessment by experts had been conducted.

Perrin deJong, a Chapel Hill resident and attorney at the Center for Biological Diversity, said that UNC was the only institution of higher education in North Carolina that continued to burn coal. He outlined the history of UNC's commitments to stop by 2020 and said that an existing permit from the Department of Air Quality allowed UNC to emit 400-600 percent of the Clean Air Act's legal limit of nitro-dioxide and sulfur dioxide. Mr. deJong asked the Council to call for a public hearing regarding that permit and to push UNC to stop burning coal by 2020.

Susan Crotts, a Greensboro resident and volunteer with Blue Ridge Environmental Defense League, raised concerns about the harmful health effects of particulate matter in the air. She said that bio-fuel, shale, and nuclear power sources must be replaced with solar, wind and geo-thermal options. Ms. Crotts submitted detailed information on the health impacts and dangers of coal and coal ash. She said that new technologies were unfolding and the Town should seize those opportunities.

Lib Hutchby, a Chapel Hill resident, said that adopting alternative energy was a matter of political will. She spoke about the importance of maintaining UNC's 2020 goal and asked Council members what they intended to demand of the University.

Joshua Levenson, a Chapel Hill resident, noted that President Carter had recommended keeping thermostats at 65 degrees and 55 to 50 overnight but commented he felt "sweating hot" when working in empty UNC buildings at night. Mr. Levenson suggested that the Town's Green Tract be used for solar and wind power. He said that there should be 100

percent transparency to ensure that UNC steadily reduced its emissions over the next 10 years.

Mayor Hemminger expressed appreciation to community members for their support regarding energy efficiency, reducing greenhouse gases and waste, and figuring out water system issues. She said the Town was putting a website together which would show what it was working on and would be launching programs with citizen involvement as well.

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.

1.01 David Adams and Julie McClintock Regarding Evaluation of Town Transportation Needs.

[19-0143]

David Adams and Julie McClintock, speaking on behalf of Affordable Transit for All, submitted a petition asking the Council to tell Orange County Commissioners about the Town's true transit needs when negotiations begin in earnest with GoTriangle.

Mr. Adams asked the Council to request that a larger allocation of Transit sales taxes go to Chapel Hill Transit, and Ms. McClintock recommended asking the director of Chapel Hill Transit to thoroughly evaluate the Town's needs.

Ms. McClintock argued that Transit staff needed to determine the Town's needs for the next decade and get that information to the County Commissioners. She noted that the second part of the petition asked the Council to tell the County Commissioners to hold firm to the \$149.5 million cap and to not commit any more transit taxes to light rail. The third part of the petition asked Orange County to retain an independent financial adviser to look at the new plan, Ms. McClintock said.

A motion was made by Council Member Parker, 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.

2. Christ Community Church Petition Regarding a Concept Plan Review by Council at a Future Council Meeting.

[19-0128]

Developer Phil Post, representing Christ Community Church, explained that the church, which had been meeting in rented facilities, had found an exciting piece of property at the corner of Old Oxford and Irwin Roads. He requested that a concept plan review be conducted as soon as possible.

Mayor Hemminger explained that projects with fewer than five acres did not need to come before the Council for review but that a petitioner could ask Council to look at it prior to beginning the Special Use Permit (SUP) process. She recommended that the Council vote to put reviewing the church's concept plan on its agenda.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Oates, that this Petition be placed on the agenda. The motion carried by a unanimous vote.

2.01 Citizens' Request Regarding Coal Use and Coal Ash.

[19-0144]

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.

PUBLIC COMMENT - ITEMS NOT ON PRINTED AGENDA

2.02 William Thorpe Regarding UNC Walk for Health and "One-Man Stand" Dramatization.

[19-0145]

William Thorpe, a Chapel Hill resident, invited the Council and community to a "One-Man Stand" event at noon on April 4, 2019 at the Peace and Justice Plaza. The event would dramatize and resurrect the image of the Union soldier, he said.

ANNOUNCEMENTS BY COUNCIL MEMBERS

2.03 Council Member Anderson Regarding Event for Common Sense Gun Legislation.

[19-0146]

Mayor pro tem Anderson said that a conversation regarding common sense gun legislation had taken place the previous evening at the Chapel Hill Public Library. Participants had included Moms Demand Action, North Carolinians Against Gun Violence, and the Chapel Hill and Carrboro police chiefs, she said. She encouraged all citizens to get involved and mentioned two upcoming meetings; a Moms Demand Action monthly meeting at the Public Library on April 19th from 6:30-8:00 pm, and a March 17th lobbying effort at the NC General Assembly in Raleigh.

2.04 Council Member Gu Regarding Lightup Festival.

[19-0147]

Council Member Gu announced that a Chinese New Year celebration would be held in downtown Chapel Hill on February 24, 2019. The event was being co-organized by the local Chinese American community with the Town and in partnership with UNC Performing Arts and the Downtown Town Council Meeting Minutes - Draft February 13, 2019

Partnership, she said

2.05 Mayor Hemminger Regarding Wilson Caldwell Day.

[19-0148]

Mayor Hemminger announced Annual Wilson Caldwell Day on February 24th at the Stone Center from 3:00 to 5:00. She pointed out that Wilson Caldwell had been the first African American elected to office in Chapel Hill and said that the event would celebrate 200 years of Town government.

2.06 Mayor Hemminger Regarding Signing on to Protest ICE Raids with other North Carolinian Mayors.

[19-0149]

Mayor Hemminger reminded Council members of a special meeting the following Wednesday at Town Hall beginning at 5:30 pm. She said that she had signed onto Mayors Against ICE Raids in North Carolina and had done so nationally as well.

CONSENT

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

Approval of the Consent Agenda

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

3. Approve all Consent Agenda Items.

[19-0129]

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

4. Approve a Contract Extension for Audit Services Contract for Fiscal Year 2018-19.

[19-0130]

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

5. Adopt a Resolution Certifying and Approving 2018 General Obligation (G.O.) Bond Referendum Results.

[19-0131]

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

6. Approve the Housing Advisory Board's Recommended Funding Plan for the Affordable Housing Development Reserve (AHDR).

[19-0132]

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

INFORMATION

7. Receive Upcoming Public Hearing Items and Petition Status List.

[19-0133]

The item was recevied as presented.

8. Receive the FY19 Second Quarter Affordable Housing Quarterly Report (October-December).

[19-0134]

The item was received as presented.

DISCUSSION

ZONING ATLAS AMENDMENTS and SPECIAL USE PERMITS

The development proposal below involves two separate steps: a rezoning application and an application for a special use permit. These two hearings will be conducted separately. You may sign up to speak on each item.

ZONING ATLAS AMENDMENT

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.

9. Consider an Application for Zoning Atlas Amendment - Independent Senior Housing, 2217 Homestead Road (Project #17-107).

[19-0110]

Operations Manager for Planning Judy Johnson gave a brief PowerPoint overview of the proposal, pointing out that the application was before the Council for the sixth time. The Council had asked to see renderings showing building elevations, but staff had received an agreement between the applicant and The Courtyards at Homestead residents to decrease the building to three stories and increase its building footprint, she said. She pointed out that staff had not had time to review those revised plans.

Ms. Johnson presented two options for consideration, pass a resolution based on the four-story building that the Council had seen in the past, or defer the item while the applicant revised and resubmitted a new application. She pointed out that the Council could also move ahead with just the rezoning, and the applicant would then have a year to submit an accompanying SUP.

Mayor Hemminger said that the Council appreciated the conversation between the developer and neighbors, but it was the Council's job to look at the overall process. She noted that making the proposed change would set a precedent, and she asked the Town Manager for his insight.

Mr. Jones expressed appreciation to the developer for working hard to respond to the Council and neighbors' concerns. However, that had

resulted in a significant change and staff needed more time and information to determine whether or not the proposal would comply with Town regulations, said.

Mayor Hemminger said that she was uncomfortable moving ahead with the rezoning and was not sure what approach to take.

Mayor pro tem Anderson recommended that both the three-story and four-story options go through the Town's advisory board and staff process so that the Council could better understand the pros and cons of each.

Council Member Oates confirmed with Ms. Johnson that the Town typically asked for an additional fee when applications go through the process again. She said that an affordable housing aspect of the application could become less attractive to the developer if the Town asked that more be invested in the review process. She wanted to make it as painless as possible for the developer to achieve the Town's goals, she said.

Ms. Johnson reported that the original SUP application fee had been about \$75,000 to \$80,000. A major modification would be another fee in the same amount, she said.

Mayor Hemminger confirmed with staff that the Council had the power to adjust that fee. She remarked that going back through Town boards again would be a timely process.

Mr. Jones said that he was in the process of determining whether the new proposal could be fast-tracked but still allow a thorough review. He was hoping for four-to-five months, but it could be done faster, he said.

Council Member Gu asked why the change in footprint would affect the Council's decision regarding zoning if the zone remained the same.

Town Attorney Ralph Karpinos explained that the Council could rezone the property, and the rezoning would not be in effect until an SUP for it had been issued. If an SUP were not issued within a year, the zone would revert, he said. Mr. Karpinos pointed out, however, that doing that would leave the Council in the position of having rezoned without seeing the property for which it had done so.

Mayor Hemminger confirmed with Mr. Karpinos that rezoning the property would not allow the applicant to build "by right" without getting an SUP.

Council Member Parker said that it made little sense to approve a rezoning without an SUP. He pointed out that the developer's negotiations with neighbors had created a win-win situation and said he hoped staff would move forward quickly and not penalize the developer for making a good faith effort to respond to the community. Council Member Parker also said that the Town should respect a current proposal to cap fees at \$10,000.

Council Member Bell confirmed with Mr. Karpinos that a rezoning would approve an increase in density, the proposed number of units, and would include the applicant's commitment on affordable housing. The SUP which would address height, access, impervious surface, and more would need to be consistent with that rezoning, Mr. Karpinos said.

Council Member Bell also confirmed that the Council could still require 20 affordable units even though the total number of units was reduced in the new proposal.

Mayor Hemminger verified with Mr. Karpinos that the applicant would not be able to submit a new application for one year if the Council denied the rezoning.

Council Member Bell suggested determining whether Council members were uncomfortable with the proposed project on the property.

Mayor Hemminger replied that there seemed to be a variety of perspectives and that a rezoning, which would require six votes, could fail if the Council voted on it without a real proposal.

Council Member Bell said she was interested in hearing whether other Council members wanted to continue discussing the issue.

Mayor Hemminger reviewed the process to date and proposed that the Council see the new renderings.

Council Member Schaevitz said that she was grateful for the continued work but was uncomfortable with the zoning change regardless of the project.

Mathew Evans, of Stewart Engineering and Design, showed artist's renderings that conveyed the project's scale and how it would fit in with the neighboring community. He said that the trees between the proposed project and The Courtyards at Homestead were 101-107 feet tall, and he showed how a four-story, 60-foot building would look through the trees in the wintertime.

Council Member Oates verified that the drawings accounted for the land itself being about 15 feet taller than its neighbors.

Council Member Buansi said that the renderings had provided a much clearer idea of how the building would look and that he was comfortable with moving forward.

Council Member Oates said that she was not comfortable with a rezoning without an approved SUP because she recalled a bad outcome from something similar in the past. She praised the unusual collaboration

between developer and neighbors and said she did not want to punish them for reaching such a good outcome. Council Member Oates proposed seeing what the Council could do to expedite the process and to keep the fees low.

Mayor pro tem Anderson expressed opposition to rezoning without an SUP and said she would be more comfortable if it were changed to Residential 4. She expressed a preference for the original plan with the smaller footprint.

Council Member Stegman said that the renderings were helpful and that she was ready to move forward. She, too, preferred the smaller footprint but probably would be okay with the three-story plan, she said.

Council Member Gu said that R-2 to R-5 seemed like a big jump but was okay with it because senior living did not create as much traffic and environmental impact. She was happy to move the project forward as it was, but the Council should support the agreement with the neighbors, she said. Council Member Gu said that she did not think Council positions would change if the project were delayed.

Council Member Bell said she was okay with the project as it had been presented in the past and also as it was currently being presented. She would approve the rezoning but would also be willing to continue the conversation if doing so would lead to a larger consensus, she said.

Council Member Parker repeated his view that rezoning without an SUP would be pointless. He argued that the Council should not backtrack from the developer's agreement with the neighbors. He asked that the item come back to Council soon for a final and definitive decision so that it would not penalize the applicant for doing what the Town wanted developers to do.

Mr. Jones asked the applicant how quickly they could get a full application done.

Developer Richard Gurlitz replied that he understood that a change from a four-story to a three-story building could be shown in a PowerPoint slide. He said that he could submit an application in two weeks, but the issue was whether the Town would spend six months reviewing how the line had moved 40 feet.

Mayor Hemminger replied that the problem was greater than merely moving the line.

Mayor pro tem Anderson commented that the drawings had been helpful but that the Council should never pass anything based on a drawing because the final product usually does not look like it. She expressed appreciation to the applicant for working with the neighborhood, but said she wished it had happened earlier in the process. The Council had

merely asked for a rendering, but the applicant had returned with a different project, she pointed out, adding that she did not understand the call for reducing fees.

Ms. Stegman confirmed with Mr. Karpinos that the Community Design Commission and the Planning Commission would need to review the project again, but it would not need to go before the Housing Advisory Board.

Mayor Hemminger said that she was excited about the opportunities the project would bring and appreciated the applicant's work with the neighbors. She preferred the four-story project because the smaller footprint allowed more trees, greenspace, and opportunities for recreation, she said. Mayor Hemminger said that there would not be six Council votes for a rezoning without understanding the SUP. She recommended that the applicant request a delay so that staff could at least review the new proposal.

At Mr. Gurlitz's request, the Council allowed him and the neighbors to leave the meeting, continue discussions, and plan to return later in the meeting for more discussion.

Continued Discussion

11. FY18 Financial and Economic Update.

[19-0135]

Brandy Fesperman, a senior accountant with Martin Starnes and Associates, gave an overview of the FY 2018 auditing process and said that the Town had received an unmodified option which is a clean opinion and the highest they give.

Director of Business Management Amy Oland discussed the results and trends. She said that the Town's financial position at the end of FY 2018 was stronger than it had been at the end of FY 2017. In addition to receiving the aforementioned clean opinion, the Town had been awarded a FY 2017 Certificate for Achievement in Financial Reporting (CAFR) from the Government Finance Officers Association. The Town would soon find out if it had received that award for FY 2018, Ms. Oland said, noting that it would be the Town's 33rd CAFR award. The Town also continued to maintain its AAA bond rating, she said.

Ms. Oland said that the Town's total net position for all of its funds had increased by \$830,000 and that the General Fund's overall balance was up \$171,000. She gave a detailed explanation of fund balance and noted that it had been stable over the last eight years.

Ms. Oland provided details on the Debt Management Fund, Transit Fund, Parking Fund, and Stormwater Fund Housing Fund. In summary, she said that the Stormwater Fund was stable and in good condition. The Town was monitoring federal funding to see what fluctuations in the source

would mean for the Housing Fund in the long term, she said. With regard to the Transit Fund, staff was reevaluating capital spending needs and the reliance on federal grants, she explained.

Ms. Oland said the staff was continuing to monitor the Parking Fund's sustainability to see if it needed assistance from the General Fund. With regard to the Debt Fund, looking at planned capital needs for the next five years showed that an influx of additional revenue will be needed to support the full \$56.7 million capital program, she said. She said that the General Fund was currently breaking even but costs were increasing faster than revenues and would need to be looked at down the road.

Ms. Oland explained that there would be an initial public forum on the FY 2020 budget on February 20, 2019 and a budget work session with the Council on March 4th. A proposed debt issuance was tentatively scheduled for spring of 2020, Ms. Oland said.

This item was received as presented.

12. Open the Public Hearing and Consider Proposed Issuance of Educational Facilities Revenue Bonds by the Public Finance Authority to Benefit The Educational Foundation, Inc. or an Affiliate Thereof.

[19-0136]

Town Attorney Ralph Karpinos explained that Educational Foundation, Inc. had proposed to issue bonds to finance athletic facilities on UNC land. Under federal and state laws, the local government agency with jurisdiction over the property must hold a public hearing and approve the bond issuance, he said. Mr. Karpinos said that Council approval would not be an endorsement of the facilities or the bonds and would not have any impact on the Town's liability.

Attorney Kristen Kirby, acting as bond counsel to the Public Finance Authority in connection with the proposed issuance, explained that the bonds, if issued, would be privately placed with the BBNT. The proceeds would go to the Educational Foundation, Inc. (a.k.a. Rams Club) to finance a number of improvements to athletics facilities, she said.

Ms. Kirby explained that federal tax codes required approval by the highest elected body having jurisdiction over the issuer and the project's location. She stressed that Town approval would not represent a Town debt and that the Town would have no obligation with respect to payments. Educational Foundation, Inc. would make all necessary payments and the Town's debt ratio or debt limit would not be affected, she said.

Katie Loovis, representing the Chapel Hill-Carrboro Chamber of Commerce, expressed support for the bond issuance. She noted that UNC had been first in the nation to invest in a stadium for women's lacrosse, and she

told of her own experience as a former UNC lacrosse player. Ms. Loovis pointed out that the entire Town benefited when there was a sports event at UNC.

Mayor pro tem Anderson clarified that the planned projects would all be on UNC's main campus.

A motion was made by Council Member Parker, seconded by Council Member Buansi, to close the Public Hearing and that R-9 be adopted. The motion carried by a unanimous vote.

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

13. Concept Plan Review: 1200 Martin Luther King Jr. Blvd.

[19-0137]

Planner Michael Sudol gave a PowerPoint presentation on a concept plan for a 13.9-acre site at 1200 Martin Luther King Jr. Boulevard (MLK). The proposal was to demolish and replace a gas station, construct a 3-story self-storage building behind the new gas station, relocating several mobile homes, and potentially moving some to a 4.5-acre Research Conservation District (RCD).

Mr. Sudol said that there were 73 mobile homes on the site which was zoned Residential 4. He recommended that the Council discuss whether the applicant should consider using Conditional Zoning, a Development Agreement, or an SUP process if the project were to move forward.

Dan Jewell, of Coulter Jewell Thames, said that he was assisting Stackhouse Properties with the application. He described the site and showed it on an aerial map. Mr. Jewell explained the property's history, noting that its owner had received offers to clear it and build apartments there but preferred to maintain as many of the existing homes as possible. He pointed out that his client's proposal would allow most of

the homes to remain on the property.

Mr. Jewell said that the applicant had submitted an application in October 2018 but had delayed the process after residents expressed concern about the disruption to their community. Since then, the Housing Advisory Board (HAB) had proposed a concept plan that would maintain all of the mobile homes but move some to the outer zones of the RCD, he said.

Mr. Jewell said that the new proposal would retain all of the homes on site at the developer's expense and would bring three or four new mobile homes onto the site. Stormwater management, sidewalk, and street trees would be added to the site. Moreover, the applicant would commit to not submitting any applications that would affect residents until 2030, he said. He added that the applicant intended to apply for Conditional Zoning.

Council Member Buansi verified with Mr. Jewell that the waiting period for residents to relocate would be at least a year from the point when a CZ was approved. He also confirmed that an occasional box truck would pull up to the loading facility but that no trucks would be stored at the site. Council Member Buansi verified that 15 or 16 homes would need to be re-situated and that those currently located in the RCD had never experienced flooding.

Council Member Oates said she wondered if including a gas station would be worthwhile since there were two others nearby. She ascertained from Mr. Jewell that the new convenience store would be a mini-grocery, selling more than just soda, potato chips and candy.

Mayor pro tem Anderson determined from Mr. Jewell that the CDC had asked about possibly building apartments above the storage facility but had then come to a better solution for keeping homes on the site. She also confirmed that there might be a possibility of moving trailers from another mobile home park to the site.

Council Member Parker pointed out that the Town had another request for self-storage, as well. He asked about having two self-storage buildings in town, and Mr. Jewell replied that there seemed to be a market, and he gave examples of the demand.

Council Member Parker asked if the trailers were in good enough condition to be moved.

Mr. Jewell replied that his client, which had owned, managed and developed other mobile home parks in North Carolina, said that they could all be moved. However, if one could not, then the applicant would work with whomever was needed to get the resources and financing needed for a new home, he said.

Council Member Parker asked if the developer was willing to keep the trailer pads affordable and protected against rate increases for some period of time.

Mr. Jewell replied that they would probably be pegged at whatever the prevailing market rate was in Town. There would be further discussion about that and the applicant would bring back an additional response when submitting an application, he said.

Council Member Parker asked if a permit would be needed to excavate or rebuild the old gas station, and Mr. Jewell said he believed that any necessary cleaning had been done as part of the property transfer. The standard operating procedure was to take care of such things before closing, said Mr. Jewell.

Deloris Bailey, executive director of EmPOWERment, Inc., said that she had come to discuss the community organizing that had taken place but wanted instead to express her outrage over how residents who had come to speak on this topic, had been treated earlier in the meeting. She said that those residents had been asked to give up their seats for people who came later and had no place to sit. Ms. Bailey said this happened because of how the residents look.

Mayor Hemminger apologized and stated that Council members had not known that had happened. There had been an overflow crowd, but the Council should have addressed the problem from the dais. The Council did not mean any disrespect whatsoever and she was very, very sorry, Mayor Hemminger said.

Maria Cardona, a Chapel Hill resident, said that she and others were worried that rents would increase and that they would be unable to continue living at the mobile home park. She also said that she was paying \$100 month for water and sewer for only herself and one child. Ms. Cardona expressed concern about safety behind the storage facility. She said that she was particularly worried about unprotected children living behind a facility that would be open until 10:00 pm.

Vanessa Woods, a Chapel Hill resident and educator, said that the mobile home park residents were frightened due to uncertainty about where they would be living. She said that children needed a stable, trauma-free home-life and that the mobile park situation, in general, was untenable. Ms. Woods stressed the need for a broader Town plan regarding mobile home parks.

Kim Talikoff, a Chapel Hill resident and educator, pointed out that no buffer had been proposed between the three-story self-storage unit and the mobile home park community. She would not feel comfortable sending her own children out to play in that circumstance, she said. Ms. Talikoff commented on the lack of a plan for how older units would be successfully

moved or for what would happen if that failed. She hoped the Council would give the plan as much attention as it had given the Independent Senior Housing plan presented earlier in the evening, she said.

Mayor Hemminger pointed out that the Council was addressing a concept plan, which did not include details, and that the Council would not be taking a vote.

Council members individually apologized to the attendees who had been asked to give up their seats earlier in the meeting. They each explained that they had been unaware of the situation and vowed that it would not happen again. Council Members Bell and Oates also recommended that Ms. Cardona's water bill be checked for accuracy.

Council Member Schaevitz said that she felt encouraged by the project's proactive approach and wanted a quick turnaround. She would consider Conditional Zoning but needed to better understand some aspects of the project, she said. Those aspects pertained to possible infrastructure upgrades, protections regarding rent increases, alignment of the self-storage building with the neighborhood, the water and sewer situation, and concerns regarding buffering between the commercial and residential uses, she said.

Mayor pro tem Anderson agreed with all that Council Member Schaevitz had said and expressed appreciation for the applicant's efforts to preserve the neighborhood. She suggested asking residents for their opinions regarding a proposed playground and suggested creating an actual physical barrier between uses. Mayor pro tem Anderson said, however, that self-storage and a gas station were not particularly exciting uses.

Council Member Buansi agreed with others regarding the need for a physical barrier between uses and said that having only a front entrance might address that privacy concern. He requested that the applicant provide visual renderings if the project goes forward. Council Member Buansi said he preferred Conditional Zoning for the project and would like to see some protection against stark rises in rent.

Council Member Parker agreed with others and said that good architectural design would be important because the people who live in the trailers would not want to be looking at a brick wall. He stressed the importance of making sure that the project closely coordinated with the bus rapid transit design so that it would not be an outlier on MLK.

Council Member Parker verified with Mr. Jewell that everyone at the site was on Orange Water and Sewer Authority (OWASA) water and sewer, with a master meter at the street and sub-meters at each unit. Meters were read and then a prorated share of the OWASA bill for that month was passed on to each resident, Mr. Jewell explained.

Mayor Hemminger confirmed with Mr. Jewell that the applicant was in the process of checking for leaks in the water line.

Council Member Stegman said she appreciated the plan to preserve homes and to fix the nearby intersection. She had attended the HAB's discussion about keeping everything in front of the property and had heard its ideas about screening in the back, she said. She added that meetings with neighbors throughout the process would be very important.

Council Member Stegman asked if the storage facility could close earlier than 10:00 pm. She said that 10 years of rent protection did not seem enough, noting that affordable housing requirements were usually 20-30 years. She was fine with Conditional Zoning, she said, and she recommended that the area be open and connectable to things that might be designed around it.

Council Member Gu said she appreciated the effort to preserve the community but did not feel excited about the project. She was hoping that MLK would be an example of transit-oriented development and did not see how the proposal fit in with that vision, she said.

Council Member Bell agreed with what others had said about safety concerns, parking, buffers, and design. She said she was okay with Conditional Zoning. She was not opposed to moving units to the RCD, but would want to see a more detailed plan about what would happen with those that could not be moved, she said. Council Member Bell said she had concerns about the agreement to maintain affordability.

Council Member Oates said she was pleased to see that there might be capacity to help others whose communities were at risk. She raised concerns about light from the commercial area spilling into homes, and said that some sort of barrier should be added to protect against that at night.

Mayor Hemminger said she was happy about all the work the applicant had done to keep homes where they were and not displace people. She said that the area did not currently lend itself to commercial development and that those who get off buses at that spot like having food right there. There was a community need for self-storage and the project seemed like a good fit, she said.

Mayor Hemminger asked that the plan address the safety and privacy issues that others had mentioned. She also asked the developer to talk more with community members about their ideas for a playground. While there were flooding concerns with RCDs, the mobile home park had been at that location before the Town defined its RCD, she pointed out. Mayor Hemminger asked the applicant to bring back more information about a 50-foot buffer.

This item was received as presented and (R-10) was approved by consensus.

9. Consider an Application for Zoning Atlas Amendment - Independent Senior Housing, 2217 Homestead Road (Project #17-107).

[19-0110]

Mr. Gurlitz returned after having what he described as a successful discussion that led to an understanding with The Courtyards residents regarding his proposed independent senior housing facility on Homestead Road.

Mr. Karpinos and Mayor Hemminger noted that the current conversation was not part of the sworn testimony that would be given if the Council opened either of the public hearings.

Dianne Martin, representing The Courtyards at Homestead, expressed disappointment that the Town was not honoring the collaborative agreement between the developer and neighbors. She said that Courtyards residents were committed to the four tenants of the agreement, and would support those that remain if any were removed. Ms. Martin said that staff had not been able to offer any assurance that a review of the three-story project could be completed in two months. Neighbors were feeling disappointed and surprised that their high level of collaboration was not being honored by the Town Council, she said.

Alex Eyssen, vice president at Bainbridge Companies, described the process to date and said that going backwards was not feasible. He asked that the original application be heard and moved forward.

Mayor Hemminger proposed opening the public hearing on the rezoning which would include the stipulations regarding affordable housing.

Mr. Karpinos pointed out that limiting permit fees to \$10,000 would be part of the rezoning, as well.

Council Member Gu confirmed with Mr. Gurlitz that discussions with staff had revealed that taking the three-story plan though all of the Town's processes would take months. She confirmed with the applicant that they would agree if they could get a commitment from staff that a new packet would be before the Council in 60 days.

Director of Planning Ben Hitchings explained that staff needed to see a complete application showing exactly what was being proposed before it could evaluate whether it would be a major or minor revision. Staff's preliminary look had revealed that the building would have to go back to the Community Design Commission at least and possibly to the Planning Commission, he said. Staff would need to see a complete set of engineering drawings before it could confirm that the project complied with the Land Use Management Ordinance, Mr. Hitchings explained.

Council Member Parker said that another project, the Medical Office Building at Eastowne, had made similar scale changes and that staff had been able to process that in about two months. The Town should not penalize people for collaborating, he said.

Mayor Hemminger pointed out that the applicant was saying that a two to three month delay was acceptable, but not a five to six month process.

Town Manager Jones pointed out that the length of the review process would be driven by what was in the new plan. A minor adjustment might be addressed within two to three months, he said. Mr. Jones cautioned against saying that anyone was being penalizing. Staff had received the revision only two days prior, and did not have a site plan, and was trying to work through the process to make sure that everything was done properly, he said.

Mayor Hemminger confirmed with Mr. Jones that staff could agree to two-three months but would send the application back to Council, as is, if the revisions were too complicated and would take longer than that. She confirmed that that plan was acceptable to Council members, and Mr. Karpinos said he would revise the language.

Mr. Eyssen noted that it could take two to three weeks to revise the engineered plans but that the applicant was in complete agreement to do so.

Mr. Hitchings pointed out that there was a difference between "engineered" and "engineering" plans. Staff would need an accurate, engineered, site plan, he said, and he confirmed with Mayor Hemminger that staff would be given three months to look at it.

Mr. Gurlitz asked for a certain turnaround time from when he submitted plans to when staff would determine whether it was a major or minor revision, and Mr. Hitchings agreed to draft a schedule.

A motion was made by Council Member Oates, seconded by Council Member Buansi, to delay the rezoning application and remand the special use permit application so that complete engineered plans showing proposed revisions to the special use permit and the project can be submitted by the applicant and reviewed by staff and applicable advisory boards, if necessary.

Both the current rezoning and the special use permit proposal, with alternatives for the current 4-story plan and the proposed 3-story plan, will come back to the Council as soon as these reviews can be completed and staff memos prepared.

Council directed that the staff give this application priority and schedule all necessary reviews at the earliest possible time following said reviews, provided that the project will come back to the Council no later than the final Council business meeting in May, 2019.

The Council also approved the waiver of any further application fees associated with the revised special use permit plans proposed by the applicant.

Because there is no certain date for these applications to return to the Council, the Council directed that further public notice for the rezoning and special use permit applications be provided when the rezoning and special use permit return for public hearing. The motion carried by a unanimous vote.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Bell, that this Zoning Atlas Amendment be continued to a date uncertain. The motion carried by a unanimous vote.

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.

10. Consider an Application for Special Use Permit - Independent Senior Housing, 2217 Homestead Road (Project #17-096).

[19-0107]

This item was deferred to a future meeting.

APPOINTMENTS

14. Appointment to the Community Policing Advisory Committee.

[19-0138]

The council appointed Elizabeth Taylor to the Community Policing Advisory Committee.

ADJOURNMENT

The meeting was adjourned at 11:20 p.m.



TOWN OF CHAPEL HILL

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

Town Council Meeting Minutes - Draft

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 Council Member Rachel Schaevitz

Wednesday, February 20, 2019

7:00 PM

RM 110 | Council Chamber

Roll Call

Present: 7 - Mayor Pam Hemminger, Mayor pro tem Jessica Anderson,

Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Nancy Oates, Council Member Michael

Parker, and Council Member Rachel Schaevitz

Absent: 2 - Council Member Donna Bell, and Council Member Karen

Stegman

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Communications Specialist Mark Losey, Planning Operations Manager Judy Johnson, Planning Director Ben Hitchings, Business Management Director Amy Oland, Principal Planner Corey Liles, Ombuds Beth Vazquez, Downtown Special Projects Manager Sarah Poulton, Executive Director of Community Arts & Culture Susan Brown, Budget Manager Matt Brinkley, Fire Inspector Chris Kearns, Police Officer Rick Fahrer, Deputy Town Clerk Amy Harvey

OPENING

 Update on Club Nova Project (no attachment)
 PRESENTER: Rosemary Waldorf, Co-Chair of the Club Nova Capital Campaign [19-0151]

Mayor Hemminger opened the meeting at 7:00 p.m. and explained that Council Members Stegman and Bell were absent due to professional and personal reasons. She then introduced former Mayor Rosemary Waldorf, co-chair of the Club Nova capital campaign, to give a progress on Club Nova's fundraising efforts.

Ms. Waldorf described Club Nova's work with individuals who live with severe and persistent mental illness. She provided statistics that support Club Nova's effectiveness and said it was saving the community \$2 million

per year. She outlined a plan to construct a 12,000-square-foot facility in Carrboro and a campaign to raise \$4.5 million to cover those costs. Ms. Waldorf expressed appreciation for the Town's prior support and asked for a pledge of \$75,000.

Mayor pro tem Anderson confirmed from Ms. Waldorf that UNC Health Care had contributed \$50,000 and that Club Nova was hoping for a continuing program with the Emergency Department at UNC Memorial Hospital. That program could become an important resource and a revenue stream for Club Nova, Ms. Waldorf said.

Mayor Hemminger expressed gratitude on behalf of the Town and said she felt proud of Club Nova's work. The Town would be in touch to discuss the funding request, she said.

0.01 Successes Video: Winter Fun at the Library.

[19-0176]

Mayor Hemminger introduced a "Celebrating Successes" video titled "Winter Fun at the Library" which showed events and activities that had recently taken place at the Chapel Hill Public Library. These included a sleepover with stuffed animals, an event with favorite authors, reading activities, a book sale, and a trip to a giant candy land. Mayor Hemminger said that the Public Library was one of the Town's most used facilities.

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.

1.01 Julie McClintock (for John Morris) Request for Town-Sponsored Community Meetings for Those Affected by Durham-Orange Light Rail Transit Project.

[19-0177]

Julie McClintock, a Chapel Hill resident, presented a petition from her husband, John Morris, which asked the Council to hold at least two public meetings on basic facts regarding the light rail project. Mr. Morris's petition stated that GoTriangle should honor its promise to explain issues such as the location and frequency of traffic interruptions during construction and operation, particularly at grade level crossings where traffic would be interrupted every 10 or 20 minutes.

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 Council Member Gu Regarding LightUp Festival.

[19-0178]

Council Member Gu pointed out that an annual Lightup Festival, a collaboration between the Chinese American community, Town, UNC Performing Arts, Downtown Partnership, local high school and university students, and volunteers, would take place on Sunday from 11:00 a.m. to 5:00 p.m., Downtown.

1.03 Mayor Hemminger Regarding Wilson Caldwell Day Celebration

[19-0179]

Mayor Hemminger announced a Wilson Caldwell Day celebration on Sunday at the Sonja Haynes Stone Center for Black Culture from 3:00 p.m. to 5:00 p.m. Wilson Caldwell had helped save the Town during the Civil War and was the Town's first Black elected official, she said.

1.04 Mayor Hemminger Regarding Community Meeting to Gather Input for Traffic Calming near Wegmans Project.

[19-0180]

Mayor Hemminger pointed out that a community meeting would be held at the Chapel Hill Public Library at 6:30 p.m. on Monday to gather public input on traffic calming near the new Wegman's project.

1.05 Mayor Hemminger Regarding Chapel Hill Code Brigade Meeting.

[19-0181]

Mayor Hemminger said that there would be no Council meeting on Wednesday, February 27, but a Chapel Hill Code Brigade meeting would be on that day at 6:00 p.m. in Town Hall. She explained that the Code Brigade was a group of software developers, web engineers, and data professionals who work with Triangle-area governments to develop open-web technologies.

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.

Town	Council Meeting Minutes - Draft	February 20, 2019
2.	Approve all Consent Agenda Items.	[19-0152]
	This resolution(s) and/or ordinance(s) was adopted and/or enacted	d.
3.	Schedule Review of a Concept Plan on the Christ Community Church Project for March 20, 2019.	[19-0153]
	This resolution(s) and/or ordinance(s) was adopted and/or enacted	d.
INF	ORMATION	
4.	Receive Upcoming Public Hearing Items and Petition Status List.	[19-0154]
	This item was received as presented.	
5.	Receive Update on the Building Integrated Communities Action Plan.	<u>[19-0155]</u>
	This item was received as presented.	
DIS	CUSSION	
6.	Initial Budget Public Forum.	[19-0156]
	Director of Business Management Amy Oland gave a PowerPoint presentation on the FY 2019-2020 Operating Budget, Capital Program, Community Development Block Grant (CDBG) and HOME Programs, Housing Capital Funds Program, Public Transportation grants, and the Downtown Service District. She provided progress reports and information estimated funding, deadlines and next steps for each of those topic	ation
	Ms. Oland said that the Council had met with its legislative delegation January and that the deadline for filing bills would be March 28, 2019. Proposals from citizens would be considered at an upcoming Council meeting, she said.	
	Ms. Oland told Council members that departmental budgets had been submitted and were being reviewed. In addition, public forums had be scheduled for March 20th and May 8th, and the public could also send comments to the Mayor and Council by letter, fax or email, she said. It budget information would be posted on the Town's website and adoption of the budget was scheduled for June 12th, said Ms. Oland.	All
	Mayor Hemminger pointed out that citizens could come to Council meetings and comment as well.	
	Robert Dowling, executive director at Community Home Trust, thanked Town for past support and asked for a 1.5 percent increase in funding FY 2019-2020. He said the relationship with the Town was the most important one that Home Trust had. Mr. Dowling reported that the Community Home Trust's inventory stood at 260 homes, 215 of which	for

in Chapel Hill. He expected to add nine more homes in FY 2019-2020, he said.

Ms. McClintock spoke about areas of the budget that needed more attention, in her opinion. These included getting Orange County to increase its commitment to Chapel Hill Transit and being more strategic about Stormwater related issues, such as paving secondary streets.

Mayor Hemminger pointed out that Stormwater issues and related projects would be addressed at an upcoming meeting.

Susana Dancy, a Community Design Commission member, speaking only for herself, suggested that the Town use a holistic approach to urban design, such as the Town of Hillsborough had done by hiring a public space manager who coordinated multiple departments to work together on goals and projects. She asked the Council to consider funding that type of position and offered to submit additional information.

Mayor Hemminger replied that there had been much interest in the urban designer issue and that the Council would look at that and other requests that had been brought before it tonight. She suggested that Ms. Oland use a pie chart approach with future presentations.

This item was received as presented.

7. Receive an Update on the Rogers Road Zoning Initiative.

[19-0157]

Principal Planner Corey Liles provided an update on the Rogers Road Zoning initiative for the historic area at the northwest edge of Chapel Hill in a Chapel Hill/Carrboro joint jurisdiction where multiple generations of African Americans had lived since the 1700s. He explained that special planning initiatives for the area were underway and described a community-led vision that included a zoning initiative, new sewer construction, and consideration of how a nearby Greene Tract would affect the Rogers Road area. Mr. Liles recommended that the Council provide comments and said that the item would return for a public hearing on April 17, 2019.

Caroline Dwyer, of Renaissance Planning Group, described the zoning initiative. She outlined the goals, explained zoning standards, and discussed the timeline and draft recommendations. Public engagement had been the most important part of the process and great progress had been made, she said.

Ms. Dwyer mentioned a document called "Mapping Our Community's Future" which included recommendations to retain families in the neighborhood, to connect those families with each other and the larger community, to preserve socioeconomic and cultural diversity, and to respect the physical and natural characteristics of the neighborhood.

Ms. Dwyer reviewed progress since September and showed a draft zoning map. Draft recommendations included establishing a Historic Rogers Road Neighborhood zoning district, defining neighborhood "character areas", identifying new mixed-use areas, and preserving the character of the Rogers Road corridor, she said. Larger recommendations would include expanding housing choices, working to support a wider range of home-based businesses, and improving neighborhood connectivity, Ms. Dwyer explained. She said that next steps would be to hold more community meetings and to take recommendations to Chapel Hill and Carrboro boards in May for review and adoption.

Council Member Schaevitz confirmed with Mayor Hemminger that an update on the St. Paul's A.M.E. Church project had been scheduled for April 2019.

Council Member Oates said "the elephant in the room" was the adjacent Greene Tract and the potential effect of traffic from there on the Rogers Road area.

Council Member Gu asked if the concept of sustainable development, where the neighborhood is transit-oriented, walkable and bikeable, and close to shopping and retail, had been part of the conversation.

Ms. Dwyer replied that her background was in sustainability planning and that that infused everything she did professionally. Rogers Road was a transit-dependent neighborhood and such issues were in the forefront of planners minds, she said. She pointed out that the Rogers Road neighborhood was slightly limited by current bus routing. She hoped that more buses would pass by as development north of Rogers Road increased, Ms. Dwyer said.

Council Member Buansi verified with Mr. Liles that the Chapel Hill and Carrboro planning staffs had met and discussed concepts and decisions regarding zoning and had a very close partnership. Council Member Buansi confirmed with Mayor Hemminger that Carrboro had made a commitment at the time of annexation to install sidewalks in the Rogers Road area.

Mayor Hemminger asked about creating a more formal greenway where a trail that led from the neighborhood to Eubanks Road was located.

Ms. Dwyer replied a utility right-of-way in that area might prevent that from being part of the current project. Planners hoped to include greenways among the community amenities that would need to be developed, she said.

Reverend Robert Campbell, RENA president, explained that the conversation regarding the trail had reached a standstill because a greenway there would not benefit the neighborhood until the Greene Tract was developed. He requested an additional meeting after March 14th so

that members of the Phoenix neighborhood could attend. He suggested scheduling it for a Saturday, or early in the day, because many Phoenix residents work in the evening. Reverend Campbell pointed out that translators would be needed at that meeting as well.

Mayor Hemminger described the process thus far among town staffs, mayors and commissioners toward making improvements to help the neighborhood be the best it could be without completely changing it. She said that the Assembly of Governments had directed them to look at the project from multi-jurisdictional perspective. Mayor Hemminger reminded Council members that part of the Rogers Road neighborhood was not within Town limits but was in the joint planning jurisdiction.

This item was recevied as presented.

8. Consider Adopting Greene Tract Resolution.

[19-0158]

Mayor Hemminger asked that Item 10 be moved ahead of Item 9 because Item 10 was short and many people were present to address it.

Operations Manager Judy Johnson gave a PowerPoint overview of a joint resolution for recombining the Greene Tract property. The recombination would include a potential school site and a joint preservation area, she said, and she showed those areas on a map. Ms. Johnson said that the Assembly of Governments had recommended bringing the property to the three boards, Town Council, Carrboro Aldermen, Orange County Commissioners, for action. The Board of Aldermen and the Commissioners had adopted the resolution, she said, adding that the three jurisdictions would begin the Greene Tract master planning process after all had adopted the resolution.

Ms. Johnson described a proposed recombination of 164 acres. She said that Orange County owned 60 of those acres and the three jurisdictions jointly owned the other 104 acres. She showed the results of an environmental scan of the property and said that Orange County had already put its 60 acres into a headwaters preserve. After all jurisdictions had approved resolutions, next steps would be to conduct a recombination survey, hold community meetings, draft land uses and development strategies, and begin the master planning process, she said.

Ms. Johnson pointed out that all three jurisdictions had agreed in 2002 to designate 18 acres for affordable housing and 86 acres for open space. The remaining land was owned by the Landfill Owners Group at that time, she said. She explained that the proposed resolution would modify that designation to include a 60-acre headwaters preserve owned by Orange County, a 21-acre joint preserve in the southern portion, an 11-acre school site/public park facility farther south, and a future housing development along the railroad track and 60 acres for a yet-to-be-determined purpose.

Council Member Schaevitz confirmed with Ms. Johnson that the master

planning process would be for the mixed-use portion to the west of the site.

Mayor pro tem Anderson noted that the percentage of preserved space being proposed would be 74 fewer acres than in the 2002 agreement. She confirmed with Ms. Johnson that a joint master planning process would include town managers, mayors and the county chair, and that staff would report to the Council on those meetings at regular intervals.

Mayor pro tem Anderson asked about the thinking that had gone into what land would be developed and what would be preserved. She said that the amount of development seemed like a change from the 2002 plan.

Ms. Johnson replied that there had been numerous plans for the area. She pointed out that the land was in the Urban Services District and that all three jurisdictions owned the mixed-use portion. Planners had always looked at the most restrictive of each town's ordinance and would work through that during the master planning process, she said.

Mayor Hemminger said that she had been involved in the issue from many different perspectives over the years. It had previously been just an idea on a map that included some affordable housing and a school site somewhere, she said. She explained that the environmental features had not been laid out and the plan had been to preserve open space and then look later at how much was environmentally sensitive and how much could be used for affordable housing. A commitment had been made to preserve a school site, but the school system did not expect to develop the site in the next 20 years, Mayor Hemminger said.

Thomas Gerakaris, a Chapel Hill resident, expressed support for the 2002 map and said he was disappointed that he had not heard anything about the item before the previous week. He expressed concern about the proposed school site being close to his house on Billabong Lane and said he would challenge anyone who believed that that site was not the greatest watershed on the property.

Sam Ebi, a Chapel Hill resident, said that he had lost a 730-foot easement to the Rogers Road sewer and that the proposed plan indicated that the Town was planning to cut through his property for the school site. He said that the prior day was the first time he had heard about the proposal. He asked the Council to consider the impact on the environment and on the animals living on that land. Mr. Ebi said that he was open to selling his property to the Town.

Andrew Slack, a Chapel Hill resident, said that he had spent 3.5 years involved in a lawsuit because the Town had wanted to take his private corner property for access without compensating him. He asked why neighbors had not been notified about the current item.

Mayor Hemminger replied that she was not sure why residents had not been notified. She pointed out that it was not a rezoning.

Mr. Slack characterized that as "kind of a workaround, not really a rezoning". He said that he had never seen an instance where sites were designated without determining access to them. Perhaps access was already known, just not by the public, he said. Mr. Slack suggested that the Council holding off and solicit community input before adopting the resolution. He agreed said that Council members should actually walk the site before making any decisions.

Mayor Hemminger replied that many Council members had walked the site. She confirmed with Ms. Johnson that the resolution before the Council would approve the recombination, which included the 11-acre school site designation. She said that the Assembly of Governments had discussed the recombination but had not discussed formally adopting the school site. She would have difficulty designating that without having a larger conversation about it and would be interested in a resolution that approved only the recombination until such a discussion was held, she said.

Ms. Johnson pointed out that doing so would mean striking #2 on the resolution.

Mayor pro tem Anderson agreed and said she was not clear about how the Town was making choices. She suggested having a conversation about how comfortable the Council was with developments at various stages, adding that she thought there were different ideas about that. She said she agreed with omitting the school site for the present time.

Ms. Johnson replied that staff was looking for guidance from the three boards regarding what their expectations were.

Council Member Parker said that problems often arise when multiple parties do not approve the exact same resolution. He asked if omitting the school site would still allow the process to move forward.

Mayor Hemminger and Ms. Johnson explained that the agreement was to recombine the two properties and that the other discussion would go forward after that.

Council Member Gu raised concerns about the criteria used for defining the joint preservation area. She wondered if there was enough buffer and if enough attention had been paid to the sensitivity of that area, she said.

Ms. Johnson replied that all three jurisdictions had looked at the area and that the next step after, approving the recombination, would be to create the "green" parcel by surveying and taking the most restrictive regulations from each jurisdiction.

Council Member Gu said she was more concerned about a "finger shaped" area, but Ms. Johnson explained that staff understood how the shape of that area would vary over time and was not progressing with it at the current time.

Council Member Oates confirmed with Ms. Johnson that approving only the recombination would not commit the Town to developing anything, only to moving the lot line to a slightly different configuration where Orange County would own 60 acres and the partners would own 104 acres jointly.

Council Member Oates said that the Council should eliminate number 1 in the resolution as well as number 2, because number 1 included agreement to Exhibit 1, which was essentially landlocked except for Purefoy Drive. She pointed out that Council had just heard that Rogers Road residents were concerned about traffic and that they strongly desired to preserve their sense of community. She could not support making Purefoy Road the main entrance to the Greene Tract for those reasons, and approving Exhibit 1 could "take on a life of its own" even if the Council said it was conceptual, she said.

A motion was made by Council Member Oates, seconded by Council Member Parker, that R-3 be adopted as amended with #1 and #2 removed. The motion carried by a unanimous vote.

10. Update on the Inaugural Chapel Hill Peoples Academy.

[19-0160]

Beth Vazquez, of the Town's Ombuds Office, gave an overview of the Chapel Hill People's Academy's first year. She outlined an outreach effort to increase diversity on Town boards and commissions and shared demographics information about applicants. Staff had determined that offering childcare and/or transportation would help to lower barriers to Town participation, Ms. Vazquez said.

Special Projects Manager Sarah Poulton shared more information and highlights from the People's Academy's first year outcomes and goals. She said that a crucial part of the first year had been to lower barriers and attract participants. With this outreach goal in mind, the Town had provided snacks and dinner, rides and transportation, childcare, a flexible schedule, and materials in several different languages, she said.

Ms. Poulton reported that 43 of the 62 participants had completed the minimum number of sessions to graduate. The program had cost about \$4,800 for supplies, food and translation costs, she said. She provided statistics on various outcomes and said that 74 percent of participants had reported learning much about Town government and 70 percent were considering serving on a Town board or commission.

Ms. Poulton noted that the Town had already received six applications and the Council had appointed two people. Those who reported that they

served as a leader in their community had increased from 67 percent to 78 percent, she said. Ms. Poulton said that another similar Academy was planned for fall 2019 and that outreach would be expanded.

Council Member Parker confirmed with Ms. Poulton that participants had been selected on a first come/first served basis that was based on their application date.

Council Member Schaevitz said she could think of many things to email graduates about, but she expressed caution about overwhelming and exhausting the 62 to the point where they would not want to attend another public meeting. She strongly praised the childcare room, stating that her own children had loved it.

Mayor pro tem Anderson characterized the People's Academy as "exciting and amazing" and ascertained from Ms. Poulton that participants' interests in boards and commissions varied. The two who had been seated were now serving on the Historic District Commission and the Community Policing Advisory Committee, she said, adding that others had applied for the Justice in Action Committee, the Planning Commission, development review, and others.

Council Member Buansi commended the program for clearly trying to engage those who were not traditionally involved in government affairs. He recommended sending participants notices about when commissions pertaining to their interests would be meeting.

Council Member Gu commented that such programs make Chapel Hill stand out from other cities and towns. She suggested offering a lighter version of the program to the Town's youth, especially to those from immigrant communities.

Council Member Oates agreed with the comments from others and said that she especially appreciated the diversity efforts.

Katie Loovis, of the Chapel Hill-Carrboro Chamber of Commerce, praised the program. She said that she had graduated from the inaugural People's Academy and that adding diversity and the high-caliber content had made the program very enriching. Ms. Loovis said she had been impressed by the intelligent and caring people who make up Town staff. She liked Council Member Gu's idea of engaging younger people as well, she said.

Mayor Hemminger agreed with what others had said, adding that she had greatly enjoyed the experience and had learned a lot from conversations she'd had while participating. The program had provided an opportunity for her to hear some of the concerns, comments and questions from people who might not feel comfortable speaking up at Council meetings, she said.

This item was received as presented.

9. Consider UNC Health Care Eastowne Development Agreement Proposal.

[19-0159]

Director of Planning and Development Ben Hitchings said that Item 9 was a follow-up to a February 6, 2019 Council work session on UNC Health Care's Eastowne Development Agreement (DA) proposal. He said that a final agreement would represent a combination of Town and UNC Health Care principles and site characteristics. Mr. Hitchings explained that Council's adoption of Resolution 4 would authorize the following: adopt Town's principles; enter into a DA process with UNC Health Care; form a Council subcommittee; authorize the Town Manager and Town Attorney to support the negotiation process; authorize the Manager to determine an appropriate fee structure; and commit to proceeding in a timely manner.

Simon George, vice president for Real Estate and Development for UNC Health Care, introduced an updated schedule that included more Council inclusion through the involvement of a Council subcommittee.

John Martin, principal with Elkus Manfredi Architects, said that UNC Health Care's objective was to have an 18-month process, and he outlined a proposed framework for that.

Council Member Parker requested that the Town's development review boards and stormwater boards designate at least one member to attend joint meetings. He confirmed that the negotiating committee would share a common understanding and details on the Town's position prior to beginning the negotiation phase. He also confirmed that consultants would include an urban designer, a transportation engineer, and an environmental scientist -- and would all be hired by the Town and paid by the applicant.

Mr. Hitchings explained that the proposed schedule for each major topic had been structured to proceed in the following sequence: Council, Council subcommittee, staff, advisory boards, public, Council subcommittee, and Council. It would be a logical flow, beginning and ending with the Council, he pointed out.

Council Member Schaevitz confirmed with Mr. Hitchings that all advisory boards would be invited to the combined meetings. She confirmed with Mr. Martin that a sustainability workshop was being considered for March 25th but that plans for that had not been finalized.

Mayor Hemminger proposed having a champion from each board attend joint meetings, and Mr. Hitchings agreed to arrange that.

Council Member Parker questioned the sequencing of the process. He argued that the Transportation Board should be first, followed by the Housing Advisory Board, Environmental Steward Board, Planning

Commission, and finally the Community Design Commission.

Mr. Hitchings and Mr. Martin explained the rationale for the suggested order, but Mr. Martin said that the applicant was flexible regarding which boards came first and would be willing to add meetings for the Planning and Community Design Commissions. UNC Health Care was committed to appearing before any board at its standing meeting and would be happy to provide them with updates, he said.

Council Member Parker asked what the applicant envisioned that the negotiating team would be doing prior to the start of the DA in November 2019.

Mr. Hitchings explained that staff was trying to share information and build a common understanding of the different issues early on. He said that there was much to know and staff wanted to work with the Council early on regarding the details of what should happen on the site.

In reply to a question from Mayor pro tem Anderson, Mr. Hitchings described the urban designer's, transportation engineer's, and environmental engineer's roles. She confirmed with him that the urban designer could provide input on road design.

Mayor pro tem Anderson said that the Towns' principles seemed to encompass all of UNC Health Cares' principals, and more. She confirmed with Mr. George that the applicant definitely agreed with elements of the Towns' principles.

Mr. Hitchings said that staff would try to find the areas of intersection through the DA process.

Mayor pro tem Anderson asked if an earlier suggestion about having a working committee made up of chairs and vice-chairs of development review boards was something that UNC Health Care had been thinking about.

Mr. Hitchings replied that there was a question about how that would intersect with the idea of having champions. Staff could raise the issue with advisory boards and find out how they would like to send chairs, vice chairs, or designated champions, he said, adding that staff would communicate any preferences the Council had.

Mayor pro tem Anderson said that some impacted members of the public should be included.

Mr. Hitchings noted that advisory board members were members of the community as well. In addition, there would be public meetings, and each advisory board had public comment time, he pointed out. Mr. Hitchings said that there would be lots of opportunities for stakeholders throughout

the community to share their input.

Mayor pro tem Anderson said that she was thinking about more of a citizens' group, such as the Obey Creek Compass Committee.

Council Member Parker replied that the Compass Committee had worked on the front end before negotiations began.

Mayor Hemminger pointed out that there could be champions from the community as well, such as business interests and/or impacted neighbors. The Town could open up some spots and ask people to apply, she said.

Mayor pro tem Anderson asked about a mechanism to orient new Council members after the fall election, and Mr. Hitchings said that the DA could be included in the briefings that staff holds for new Council members following elections.

Council Member Parker stressed the need for taking a comprehensive look at traffic in the entire area, not just at the Eastowne project in isolation without understanding the impacts of parallel and future developments.

Mr. Hitchings replied that staff had not yet reached that level of detail with the applicant but that it would be a good conversation to have. He pointed out that the Town had the Blue Hill District transportation impact analysis model and also the latest software. Staff would be sure to get into that with the applicant, he said.

Council Member Gu said that the proposed process looked linear and somewhat like an unrealistic process. She asked about a feedback loop and said she did not understand what the expected deliverables were for each stage. She did not see how uncertainties, such as disagreements would be handled, she said.

Mr. Martin replied that the framework being presented was an attempt to give the process some structure. Planning would start with the "big rocks" and synthesize the principles to create a shared vision that all could agree is the objective, he said.

Council Member Gu asked what the end product of the envisioning process would be, and Mr. Martin replied that a vision book synthesizing principles and describing the quality of the place would probably be published. That book might include visual imagery, such as diagrams and illustrations that describe objectives, and it would be a shared vision of the kind of place all wanted to create, he said.

Council Member Buansi confirmed with Mr. Hitchings that the urban designer and environmental consultant would start working at the outset and the transportation consultant might begin a little later.

Mayor pro tem Anderson suggested having a full Council vote between Phases 2 and 3, and Mr. Hitchings said that he would work to add that to the schedule.

Mayor Hemminger asked that Council members who were interested in being on the subcommittee email her. She said that she should be on it, and that three others who were interested should email her so that the Council could appoint all four at the next Council meeting.

Mayor pro tem Anderson was excused by the Mayor and left the meeting at 10:02 pm.

Council Member Oates pointed out that the Council expected there to be housing on site for UNC Health Care's workforce. Since that was not on UNC Health Care's proposal, it would need to be addressed up front, she said.

Council Member Buansi asked for some flexibility from UNC Health Care regarding the 18-month timeline.

Mr. George replied that UNC Health Care could absolutely allow a month or two but did need to present a master plan before doing more development on the site. Extending it by six-to-nine months would seriously inhibit their ability to grow the site, he said.

Mayor Hemminger said she agreed with massaging the schedule a bit but wanted to stay within the window. She hoped staff would be at subcommittee meetings and that consultants, if needed, would be brought in as well, in hope that real results would come back to the entire Council, she said.

Council Member Schaevitz raised Mayor pro tem Anderson's earlier point about including a full Council vote between phases 2 and 3.

Mr. George asked what the Council would be voting on at that point, and Mayor Hemminger said that it would be a check-in to determine whether the majority agreed to go forward with negotiations.

Council Member Gu asked if there should not be a Council check-in regarding the vision as well.

Mr. Martin replied that UNC Health Care was committed to not moving into the design phase until it had a consensus agreement on the vision which could be codified with a vote, if Council so chose.

Mr. George asked if the current discussion was not one more for the subcommittee to have.

Council Member Parker replied that the comment pertained to his earlier

question. The process seemed designed to conduct a negotiation without saying that was what is happening, he said. He explained that UNC Health Care was asking the Town to commit to its vision without there being anywhere in the process where that vision is developed.

Council Member Parker said it felt like the applicant was trying to have a collaborative process rather than a negotiation and that the Town did not necessarily view the project as a shared learning experience. He proposed having more parallel processes, where UNC Health Care would figure out what it wanted and the Town would do the same. Then the two would get together and decide whether they are in sync or not, Council Member Parker said.

Mr. Hitchings replied that a key principle of negotiation is to start by trying to build a shared fact base. That was the intent of the early stages of the project, and there might be additional questions as the process moves into negotiation and scenario development, he said. There needed to be a period for building a common understanding of site characteristics, goals, and so forth, Mr. Hitchings said.

Council Member Parker replied that having a common fact base was not the same thing as having a shared vision which comes from facts filtered through values. He agreed that the Town needed a fact base, but that was not the same thing as a shared vision, he said.

Mr. Hitchings said that he did not see it as developing a shared vision. The applicant and the Town each had organizational visions and the plan was to find where they intersect on this site, he said.

Mayor Hemminger described how the Amity Station subcommittee had worked with the Council, by ranking what was most important. She said that she envisioned a similar process for developing a negotiating position. The process, as laid out, would allow that, and there needed to be a fact-finding process before the visioning quest, she said. Mayor Hemminger pointed out that everyone could return and figure out a better path if necessary.

Council Member Oates suggested amending the resolution to state "vote to confirm" and the Council voted unanimously to approve the resolution as amended.

A motion was made by Council Member Schaevitz, seconded by Council Member Parker that R-4 be adopted as amended. The motion carried by a unanimous vote.

11. Consider Approving the 2018/19 Annual Percent for Art Plan.

[19-0161]

Susan Brown, Chapel Hill Public Library director and executive director for Community Arts and Culture, presented the annual Percent for Art (PFA) plan for Council adoption. She provided background on the PFA program,

goals, and procedures, and reviewed the 2018/19 plans' components. Ms. Brown said that the three Town projects eligible for the current plan were the Municipal Services Center, Stormwater Bonds, and Streets and Sidewalks.

Ms. Brown said that \$10,000 in PFA funds would cover the Chapel Hill Nine marker and would provide matching funds for a Northside Builders Gateway. She pointed out that the Tanyard Branch Bridge railing had been completed the previous year. Ms. Brown recommended that the Council adopt Resolution 5 which would approve the PFA annual plan.

Council Member Oates asked Ms. Brown if she expected to have funds for whatever might come up.

Ms. Brown replied that an overarching goal of new procedures was to have a more nimble and flexible approach that focused on getting the PFA piece of the project into the pipeline early. The new procedures allowed more flexibility to break up the 1 percent and put some of it in a future fund for maintenance and other expenses, she said.

Council Member Schaevitz proposed adding "promote a walkable environment that brings community members together" to the second whereas paragraph in the resolution. Her intent was to promote a walkable environment and to specifically think about public art in the context of place-making and walkability, she said.

Council Member Schaevitz also suggested trying to identify the Cultural Arts Commission more clearly as a participant in recruitment and selection of art and artists for PFA projects.

Town Attorney Ralph Karpinos suggested that staff return with a revised version of the resolution and perhaps the ordinance if necessary.

Mayor Hemminger confirmed with Council Member Schaevitz that she would consider adopting the resolution as presented and then have the Cultural Arts Commission petition to change the ordinance to include the stipulations she recommended. Mayor Hemminger then asked staff to put that on the agenda for one of the Cultural Arts Commission's meetings.

Mayor Hemminger said that she liked the flexibility the plan allowed. She said that not including PFA up front could lead to just plopping it on after the fact or not having it at all.

Council Member Schaevitz thanked Ms. Brown for her dogged determination to help the Northside neighborhood get its second marker.

A motion was made by Council Member Parker, seconded by Council Member Buansi, that R-5 be adopted. The motion carried by a unanimous vote.

ADJOURNMENT

The meeting was adjourned at 10:35 p.m.



TOWN OF CHAPEL HILL

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

Town Council Meeting Minutes - Draft

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 Council Member Rachel Schaevitz

Monday, March 4, 2019

6:30 PM

Library Meeting Room B

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, Mayoral Aide Jeanne Brown, Human Resource Director Cliff Turner, Assistant Town Manager Mary Jane Nirdlinger, Town Attorney Ralph Karpinos, Business Management Director Amy Oland, Budget Manager Matt Brinkley, Management Analyst David Finley, Budget Analyst Anna Hawksworth, Director of Organizational and Strategic Initiatives Rae Buckley, Police Officer Rick Fahrer, Deputy Town Clerk Amy Harvey, Acting Town Clerk Nikki Catalano

OPENING

Mayor Pam Hemminger called the meeting to order at 6:30 p.m.

ANNOUNCEMENTS

Mayor Hemminger stated she was sending a letter to Gov. Cooper the following morning asking him to restore the funding levels for bus maintenance to their previous levels. She mentioned that changes to last year's budget impacted the Town's transit by \$688,000.

Mayor Hemminger stated that the staff was working to bring more pop-up events to the downtown area and said that thanks to UNC, one of the venues would be at the former Ackland store at 109 East Franklin. The Orange Quilter's Guild would be celebrating their 40th anniversary with a pop-up quilt show and sale on Friday as part of the Art Walk.

Mayor Hemminger mentioned that Roger's Road Community drop in sessions would take place on Thursday, March 14th at 6 p.m. and Saturday, March 16th at 10 a.m. She said the Town has a project webpage for people wishing to learn more. She added that staff was working on another mailing to individuals living in the area and would make the appropriate updates to the names on the list.

Mayor Hemminger said the next upcoming Council meeting would take place on Wednesday with topics such as; repairs to the Wallace deck, temporary use of old Town Hall by IFC, funding requests from HABITAT, possible negotiation with KIDZU, and an update from UNC on Campus Development.

AGENDA ITEMS

1. Presentation: Strategic Planning Next Steps.

[19-0197]

Ms. Buckley reviewed a PowerPoint presentation regarding the upcoming steps in the strategic planning process. She said this was the ideal time to transmit the assessment that the Council participated in to review planning for the next work session in April and to provide a chance for the Council to ask questions or provide feedback before that work session. The next step was to have a common understanding with Council regarding the next steps in the work plan, she added. She highlighted the following feedback items: create specific measurable goals, conduct environmental scanning, staff and technical assistance, keep building strategic goal reports, and mid-level engagement with staff during planning. Ms. Buckley stated that Dr. Rebecca Tippett from the Carolina Demography Center/Carolina Population Center and Dr. Monica Allen, Mecklenburg County Director of Strategic Planning and Evaluation and UNC School of Government Adjunct Professor, will be present at the next work session to help staff and Council move forward with strategic planning. Dr. Allen suggested not adding specific goals to the work plan without completing an environmental scan. Prior to the work session in April, information from Carolina Demography with data metrics will be given to the Council. Staff will be building out the goal area reports for the other strategic goal areas in order to provide all information to Council by March 20th via email. Ms. Buckley recommended that the Council read the information provided prior to the upcoming work session and ask all clarifying questions they may have. Additionally, she invited the Council to come to the work session with ideas for adding measures and specificity to the goal areas.

Council member Michael Parker asked if it was possible for staff to go back through the last two or three community surveys to look for ongoing community issues and concerns. He felt that using this data would help the Town keep with their goals. Ms. Buckley thanked Mr. Parker and said she would work on that.

Council Member Gu asked what would be included in the environmental scan.

Ms. Buckley said the scan would include baseline information about the current conditions of the community; education, demographics, and employment information.

Council Member Gu asked Ms. Buckley to clarify that the environmental scan was not restrictive to the natural environment. Ms. Buckley stated that perhaps it was a term that doesn't imply what it actually means and stated they would see if there was another term that may be better.

Mayor Hemminger said that the Council was making steps forward in the use of single use plastics in "Skip the Straw" month. She recommended the use of either compostable and biodegradable items over plastic or Styrofoam eating utensils. She mentioned that Walmart recently announced an environmental goal of reducing plastics by 2025.

2. Council Work Session on the FY 2019-20 Budget Development.

[19-0198]

Mr. Jones stated that this work session would be a follow up to January's Budget Retreat. He mentioned questions were raised at the January work session and said that staff responses to Council could be located on the website. Mr. Jones stated that this discussion would reflect where the Town is in the budget, to assist in developing a framework for future budgets, and to review and obtain feedback on the draft financial policies discussed in January.

Mr. Jones began a PowerPoint presentation and highlighted that the Town's budget was a reflection and extension of the Town's mission and the Town Council's seven strategic goal areas. He spoke on the Town's budget foundations and focused on the smart investments in the maintenance category. Mr. Jones explained that maintenance had been short changed in the past to assist in maintaining the budget but mentioned that the Town would have to work on getting their hands around that area to make sure the Town maintained their assets.

Mr. Jones guided the Council through the general fund revenues. He explained that property taxes are the largest revenue source at 47.4% of the budget and compared this to fiscal year 2012 which was at 54%. He explained that property taxes are not keeping pace with the cost but mentioned both sales taxes and occupancy taxes have shown steady growth over the last three to five years.

Council Member Schaevitz asked Mr. Jones whether occupancy taxes folded into sales tax. Mr. Jones replied, no, that they were separate and said it

was located in other taxes.

Ms. Oland continued the presentation and explained property taxes are at this point estimated to increase 1.1%. She stated that in terms of sales tax, the Town has historically been budgeted at 5% but that they are actually looking at a 6.4% increase. She mentioned attending a conference where the North Carolina League of Municipality mentioned higher than anticipated sales tax growth statewide at 6.5%. She reiterated the growth in occupancy taxes Mr. Jones had previously stated and reviewed the negatives, mentioning it was not an area to be concerned about as there are usually slight fluctuations. Ms. Oland explained that large increases in licenses and permits were being driven by inspection revenues and asked the Council to note that all money received for inspections must be spent for inspection purposes. The next largest percentage area of growth was the category of other revenues which consists mainly of interest revenue, Ms. Oland added.

Ms. Oland addressed a question from the retreat regarding property taxes and whether revenues at 49.1% for property taxes for fiscal year 2019 were good. In response to the question, Ms. Oland displayed a graph showing the other 11 North Carolina AAA rated municipalities showing where Chapel Hill falls in relation to other jurisdictions. She explained Chapel Hill was on the lower end compared to others and that the Town relies less heavily on property taxes. Ms. Oland said that the two biggest factors that impact property tax revenues are assessed valuation and property tax rates. Referring to the graph, Ms. Oland stated property tax rates had a negative increase and stated it's a result of the last revaluation from fiscal year 2009. She remarked the Town had not grown their rate like other jurisdictions have.

Council Member Parker commented that by adhering to the revenue neutral tax rate, the Town has been washing out all new construction from the revenue base. He stated this should be thought of when moving forward and that calculations should be made showing what tax rates on the existing properties would be while also finding a way to capture the value of new construction which is being lost at this point.

Ms. Oland explained that part of the calculation is supposed to take into account some growth but not all growth is able to be captured which in turn results in a loss of valuation that would have been added. Based on the graph presented by Ms. Oland, she demonstrated that the Town is not getting as much revenues based on the cumulation of the assessed valuation growth and the property tax rate is not keeping with the growth.

Council Member Oates asked whether being revenue neutral lowered the tax rate for everyone. Ms. Oland said that across the board, the rate goes down as things go up. She stated some taxpayers would win while others

lose depending on how their personal valuation changed but explained that the calculation is supposed to in theory net out so that the Town, using the revenue neutral rate, would bring in the same amount of revenue from the prior year. She stated that bottom line some growth is lost by going back to the revenue neutral rate.

Council Member Oates asked for an explanation on how the growth is lost. Ms. Oland responded that rolling back to the old tax rate does not allow a gain in the growth that would have been seen if a revaluation had not been completed.

Council Member Schaevitz questioned the rational for why the Town reverts to revenue neutral. She asked whether it was because it had been a long time since a revaluation had been done and asked if it would have resulted in sticker shock for taxes to rise so dramatically. Ms. Oland stated that the Town is legally mandated to publish the revenue neutral rate. Without doing so, she stated, you are in essence given a tax increase.

Mayor Hemminger commented that it had been eight years since the last revaluation. She stated the difference in the housing prices for the expensive houses came down while the less expensive houses rose up. If the tax rate had been increased, the smaller houses would have been penalized. The decision was made not to penalize the smaller houses.

Council Member Schaevitz asked Ms. Oland if completing a revaluation more frequently would result in less motivation to roll back to the revenue neutral tax rate. Ms. Oland stated that she believed it to be a factor of what's happened in the economy.

Council Member Schaevitz asked Ms. Oland if she knew which cities and towns on the graph opted in favor and which opposed revenue neutral tax rates. Ms. Oland explained that each city and town has a revaluation done at different periods but stated she would provide that information.

Council Member Gu asked whether there was a way to separate these two measures. Ms. Oland stated that staff has asked for information from the county and that the county had been unable to provide information related to the increase regarding revaluation verses new growth. She said they will follow up to see if they can provide information related to larger projects and return to the Council with information.

Ms. Oland resumed her presentation. She informed the Council that over the last 10 years the Town has averaged an increase of 5.3%. As more information is gathered from the state as revenues come in over the next month or two, the Town will evaluate to see whether the numbers are low based on collection information.

Council Member Parker remarked that a recession has not occurred in a long time and asked if the staff is comfortable continuing to project out the 5% knowing that every year without a recession is one year closer to one. He questioned what kind of cushion the Town has if a recession occurs. Ms. Oland stated staff was pretty confident with 5% as it is conservative. She stated information from the League of Municipalities had estimated a 5.3% growth for next year but informed Mr. Parker that the staff would continue to monitor collection rates.

Ms. Oland continued her PowerPoint presentation and reviewed state shared revenues and charges for services.

Council Member Parker asked Ms. Oland where charges for fire inspections were located. He commented that this area seems to be causing the business community a great deal of angst as it is not bringing an enormous amount of money. Ms. Oland asked Mr. Parker if he wanted staff to return with information that they had, and Mr. Parker agreed.

Ms. Oland resumed her presentation with information on licenses and permits.

Mayor Hemminger asked whether numbers on the graph had shifted in the last few years, and Ms. Oland remarked that numbers had remained fairly steady.

Ms. Oland continued on the topic of Fund Balance. She stated the fund had been used in 2017 to place a down payment on the American Legion building, to set up the OPEB Trust and the Affordable Housing fund. She reviewed the general fund expenditures for FY2019-2020 and explained that the total of \$66,676,363 was a .47 increase over the prior year with a majority being the 1.2% retirement increase in fiscal year 2020. She stated the total represents the core budget with no additions, no pay increases, or health insurance increases.

Council Member Parker asked Ms. Oland to clarify that there had not been any increases in the county's contribution to the Town's library. Ms. Oland stated that that was correct. He asked if any steps had been taken to have conversations regarding that information, and Mayor Hemminger replied there would be a meeting regarding this topic later in the month.

Mr. Jones resumed the PowerPoint presentation. He reviewed the baseline budget and informed the Council that staff was addressing expenditure areas internally. He touched on areas that could see significant changes between now and May, such as, employee pay raises and health insurance. Mr. Jones informed the Council that staff was looking to have a classification and compensation study to gather a sense of where the

Town is regarding pay since it has been about six years since the last study was completed. He informed the Council that the study could range between \$50,000-\$100,000 depending on the extensiveness of the study.

Council Member Parker asked about the Town-wide traffic model he had previously mentioned at a cost of \$250,000 and asked where that fit in. Mr. Jones stated the staff was having discussions about it and said they may be able to get funding for the majority of it which is why it is not listed.

Council Member Parker asked for assurance that the \$66,600,000 total assumed no tax increase and sought reassurance that the capital campaign driven design, pay-raise, and health insurance were not included in the total. He inquired as to whether any of these items would lead to a tax increase. Mr. Jones stated he was correct and that the \$66,600,000 did not include a tax increase and said they did not necessarily lead to a tax increase on the general fund side but an increase could be seen on the debt service side.

Council Member Buansi asked what the schedule was for the sales tax revenue redistribution. Ms. Oland replied that it all funnels from the state to the county and then from the state to the municipalities. She informed Council Member Buansi that when the state distributes to the county, the county for a couple of articles has the option as to how they can keep a larger portion or can say how it gets distributed to the municipalities. She stated that there was a three-month lag in distribution and explained that collections for the month of March would be from December sales.

Council Member Gu asked if there was any plan for a climate action plan. Mr. Jones stated that it was currently being worked on, with John Richardson leading the project, and stated that Mr. Richardson was working on trying to get an understanding of the cost. It would take about three weeks to gather an estimate, stated Mr. Jones.

Council Member Gu asked if that included stormwater maintenance and if it was planned for or if it was included in the budget. Mr. Jones replied that stormwater maintenance was a separate issue. He explained that it was a big-ticket item and suggested a longer conversation with Council to include as part of a five-year plan. He stated that if there was anything done regarding stormwater in fiscal year 2020, it would be more from a planning perspective.

Mr. Jones resumed his presentation and spoke on maintaining core services. He explained the Town would be looking for opportunities to find savings within the budget; the goal of maintaining core services would remain. He stated the Town was looking at market adjustment options for employees, yet a definite decision had not been reached. Mr.

Jones said there would be an increase in living wages, medical insurance increases, and retirement system increases.

Ms. Oland resumed her presentation of core services and highlighted large-scale maintenance areas. Ms. Oland explained that in fiscal year 2016-17 a facilities condition assessment had been performed at a cost of \$8 million. This assessment identified tasks and projects to be completed over a 15-year period. She stated the Public Works Department has an interest in updating the assessments to a five-year schedule to ensure they are keeping up to date with facility needs.

Council Member Parker commented that if the Town already knows they are under \$600,000 for fiscal year 2019, shouldn't that amount be rolled into the subsequent years. Ms. Oland stated that if the Town does not fund in one year, it would accumulate down the rows. When the allocation is received, the priority projects are reviewed and the list of projects is re-evaluated each year.

Ms. Oland reviewed the next largest need area, the Pay as you go (Pay-go) Capital, which addresses small scale capital projects such as greenways, playground equipment, small scale building maintenance, technology and public safety equipment. She described the fund as unstainable and stated there are current needs that have to be addressed and wanted the Council to note this area during the development for future years.

Council Member Parker asked Ms. Oland if she had an idea of what the funding should be. Ms. Oland stated that the staff is currently in the process of reviewing CIP requests and information will be put together for review in the manager's recommended budget.

Ms. Oland reviewed the topic of vehicle replacement, the funds used to replace the Town's fleet. She informed the Council that the amount had been reduced in past years to assist in balancing the budget but explained this would eventually result in higher maintenance costs as the fleet ages. Council Member Buansi asked Ms. Oland whether this amount included buses. Ms. Oland replied that buses were not included in the Town's fleet. Mayor Hemminger asked Ms. Oland if it included the police cruisers. Ms. Oland responded that police cruisers are included and clarified that the fleet did not include firetrucks as their replacements are too costly. She explained that other funding sources have since been located for those vehicles.

Mayor Hemminger asked if the Town had looked into energy efficient or hybrid type vehicles. Ms. Oland responded that the fleet manager and staff have looked into conversions as vehicles are replaced. Council Member Rachel inquired as to what happens to the older vehicles, and Ms. Oland responded that they are sold through an online site called Govdeals, with private parties, and to other governments.

Ms. Oland reviewed the street paving portion of the large-scale maintenance needs. She stated this area has been constant but informed the Council that the needs are outpacing the money funded annually.

Mr. Jones continued the presentation on the debt fund on capital financing.

Council Member Parker asked if there was a sense of when projects would be addressed in regard to affordable housing (AH). Mr. Jones stated the AH staff were working on determining the order of AH projects and that those projects would be discussed with Council in the spring or summer.

Mr. Jones explained the goal of developing a five-year plan. He addressed the topic of draft financial policies which he commented was discussed with the Council at the last retreat and stated that a fiscal policy guideline had been sent to the Council last week for consideration. Areas covered in the policy were debt policy, fund balance reserves policy, cash management, investment policy, and OPEB prefunding policy. He proposed the following steps:

March 20: Public Forum.

May 1: Managers Recommendation Budget.

May 8: Public Hearing.

May 15: Budget Work Session.

June 5: Budget Work Session.

June 12: Proposed Budget Adoption.

FEEDBACK ITEMS:

Council Member Schaevitz inquired as to how the climate action planning was going to affect the budget.

Council Member Stegman questioned how the Town would recommend keeping taxes from an increase. She voiced her curiosity as to the Town Manager's recommendations. Mr. Jones stated that the Town looks for savings opportunities but informed Council Member Stegman that the numbers for AH and the debt service were significant cuts needing to be made. Council Member Stegman asked if there were other services that could be cut, whereas Mr. Jones responded that if Council preferred reducing services over tax increases the Town could do that. Council Member Stegman stated she would be interested in that option.

Council Member Parker requested information to be brought to the Council

prior to May 1st regarding the transit budget and also asked for a better understanding of what would occur if a tax increase was inevitable.

Council Member Oates inquired if there was an accumulation of money gathering in the inspections budget. Mr. Jones responded that he was unsure if there was much of a reserve fund in that area. Ms. Oland explained that there would be new reporting requirements showing a reservation in the fund balance so it would stay a reserve for inspections. Although the money has to be spent for inspections, she mentioned it does not need to be spent in the year collected. Council Member Oates asked if the money could be kept in the fund to continue saving and Ms. Oland stated, yes.

Council Member Buansi stated there had been news from the Actuary and the State Treasurer's office that this likely would not be the only year a rate increase would need to take place and urged the Town's staff and Council to keep that in mind when planning for future budgets. Mr. Jones acknowledged that this would be a great conversation to have when designing the five-year plan.

Council Member Gu requested to see the long-term plan on how to correct the inconsistent increases between revenue and expenditures. Mr. Jones responded that the most important step would be to develop a five-year plan to gain an understanding of what initiatives the Town wants to invest in and which core services to reduce.

Council Member Gu commented that the biggest driver in the expenditure is personnel and asked Mr. Jones if he was in agreement. He stated that this area is one of the drivers of expenditure increases. Council Member Gu then asked if he thought it was the most important driver in the increase. Mr. Jones replied that it is the most important driver in terms of delivering services.

Council Member Gu asked how much new construction needed to happen to equal the 3% increase in the tax revenue. Mr. Jones asked for clarification of Council Member Gu's question and asked if her interest is in knowing how much of an increase is needed in order to meet the Town's future needs. Mr. Jones stated that detailed information would be brought to the Council at a later time but stated a significant amount of new construction would be needed to generate the revenue necessary to catch up to the growth being seen on the expenditure side.

Council Member Gu emphasized a sense of urgency about bringing the revenue growth together with the expenditure growth and stated that she believed the Town has been in the same position since last year.

Council Member Bell questioned the decision to go revenue neutral and

wondered how to know what areas of the budget can be flexible and which areas the Town should not be flexible. She wondered if the Town had a recovery plan should there be a recession.

Mayor Hemminger requested updates to any budget changes regarding health insurance and the state retirement program prior to April. She stated that she believed the Council should be responsible for adequately funding all the projects on the list and to not leaving a debt for the next Council. She stated she believed the Blue Hill project should be listed as one of the projects. She explained that if money is being spent, the Council has to be able to show how and why it's not coming from these other numbers. She believed the Town needs to help increase the revenues from the commercial base to help the tax rate.

Mayor Hemminger stated the policy on the fund balance was a little concerning but thought the policy was a good guideline and pathway to follow. She suggested the staff list the vehicles included in the vehicle maintenance and advised including the enterprise funds on future presentations.

Mr. Jones asked if the Council was interested in having another discussion in April and stated he and the Mayor would discuss meeting.

ADJOURMENT

The meeting adjourned at 8:15 p.m.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 6., File #: [19-0777], Version: 1 Meeting Date: 9/25/2019

Receive Upcoming Public Hearing Items and Petition Status List.

Staff: Department:

Sabrina Oliver, Director and Town Clerk Amy Harvey, Deputy Town Clerk 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 <u>Council Meeting Agendas</u>, <u>Minutes and Videos</u>.

Interested in a development project not yet scheduled for Council review? See the <u>Development Activity Report</u> for the project's current status.

October 2

- Concept Plan Review: <u>University Mall Redevelopment</u> Commercial Retail Development, 201 S. Estes Drive (Project #19 108).
- Concept Plan Review: <u>136 & 137 E. Rosemary St.</u>, Commercial Retail Development, 136 E. Rosemary Street/137 E. Franklin Street (Project #19 109)

October 30

- Open a Public Hearing for Conditional Rezoning at <u>1751 Dobbins Dr.</u> from Residential 4 (R-4) to Office Institutional 2 Conditional Zoning (OI- 2-CZ)
- Open a Public Hearing for <u>Wegmans- SECU Street Connection</u>, Commercial Retail Development, 1820 Fordham Blvd.
- Open the Public Hearing for Amendments to Land Use Management Ordinance <u>Sections 3.6.2 and 8.4.</u> Pertaining to the Historic District.

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 <u>Council Meetings, Agendas, Minutes and Videos</u>.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
09/11/2019	Grubb Properties	Request Regarding 137 E. Franklin Street & 136 E. Rosemary Street Limited Scope SUP.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	The Council will consider this request when they review the Concept Plan for this project, currently scheduled for the 10/02/19 Council meeting.
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 Ben Hitchings, Director Phone: 919-968- 2731	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 Ben Hitchings, Director Phone: 919-968- 2731	Staff is preparing information to respond to this request.
06/26/2019	Community Design Commission	Request for Modifications to the Concept Plan Review Process.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	Staff is preparing information to respond to this request.

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Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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 Ben Hitchings, Director Phone: 919-968- 2731	Staff is preparing information to respond to this request.
06/26/2019	Orange- Chatham Group of the Sierra Club	Request for a "Ready for 100 Resolution."	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968- 2707	Staff is scheduled to provide a response to recent climate petitions at the 09/25/19 Council meeting.
06/26/2019	Julie McClintock	Request Regarding the Blue Hill Form Based Code.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	Staff is preparing information to respond to this request.
06/12/2019	Aaron Nelson	Request Regarding Short Term Rentals.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	At their 09/11/19 meeting, the Council endorsed a public engagement process and resolved to appoint a task force that will develop a set of recommendations for Short Term Rental regulations.
05/22/2019	Joe Patterson	Request Modifications to the Town's Noise Control Code.	Police Chris Blue, Police Chief Phone: 919-968- 2766 Town Attorney Ralph Karpinos, Attorney Phone: 919-968- 2746	Staff determined existing regulations, including SUP stipulations, already provide the legal mechanism for holding the property owners accountable for violations. This approach may be available in other cases, as well.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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	Board of Adjustment	Request Regarding Neighborhood Conservation District Ordinances.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	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 Ben Hitchings, Director Phone: 919-968- 2731	Staff shared some preliminary information with the Council at the 06/07/19 Council Committee on Economic Sustainability meeting.
04/17/2019	Amy Ryan for Planning Commission	Commission Regarding Site Plan Review Process.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	Staff is preparing information to respond to this request.
04/10/2019	Climate Reality Group	Request for Council Support of a Resolution Seeing a Local, State, and National Goal of 100% Clean Energy by 2050 and the Creation of Green Jobs.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968- 2707	Staff is scheduled to provide a response to recent climate petitions at the 09/25/19 Council meeting.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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	Environtmental 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 Ben Hitchings, Director Phone: 919-968- 2731 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 Ben Hitchings, Director Phone: 919-968- 2731	The Town's request for an additional \$8 million from the Orange County Transit Plan for the North South Bus Rapid Transit Project has been approved by the OC Board of Commissioners and the GoTriangle Board. The MPO will hear the request in August 2019.
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.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
01/30/2019	Jeff Charles	Request Regarding Police Participation in Review Process of New Developments.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	The Police Department already participates on the staff Technicial Review Team that looks at proposed new development during the application process. Staff will continue to include recommendations related to law enforcement and public safety.
01/16/2019	John Morris	Regarding GoTriangle Meetings and Materials.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731 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 Linda Smith, Interim Director Parks and Recreation Phone: 919-968- 2849	This topic was added to the 01/15/19 agenda of the Parks, Greenways and Recreation Commission, with time allocated for the neigbors to speak. Another public meeting will be scheduled later in the year.
11/07/2018	Jeff Charles	Request Regarding Offering Toxicology and Public Safety Expertise.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968- 2707	Following a published Request for Proposals and a review of qualified firms, the Town contracted with Duncklee and Dunham, P.C. to perform human health and ecological risk assessment services.

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 is preparing information to respond to this request.
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.
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	Staff is preparing information to respond to this request.
09/19/2018	Julie McClintock of CHALT	Regarding Land Use Intensification.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731 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 Ben Hitchings, Director Phone: 919-968- 2731	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.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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.
06/13/2018	Mayor Pam Hemminger	Regarding Reviewing Policies, Procedures, and Practices for Development.	Planning & Development Services Ben Hitchings, Director Phone: 919-968-2731	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	Ondrea Austin	CHALT's Request to Revise the Tree Ordinance.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	Staff is preparing information to respond to this request.
03/14/2018	Council Members Anderson, Gu, and Schaevitz	Request Regarding Addressing Blue Hill District Community Interests.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	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 Ben Hitchings, Director Phone: 919-968- 2731	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	Public Works Lance Norris, Public Works Director Phone: 919-969- 5100 Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731	Request incorporated into process to update Public Works Engineering Design Manual.
11/07/2016	Mayor Hemminger	Regarding Parking and Transit Needs in Downtown Area.	Planning & Development Services Ben Hitchings, Director Phone: 919-968- 2731 Police Chris Blue, Police Chief Phone: 919-968- 2766 Public Works Lance Norris, Public Works Director Phone: 919-969- 5100	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-inlieu 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.	Public Works Lance Norris, Public Works Director Phone: 919-969- 5100	Petition forwarded to Orange County. Consider changes to soil erosion and sediment control as part of Public Works Engineering Design Manual updates.
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.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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 9/19/2019 3:15:06 AM



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 7., File #: [19-0778], Version: 1

Meeting Date: 9/25/2019

Presentation: University of North Carolina at Chapel Hill Semi-Annual Campus Development Report.

Staff: Department:

Judy Johnson, Operations Manager Jake Lowman, Senior Planner Planning

Overview: In 2005, the Council adopted a resolution requesting semi-annual meetings with the University to update the Council on University development activity. The next UNC Semi-Annual Report will be in March 2020.



Recommendation(s):

That the Council receive the report from University staff, who will present the second of two semi-annual reports for 2019 reviewing the status of current and planned campus development projects.



Attachments:

- Draft UNC Semi-Annual Report Presentation
- University of North Carolina at Chapel Hill Semi-Annual Report

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

PRESENTER: Evan Yassky, Executive Director, UNC Facilities Planning and Design

RECOMMENDATION: That the Council receive the report from University staff, who will present the second of two semi-annual reports for 2019 reviewing the status of current and planned campus development projects.



of NORTH CAROLINA at CHAPEL HILL

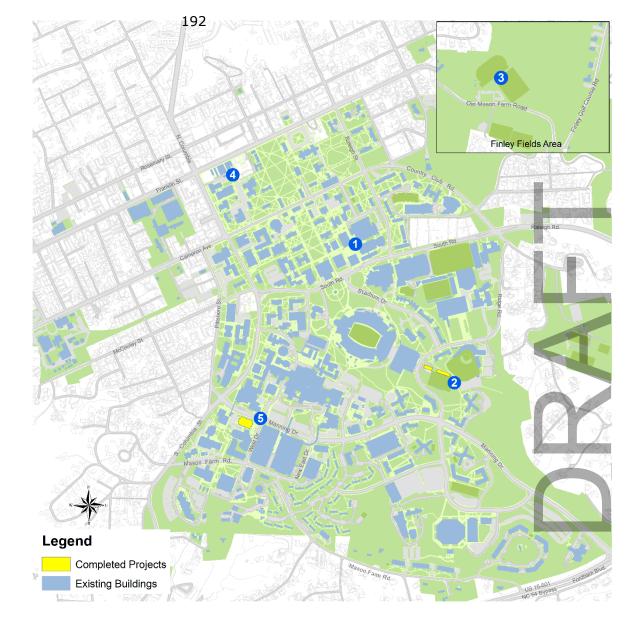
Semi-Annual Update to the Town of Chapel Hill

September 25, 2019

Main Campus and Mason Farm

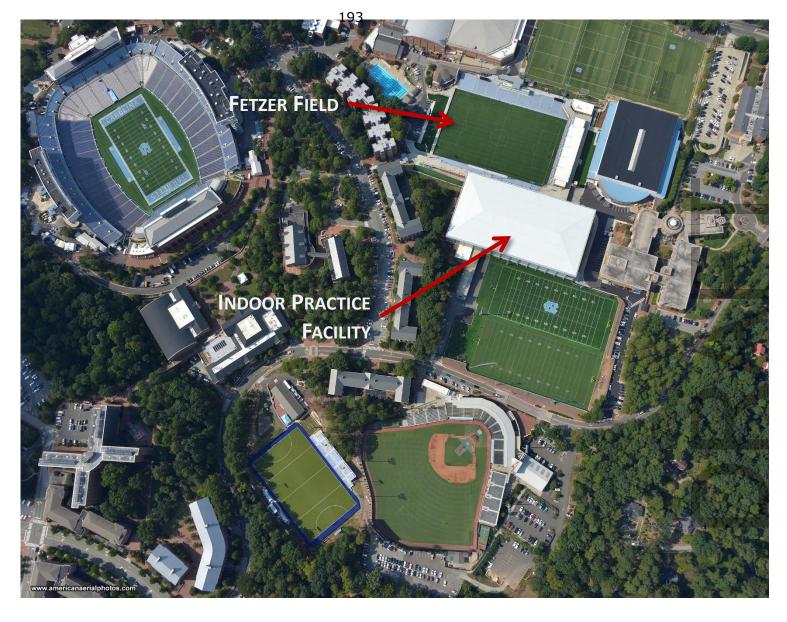


- 1. Central Campus Athletics
- 2. Carolina Athletics Media & Communications Center

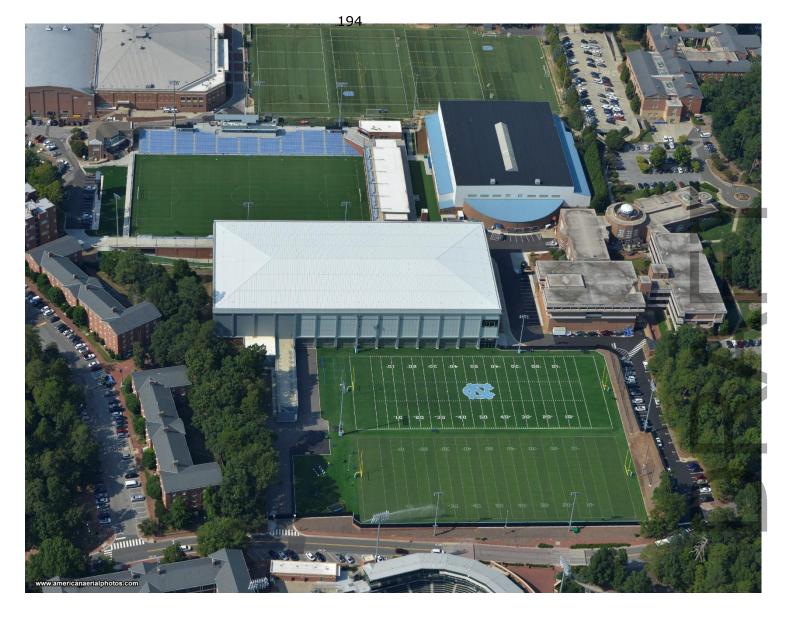




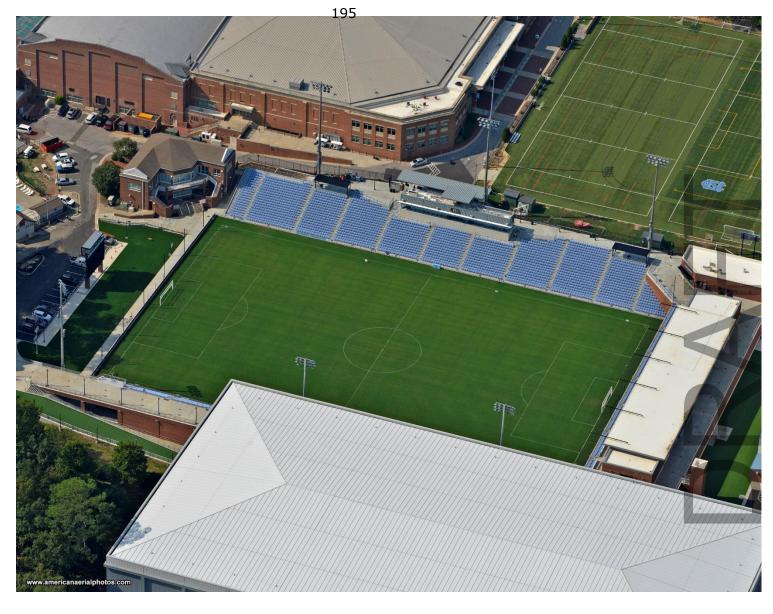
Major Projects Completed















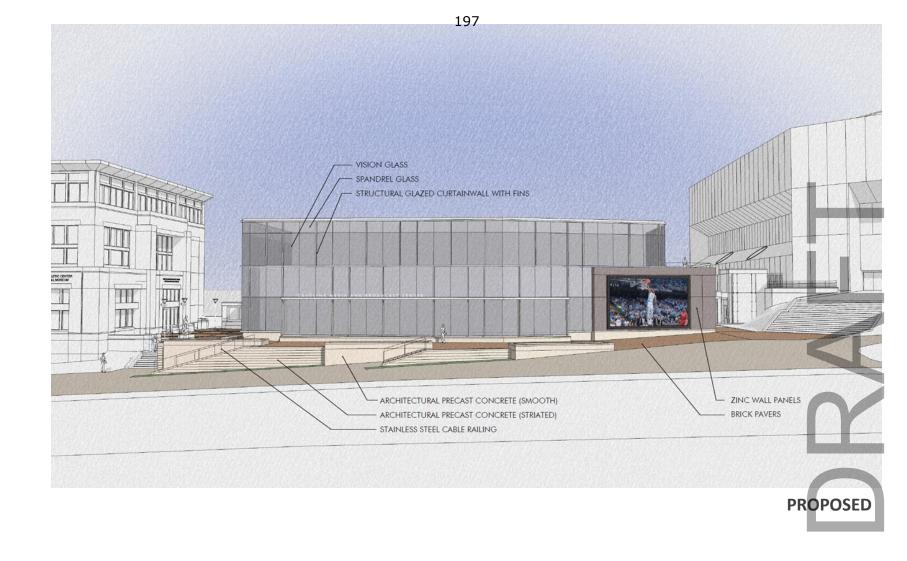


INDOOR PRACTICE FACILITY

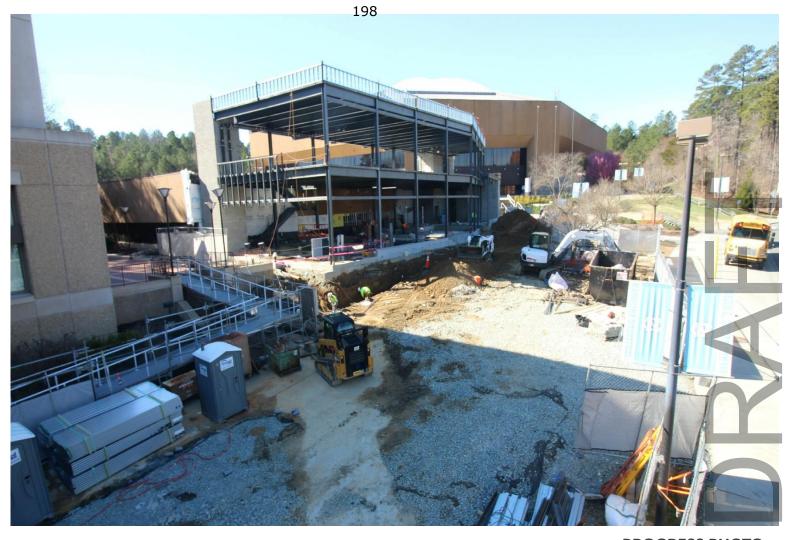








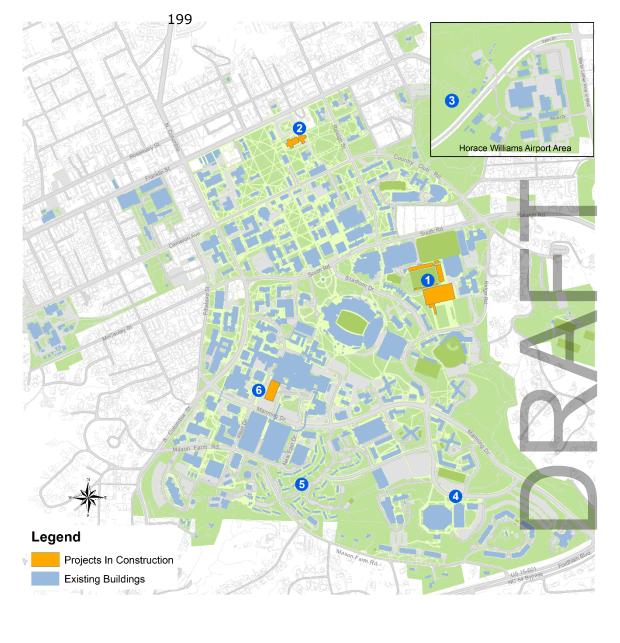




PROGRESS PHOTO

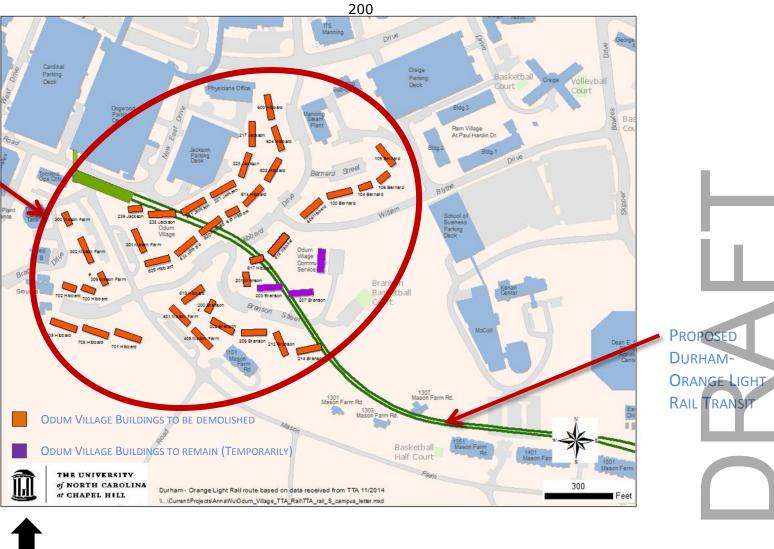


- 1. UNC-HC Surgical Tower
- 2. Odum Village Demolition
- 3. Medical Education Building
- 4. Curtis Media Center



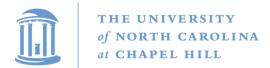


Projects In Construction

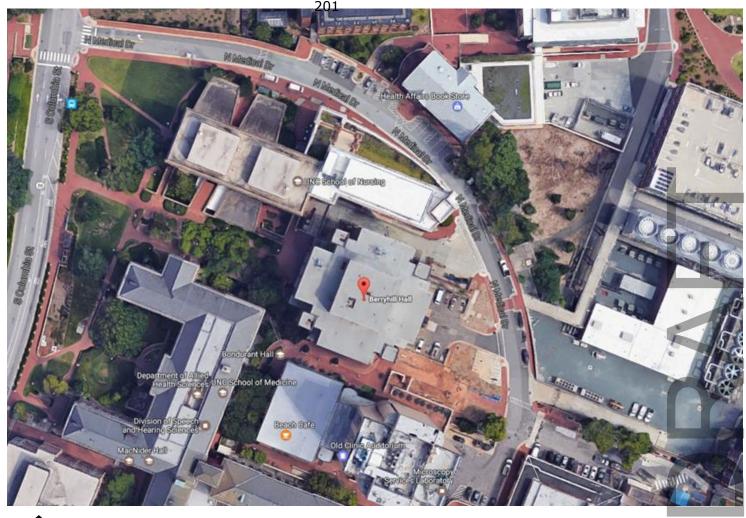




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PROJECT SITE





SITE PLAN EXISTING CONDITIONS





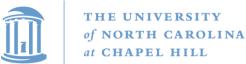


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SITE PLAN PROPOSED DESIGN











Surgical Tower Project

- Presentation for
- Town of Chapel Hill Council



Project Scope

- 7 Levels
- 24 Operating Rooms
- 56 Pre and Post Bays
- 56 ICU Beds

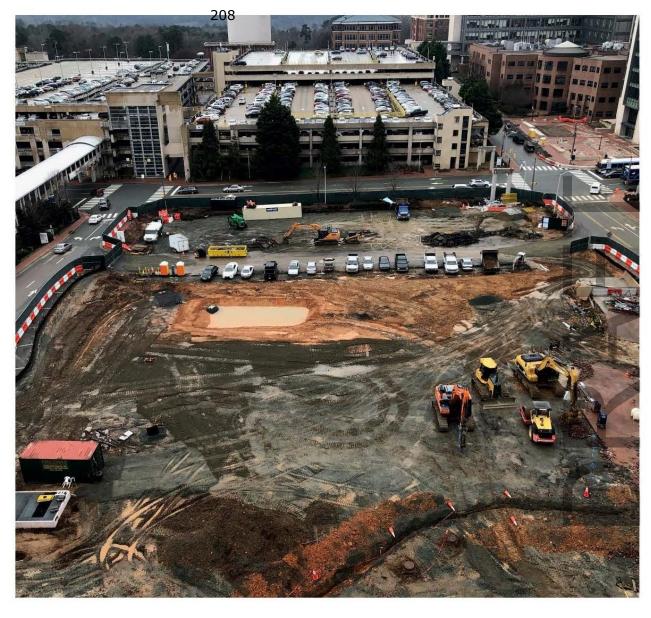


PROPOSED

AERIAL VIEW







SITEWORK PROGRESS VIEW TO THE SOUTH



UNC HC - Surgical Tower

Surgical Tower - Project Schedule

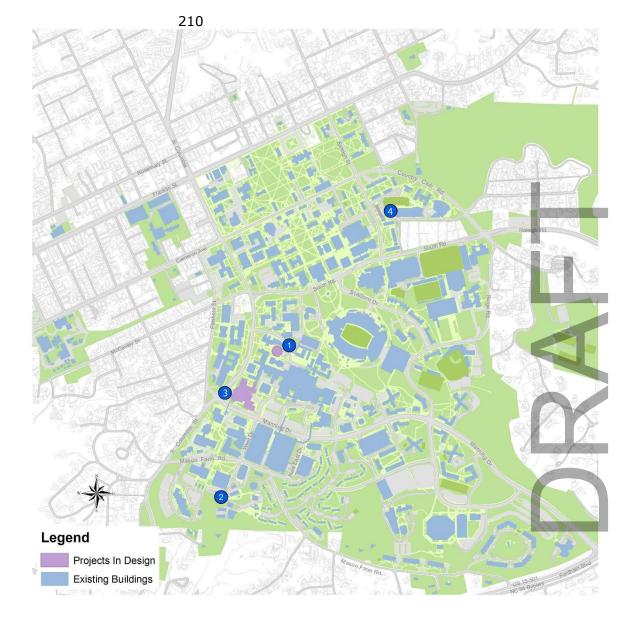
Utility Construction Start October 2018

Construction Completion
 July 2022

Occupancy October- December 2022



- 1. Translational Research Building
- School of Dentistry New Programs
- 3. Joyner Hall
- 4. Chapel Creek Wetland Outdoor Education Center





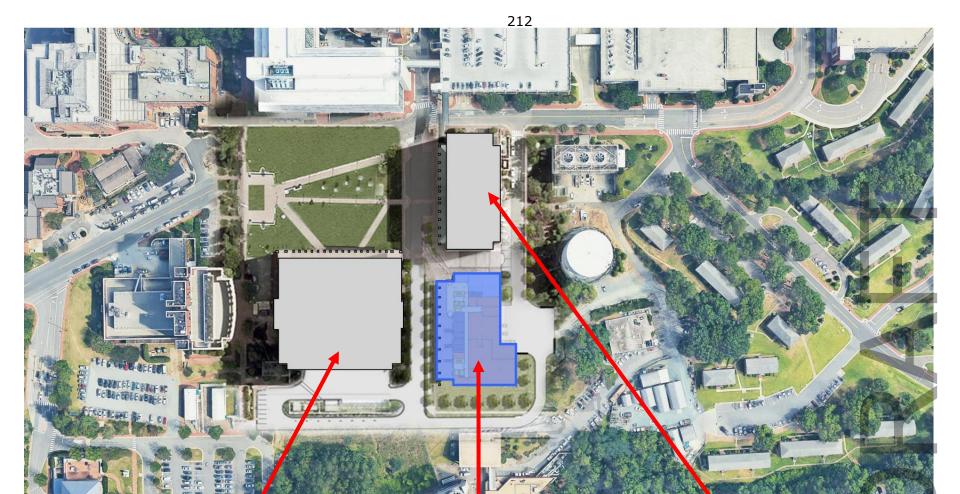




SITE PLAN PROPOSED DESIGN

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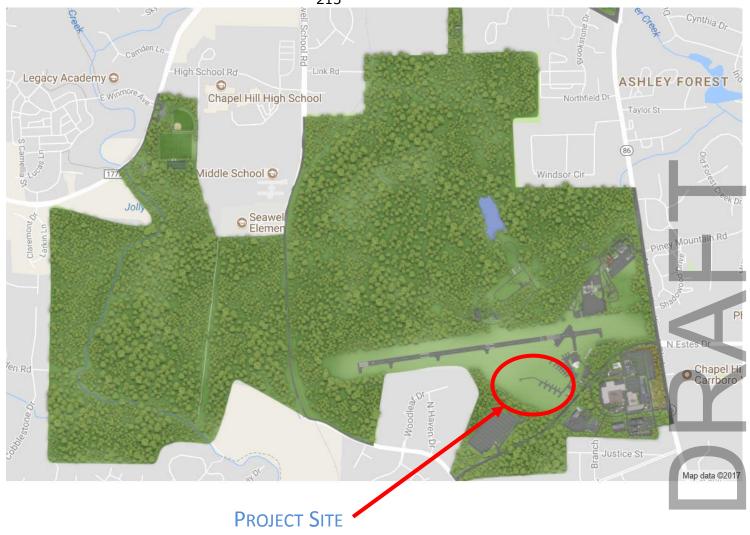


GENETIC MEDICINE RESEARCH TRANSLATIONAL RESEARCH BUILDING

BIOINFORMATICS

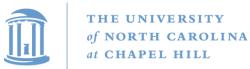


Translational Research Building





N



Solar & Battery Storage Demonstration Project







SITE PLAN EXISTING CONDITIONS





of NORTH CAROLINA at CHAPEL HILL

STATUS OF CAPITAL IMPROVEMENT PROJECTS THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FACILITIES SERVICES

July 1, 2019

PROJECTS COMPLETED SINCE LAST REPORT (JANUARY 1, 2019)

Built-up Roof Replacement & Envelope Repairs - Hanes Art Center (626) Renovation	\$960,000
Campus Wide Sidewalk Improvements (538) Renovation	\$2,450,000
Dentistry Buildings - Central Vacuum System Replacement (578) Renovation	\$1,252,822
Emergency Declaration to for the Cheek/Clark Building Repairs (598) Renovation	\$6,078,825
Improve Ped & Veh Area from Franklin to Cam Ave – Porthole Alley (531) Renovation	\$3,450,000
Indoor Practice Facility - Eddie Smith Field House (611) New Construction	\$73,663,594
Kenan Labs (7th & 8th Floor) (599) Renovation	\$24,000,000
M.E. Jones Renovations (501) Renovation	\$117,292,391
Emergency Power Improvements for UNC Marine Sciences Institute (615) Renovation	\$414,200
Kenan Flagler School of Business Renovations- 1st, 2nd, and 4th (667) Renovation	\$1,651,197
Phillips Hall HVAC Repair (530) Renovation	\$800,000
Carr Building Window Envelope Restoration (647) Renovation	\$800,229
Kenan Stadium - Backflow Preventers & Booster Pumps Renovation	\$900,000
Total	\$233,713,258

PROJECTS UNDER CONSTRUCTION:

Phillips Hall HVAC Repair (530) - \$800,000 Renovation

(Funding – University Non-Appropriated)

Construction began June 2017. Completion is expected July 2019.

<u>Davis Library Sprinklers and Fire Alarm Panel Replacement (551) - \$8,627,500 Renovation</u> (Funding - University Non-Appropriated)

Construction began June 2017. Completion is expected July 2019.

Morehead Planetarium Building, Renovation of Classrooms, Offices, (585) - \$8,076,122 Renovation

(Funding - University Non-Appropriated)

Construction began May 2019. Completion is expected December of 2019.

<u>Energy Svcs Utility Improvements in Academic Affairs Area (606) \$14,023,659 Renovation</u> (<u>Funding – University Non-Appropriated</u>)

Beard Hall 2nd Floor Renovation (607) \$9,713,728 Renovation

(Funding: University Non-Appropriated)

Construction began October, 2018 and is expected to be complete in December 2019.

Chase Dining Hall Expansion (613) \$5,900,000 New Construction and Renovation (Funding: University Non-Appropriated)

Construction began January 2019. Construction completion is expected October 2019.

Wilson Library Slate Roof, Dome Roofing Replacement, and Envelope Repair (623) \$2,645,000 Renovation

(Funding: State Appropriated – Repair & Renovation)

Construction began December 2018. Construction completion is expected August 2019.

Morehead Planetarium and Health Science Library Elevator Modernization (627) \$1,170,000 Renovation

(Funding: State Appropriated – Repair & Renovation & University Non-appropriated)

Construction began October 2017 and is 80% complete. Construction completion is expected July 2019.

Mountain Area Health Education Center (637) \$8,000,000 New Construction (Funding – State Appropriations)

Project has received beneficial occupancy status and is expected to have final acceptance by July 31, 2019.

<u>Taylor Campus Health Sports Medicine and Specialty Clinics Renov (642) \$2,750,000 Renovation</u> (Funding - University Non-Appropriated)

Construction began December 2018 and is 60% complete. Construction completion is expected September 2019.

Everett, Lewis, and Stacy Window & HVAC Improvements (643) \$9,243,404 Renovation (Funding - University Non-Appropriated)

Construction began May 2018. Construction completion is expected August 2019.

Medical Education Bldg- Berryhill Vivarium Migration (644) \$26,730,000 Renovation (Funding - University Non-Appropriated; State Bond)

Construction began March 2018. Construction completion is expected December 2019.

New East - Install New ADA Compliant Elevator (655) - \$1,650,000 Renovation (Funding - University Non-Appropriated)

Construction began April 2019. Completion is expected March 2020.

Media and Communications Studio (657) \$15,000,000 New Construction (Funding – University Non-Appropriated)

Construction began June 2018. Construction completion is expected August 2019.

<u>Lineberger Cancer Center – Faculty Recruitment Lab Renovation (664) - \$1,400,000 Renovation</u> (Funding – University Non-Appropriated)

Construction commenced May 2019, completion expected December 2019.

Glaxo Research Bldg- Infrastruct Support for Cryo-Electron Micro (671) – \$850,000 Renovation (Funding – University Non-Appropriated)

Construction completion is expected July 2019.

<u>Carolina Union Auditorium Renovation (673) - \$2,300,000 Renovation</u> (Funding – University Non-Appropriated)

Construction began December 2018 and is 98% complete. Construction completion is expected September 2019.

<u>UNC Chapel Hill Outdoor Education Center Pond Retrofit (674) \$475,000 Renovation</u> (Funding – University Non-Appropriated)

Construction began June 2018 and is 25% complete. Construction completion is expected September 2019.

<u>Cameron Cogen – Dry Sorbent Injection System (675) - \$7,490,000 Renovation</u> (Funding – University Non-Appropriated)

This project began in September 2018. Construction completion is expected August 2019.

Marsico Large Animal Expansion (662) - \$2,550,000 Renovation

(Funding – COPs State Appropriated)

Construction began October 2018 and completion estimated September 2019.

NRB MBRB Vivarium Enabling Project Renovations (693) - \$4,000,000 Renovation (Funding – University Non-Appropriated)

Construction began November 2018. Completion is expected August 2019.

UNC Visitors Center (701)- \$347,721 Renovation

(Funding – University Non-Appropriated)

Construction began June 2018. Completion is expected September 2019.

<u>Institute of Marine Sciences Fisheries Research Lab (682) - \$1,113,040 Renovation</u>

(Funding – University Non-Appropriated)

Project is in construction.

PROJECTS IN DESIGN:

<u>Craige Parking Deck – Exterior Improvements (368) - \$35,711,600.00 Renovation</u>

(Funding - University Non-Appropriated)

Façade upgrade in design.

Campus Way Finding Signage (514) - \$2,466,250 New Construction

(Funding - University Non-Appropriated)

Project is on hold.

Sitterson Bus Stop (541) - \$700,000 Renovation

(Funding - University Non-Appropriated)

Project is on hold.

Power Generation & Chilled Water Plant Addition (547) - \$106,307,988 New Construction

(Funding - University Non-Appropriated)

Project is on hold.

Campus Master Plan (570) - \$2,150,000 Planning

(Funding - University Non-Appropriated)

Master Plan Approved by Board of Trustees May 29th 2019.

South Building Accessibility Improvements (586) - \$319,700 Renovation

(Funding: University Non-Appropriated)

Project is in schematic design phase.

Campus Safety Upgrade (588) - \$4,750,000 New Construction

(Funding: University Non-Appropriated)

Cameras at McCorkle to be in place by summer 2019.

Wilson Hall Annex (603) - \$31,450,173 Renovation

(Funding: University Non-Appropriated)

Project is on hold.

Install Fire Alarm Panels in (4) Buildings (619) \$811,500 Renovation

(Funding: State Appropriated – Repair & Renovation)

Project on hold. Bids were opened and exceeded project budget. Have received R&R supplement. Will re-bid for Summer 2020 and 2021 construction.

Medical Education Building Replacement (633) \$108,600,000 New Construction

(Funding: State Bond)

Project is in Construction Documents phase.

Horace William Airport Property Solar and Energy Storage Demo (645) \$1,700,310 New Construction

(Funding – University Non-Appropriated)

Project is in Construction Documents phase

Taylor Air Flow Reduction Energy Project (653) \$580,000 Renovation

(Funding - University Non-Appropriated)

Project is in construction document review.

Thurston Bowles Air Flow Reduction Energy Project (654) \$1,650,000 Renovation

(Funding - University Non-Appropriated)

Project is in construction document review.

<u>Science Complex III & Institute of Convergent Science (658) - \$500,000 New Construction</u> (Funding – University Non-Appropriated)

Project is in programming phase.

Translational Research Building (659) - \$19,000,000 New Construction

(Funding - University Non-Appropriated)

Project is in schematic design phase.

Marsico Hall - Mechanical, Electrical, and Plumbing Upfits & Recommissioning (663) -

\$2,300,000 Renovation

(Funding – State COPS)

Project is in construction documents phase.

Marsico Quad Improvements (665) - \$200,000 Renovation

(Funding – State COPS)

Project is on hold.

Kenan Flagler School of Business McColl Bldg Addition & Renovation (666) - \$1,000,000 New Construction

(Funding – State Appropriation)

Project is in Advanced Planning phase.

Burnett Womack 4th Floor Renovation (668) - \$976,677 Renovation

(Funding - University Non-Appropriated)

Project is in Design Development phase.

<u>UNC Parking Decks- LED Lighting Safety Upgrades (669) - \$1,100,000 Renovation</u> (Funding – University Non-Appropriated)

Project is in Bidding phase.

School of Media & Journalism - Media & Communication Studio (672) - \$7,200,000 New Construction

(Funding – University Non-Appropriated)

Project is in Construction Documents phase.

Foundation Water Proofing - Ackland Art Museum (676) - \$400,000 Renovation (Funding - State Appropriation)

Project is ready for bid.

Supplement to Replace Laboratory Ventilation System Morehead Lab (677) - \$1,250,000 Renovation

(Funding – State Appropriation)

Project bids exceeded funding. Revising scope.

Replace Electrical Switchgear - Mitchell Hall, Dey Hall (678) - \$200,000 Renovation (Funding – State Appropriation)

Project is in Design Selection phase.

<u>Art Lab Building Roof Replacement and Fall Protection (679) - \$485,678 Renovation</u> (Funding – State Appropriation)

Scope has been changed to Ventilation Upgrades (safety priority). Project is in design.

Carmichael Residence Hall Deck (681) - \$849,660 New Construction

(Funding – University Non-Appropriated)

Project is on Hold after Design Development phase was completed.

Joyner Residence Hall HVAC Improvements (683) - \$6,616,825 Renovation

(Funding – University Non-Appropriated)

Project is in bidding phase.

Kenan Stadium - Fire Alarm Upgrades (684) - \$1,060,000 Renovation

(Funding – University Non-Appropriated)

Project is in Designer Selection.

Chase Hall Second Floor Renovation (688) - \$980,247 Renovation

(Funding – University Non-Appropriated)

Project is on hold.

Friday Center Bus Loop Road Repair (689) - \$400,000 Renovation

(Funding – University Non-Appropriated)

Project is complete.

Parking Deck at S1 Lot (690) - \$14,443,516 New Construction

(Funding – University Non-Appropriated)

Project is in the Design Development phase.

West Drive Street Improvements (694) - \$650,000 Renovation

(Funding – State COPS)

Project is in Bidding phase and will commence construction in July 2019.

School of Dentistry Pipe Remediation (696) - \$150,000 Renovation

(Funding – University Non-Appropriated)

Project is in pre-design phase.

Hwy 54 Park & Ride Lot Stormwater Pond Repair & Retrofit (697) - \$330,000 Renovation (Funding – University Non-Appropriated)

Project is in design.

<u>Ambulatory Care Center – Musculoskeletal Enhancement Service - \$7,177,219 Renovation</u> (Funding – UNC Chapel Hill Hospital)

Project is in construction documents phase.

Koury Dental Tarrson Hall Amalgam Separator & Recevier (698) - \$300,000 Renovation (Funding: State Appropriated – Repair & Renovation)

Project is in design.

Copper Telecommunication Replacement Phase 1 (699)- \$500,000 Renovation

(Funding: State Appropriated – Repair & Renovation)

Phase 1 (study) is complete. Received BOG approval for design and construction (\$6.4M)

<u>High Frequency Throughput Sequencing Facility Relocation (700)- \$675,000 Renovation</u> (Funding: University Non-Appropriated)

Project is in the Construction Document phase.

Morehead Planetarium and Science Center Roof Repair (702) - \$250,000 Renovation

(Funding: State Appropriated – Repair & Renovation)

Project is in the Bidding phase.

Art Lab HVAC and Electrical Systems Improve & Modify Restroom (704) -\$1,220,000 Renovation

(Funding: State Appropriated – Repair & Renovation)

Project is in the Design Development phase.

Replace Firm Alarm- Dey Hall, Hanes Hall, 134 East Franklin (706)- \$148,000 Renovation

(Funding: State Appropriated – Repair & Renovation)

Project is in designer selection.

Carrington Hall Abate Asbestos, Replace Wall, floor, Lighting (707) -\$426,600 Renovation

(Funding: State Appropriated – Repair & Renovation)

Project is in schematic design phase.

Kenan Labs- Replace Main Distribution Electrical Panel (708) - \$750,000 Renovation

(Funding: State Appropriated – Repair & Renovation)

Project is in designer selection.

Burnett Womack Conference Center (709)- \$ 1,720,000 Renovation

(Funding – University Non-Appropriated)

Project is in the Design Development phase.

Tarrson Hall Medical Gas Alarm System (710)- \$450,000 Renovation

(Funding – University Non-Appropriated)

Project is on hold pending new study results.

Swain Hall Emergency Repairs (711)- \$500,000 Renovation

(Funding: State Appropriated – Repair & Renovation)

Project is in construction document review.

Morehead Chemistry Teaching Labs (712)- \$1,000,000 Renovation

(Funding – University Non-Appropriated)

Project is in the Schematic Design phase.

Classroom Renewal (713)- \$5,000,000 Renovation

(Funding - University Non-Appropriated)

Project is in the Schematic Design phase.

School of Dentistry New Programs (714)- \$15,000,000 Renovation

(Funding – University Non-Appropriated/Fund Raising)

Project is in programming phase.

National Pan-Hellenic Council Garden (NPHC) (715)- \$750,000 New Construction

(Funding – Fund Raising)

Project is in the design phase.

<u>Lenoir Outdoor Dining Improvements (716) - \$1,200,000 New Construction</u>

(Funding – University Non-Appropriated)

Project is in the concept/programming phase.

Genome Sciences Building- Café & Commons Renovation (736) - \$492,000 Renovation

(Funding – University Non-Appropriated)

Project is in the concept/programming phase.

SUMMARY OF MAJOR CAPITAL IMPROVEMENT ACTIVITY:

	No. of Projects	<u>Dollar Value</u>
Completed since 1/2019	14	\$ 234,113,258
Under Construction	23	\$ 119,661,515
In Design	51	\$ 394,369,547

HISTORICAL RECORD OF ACTIVITY:

		UNDER CONSTRUCTION		IN DESIGN	
Date		No. of Projects	<u>Dollar Value</u>	No. of Projects	<u>Dollar Value</u>
Aug.	1987	13	\$ 26,817,520	25	\$210,316,100
Feb.	1988	12	\$ 42,354,520	26	\$222,477,900
Aug.	1988	14	\$ 61,721,870	34	\$254,328,430
Feb.	1989	15	\$157,882,770	40	\$168,321,630
Aug.	1989	20	\$158,003,370	29	\$170,550,730
Feb.	1990	18	\$153,331,770	34	\$174,785,500
Aug. Feb.	1990 1991	14 10	\$161,479,980 \$191,489,780	29 26	\$165,398,600
Aug.	1991	10	\$202,564,380	28	\$147,486,500 \$132,000,800
Jan.	1992	9	\$193,656,480	31	\$123,015,800
Aug	1992	16	\$196,850,380	25	\$132,470,400
Jan	1993	15	\$178,790,400	27	\$137,062,000
July	1993	9	\$ 91,072,000	21	\$121,141,100
Jan	1994	6	\$ 90,707,300	33	\$154,615,300
July	1994	15	\$101,999,300	28	\$147,370,700
Jan	1995	13	\$ 66,320,700	52	\$175,385,600
July	1995	14	\$101,192,800	46	\$164,311,800
Jan	1996	11	\$ 89,901,800	67	\$246,980,600
July	1996	17	\$ 92,701,100	61	\$299,168,300
Jan.	1997	19	\$131,072,400	63	\$282,872,700
July	1997	37	\$235,425,600	44	\$223,235,350
Jan	1998 1998	33 36	\$158,837,100 \$183,705,300	50 43	\$278,691,575 \$285,946,375
July Jan	1998	26	\$153,298,200	43	\$285,946,375
July	1999	20	\$175,689,300	44	\$374,499,175
Jan	2000	18	\$173,787,000	38	\$380,677,875
July	2000	20	\$171,732,100	44	\$402,994,475
Jan	2001	20	\$265,311,575	56	\$255,342,400
July	2001	30	\$277,577,875	57	\$509,245,260
Jan	2002	28	\$282,315,475	51	\$533,569,700
July	2002	25	\$297,186,000	51	\$533,569,700
Jan	2003	18	\$246,220,200	52	\$700,266,390
July	2003	15	\$239,095,165	58	\$677,135,478
Jan	2004	18	\$345,073,797	59	\$607,602,868
July	2004	24	\$435,597,765	61	\$837,011,823
Jan	2005 2005	32 42	\$540,484,649	77 62	\$997,282,175
July Jan	2005	39	\$604,951,066 \$606,059,278	50	\$848,018,466 \$681,154,808
July	2006	36	\$753,387,157	55	\$697,916,808
Jan	2007	39	\$493,513,761	60	\$729,086,980
July	2007	38	\$559,519,076	50	\$586,321,980
Jan	2008	29	\$510,723,322	46	\$733,693,000
July	2008	27	\$570,815,114	51	\$715,328,000
Jan	2009	25	\$429,973,546	47	\$906,213,000
July	2009	24	\$633,089,281	40	\$577,740,422
Jan	2010	18	\$600,252,605	22	\$409,120,032
July	2010	18	\$618,429,022	32	\$539,620,032
Jan	2011	15	\$605,745,206	30	\$474,190,032
July	2011	19	\$802,905,823	28	\$292,000,000
Jan July	2012 2012	15 17	\$742,125,183 \$655,508,823	28 31	\$313,100,000 \$309,600,000
Jan	2012	12	\$550,585,206	34	\$389,726,000
July	2013	10	\$311,575,000	34	\$334,449,095
Jan	2014	9	\$338,372,095	45	\$337,177,000
July	2014	14	\$349,553,714	42	\$376,843,592
Jan	2015	19	\$377,846,839	50	\$423,639,550
July	2015	17	\$365,166,669	48	\$304,163,543
Jan	2016	12	\$333,622,316	46	\$324,057,991
July	2016	29	\$434,745,367	43	\$341,359,544
Jan	2017	18	\$175,227,717	37	\$372,416,500
July	2017	22	\$266,078,688	32	\$349,812,207
Jan	2018	18	\$274,080,528	29	\$344,807,071
July	2018	19	\$304,079,288	52	\$310,406,734
Jan July	2019 2019	20 23	\$286,371,191 \$119,661,515	62 51	\$346,795,502 \$394,369,547
July	2019	25	\$113,001,313	21	\$334,503,547



TOWN OF CHAPEL HILL

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

Item Overview

item #: 8., File #: [19-0779], version: 4	Meeting Date: 9/25/2019
Receive an Update on the UNC Health Care Eastowne D	evelopment Agreement Proposal.
See Staff Report on next page.	
The Agenda will reflect the text below and/or the moti meeting.	on text will be used during the
PRESENTER: Judy Johnson, Planning Operations Ma	anager

RECOMMENDATION: That the Council receive the update.



RECEIVE AN UPDATE ON THE UNC HEALTH CARE EASTOWNE DEVELOPMENT AGREEMENT PROPOSAL

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT Judy Johnson, Operations Manager Becky McDonnell, Planner II Michael Sudol, Planner II John Richardson, Community Resilience Officer

ADDRESS
US 15-501 and Eastowne Drive

BUSINESS MEETING DATE September 25, 2019

APPLI CANT UNC Health Care

OVERVIEW

Staff will provide an update on the UNC Health Care Eastowne Development Agreement Proposal.

PROCESS & BACKGROUND

On March 13, 2019¹, the Council agreed to enter into a Development Agreement process with UNC Health Care. This memorandum provides a summary of work to date on the project. Since March, a Council Committee and UNC Health Care have met for several negotiation sessions as well as joint Advisory Board meetings, Open Houses/Community meetings, and site tours.

This memorandum provides a summary of work to date on the project:

- The McAdams Company completed a <u>Natural</u> <u>Resources Report and Preliminary Assessment</u> <u>report</u>² along with a <u>Site Survey Report</u>³ by the Natural Heritage Program; and
- 2. The UNC Health Care team has presented development intensities and scenarios for the Council Committee's consideration, and
- The traffic consultant has provided information to assist the Council Committee in understanding the traffic impacts associated with the different development scenarios.

Tonight, staff, the UNC Health Care team, and the Council Committee will update the Town Council.



Additional information can be found at the Town's web page: https://www.townofchapelhill.org/town-hall/departments-services/planning-and-development-agreement

Phase 1					Ph	ase 2		Phase 3				Phase 4					
Visioning						Plan :	Scenario)	Plan Refinement			Development Agreement					
Solicit & Analyze Public Input UNC Town Public Sustainability Workshop			Revie Scena		ernative)			Refinei Altern			: Develo ement	opmen	t			
JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN

1. Draft Staff Presentation

ATTACHMENT 2. Town of Chapel

2. Town of Chapel Hill Eastowne Development Agreement Principles

¹ https://chapelhill.legistar.com/LegislationDetail.aspx?ID=3881153&GUID=C40CCE8E-EC1B-4A0A-BCC6-7B0CA3411009

² https://www.townofchapelhill.org/home/showdocument?id=43888

³ https://www.townofchapelhill.org/home/showdocument?id=43576



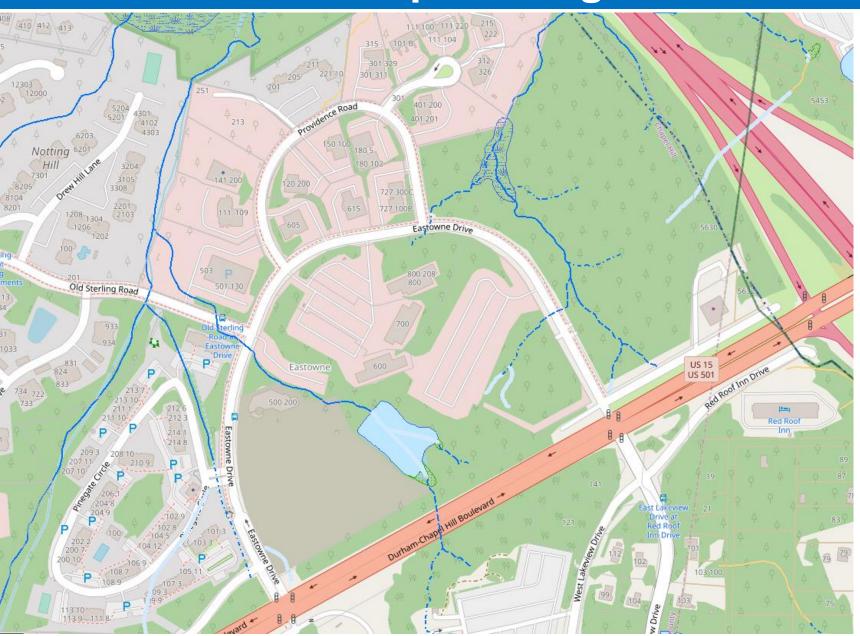
UNC Health Care Eastowne Development Agreement Update

Eastowne Development Agreement

GUIDING PRINCIPLES

- 1. Placemaking
- 2. Suitable Public Infrastructure for Development
- 3. Sustainable Design
- 4. Walkable Design
- 5. Enhance the Natural Environment
- 6. Support Community Prosperity

Eastowne Development Agreement



Eastowne Development Agreement

Phase 1					Pha	se 2			Pha	se 3			Pha	se 4		
Visioning					Plan Scenario				Plan Refinement				Development			
													F	Agree	men	τ
Solicit & Analyze Public Input UNC Town Public Sustainability Workshop				ew rnati			Refi Pref	ction neme errec	ent o	f			nent	JAATI		
JAN FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN

Town of Chapel Hill Eastowne Development Agreement Principles

- 1) Attractive Design/Appearance (Vibrant & Inclusive Community)
 - a) High-quality gateway into Chapel Hill on US 15-501
 - b) High quality landscaping and buffering
 - c) Significant green space amenities
 - d) Quality urban design
 - e) Attractive buildings with appropriate building height, particularly at edge of property as it interfaces with surrounding development
 - f) High-quality design standards and streetscapes
 - g) Sense of place throughout project
- 2) Walkable Design (Connected Community/Vibrant & Inclusive Community)
 - a) Linked pedestrian and bicycle network throughout project, with connections to adjacent properties and other parts of town
 - b) Strong connections to transit and other parts of town
 - c) Development that supports alternative transportation designs over time
 - d) Walkable streetscape along Eastowne Drive
- 3) Suitable Public Infrastructure for Development (Connected Community/Safe Community)
 - a) Roadway capacity needs based on all anticipated development
 - b) Sequencing of development based on transportation capacities
 - c) Multi-modal infrastructure
 - d) Appropriately designed utilities
 - e) Connections to broader community
- 4) Sustainable Building Design (Environmental Stewardship)
 - a) Ecological assessment and environmental mapping
 - b) Climate resilient and net-positive energy buildings
 - c) Green infrastructure
 - d) Minimizes carbon footprint
 - e) Maximizes clean and renewable energy opportunities
- 5) Enhance the Natural Environment (Environmental Stewardship)
 - a) Stream corridor improvement and restoration
 - b) Water quality improvements
 - c) Effective stormwater management measures including reuse
- 6) Support Community Prosperity (Affordable Housing/Economic & Financial Sustainability)
 - a) Affordable employee housing options
 - b) Employment opportunities
 - c) Significant contributions to public revenues/impacts on Town services

Prepared by Town of Chapel Hill Planning Department from Town Council draft strategic goals, Public Hearing discussion on Eastowne property, and the September 19, 2018 Special Use Permit Modification for the UNC Health Care Medical Office Building #1. Council goals are indicated within the parentheses.



TOWN OF CHAPFI HILL

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

Item Overview

Item #: 9., File #: [19-0780], Version: 1 Meeting Date: 9/25/2019

Authorize the Town Manager to Enter into an Agreement with Duke Energy to Convert All Chapel Hill Street Lights to Energy-Saving LED Fixtures.

Staff: Department:

Lance Norris, Director Public Works

Kumar Neppalli, Traffic Engineering Manager

John Richardson, Community Resilience Officer Manager's Office

Overview: Duke Energy owns and operates 3,605 street lights in Chapel Hill through an agreement with the Town. About 10% (376) of those street lights are currently energy-saving LED (light emitting diode) fixtures. We estimate that by converting the remainder of our street lights to LEDs, we would reduce annual greenhouse gas emissions more than 830 metric tons. This represents an estimated 5.5% emissions reduction from Town operations, equivalent to the amount of electricity consumed by 140 homes in a year.

Staff developed two options for the Council to consider. While they are on different timelines, both options provide uniform lighting color throughout the town, enhance visibility for community safety, save energy, reduce greenhouse gas emissions and minimize waste from lighting maintenance. Staff recommends Option A because this allows for a faster transition of all street lights to LED fixtures and thereby helps to address the urgency of climate change.



Recommendation(s):

That the Council adopt a resolution authorizing the Town Manager to execute an agreement with Duke Energy to convert all street lights in Chapel Hill to energy-saving LED light fixtures under Option A.

Decision Points:

• Should the Town begin the street light conversion this fiscal year or wait until next fiscal year to consider budgeting for the full conversion cost related to decorative fixtures? See the Technical Memorandum for a discussion and possible options related to this question.

Fiscal Impact/Resources: See Technical Memorandum.



Attachments:

- Technical Memorandum
- Resolution

Item #: 9., File #: [19-0780], Version: 1 Meeting Date: 9/25/2019

Technical Memorandum

September 19, 2019

Prepared by Town Staff from Public Works and the Manager's Office

When new street lights are needed, we ask Duke Energy to install LEDs. LEDs are just one of four types of street lights in Chapel Hill (see table below). If a Mercury Vapor light burns out, Duke will replace it with an LED. While these changes help, more action is needed in order to convert all street lighting to LEDs.

The information below provides more details about existing street lights, the energy saving/emissions reduction potential from a full conversion to LEDs, and the cost considerations and options associated with such a change.

Today's Street light Counts

Street light Type	Count
Mercury Vapor	500
High Pressure Sodium	2,577
Metal Halide	152
LED	376
Total	3,605

Energy and Emissions Reduction Breakdown

Full conversion to LEDs will reduce energy consumption and carbon emissions associated with street lighting by 53%. For the Town operations as a whole, this project would reduce total emissions by an estimated 5.5% per year.

Category	Today	Post LED Installation	Change
Fixture Wattage	582,690 Watts	313,110 Watts	-269,580 Watts
Energy Usage/Month	209, 768 kWh	112,720 kWh	-97,048 kWh
Energy Usage/Year	2,552,182 kWh	1,371,422 kWh	-1,180,760 kWh
Carbon Reduction	1,805 metric tons	970 metric tons	-835 metric tons

LED Conversion Costs

Converting our street lights to LEDs comes with three sets of costs:

- Increased monthly street light bills (service rate and fees)
- Hardware transition cost for standard street lights (\$153,690*)
- Hardware transition cost for decorative street lights (\$365,234*)

*Rounded to the nearest dollar for the purposes of this memorandum

Item #: 9., File #: [19-0780], Version: 1 Meeting Date: 9/25/2019

The monthly street light bill is the Town's ongoing payments for electricity, maintenance and decorative street light fees. The hardware transition costs are the payments that Duke Energy requires in order to physically replace the existing street lights with new LED fixtures.

By converting to LED, Duke Energy has confirmed that the change to the monthly bill would be as follows:

Monthly Rate and Fee Type	Today's Rates	New LED Rates	Change
Base Rate	\$28,482	\$28,528	\$46
Decorative Light Fee	\$2,034	\$5,085	\$3,051
Other Charges	\$2,865	\$2,865	
Monthly Total	\$33,381	\$36,478	\$3,097

Duke Energy has also confirmed that the options for each hardware transition cost are as follows:

Cost Type	Payment Options
Standard Street Light Hardware Transition Cost (\$153,690)	Pay up front <u>or</u> pay in equal annual installments over 4 years
Transition Cost (\$365,234)	Pay up front <u>or</u> pay as part of the monthly street light bill for as long as the lights are in place, raising the monthly bill from \$36,478 to \$38,788 per month

The current street light budget is sufficient to cover either of the monthly bill increase scenarios shown above (\$36,478 and \$38,788). It is also sufficient to cover the hardware transition cost for standard street lights if that amount is paid in equal annual installments over four years. The budget is <u>not</u> large enough to pay for the full hardware transition cost for decorative street lights.

LED Conversion Options

The options below are different in terms of the installation timing and costs associated with decorative street lights only.

Option Details	Option A	Option B
Standard Street Light Installation Begins	January 2020	January 2020
Decorative Street Light Installation Begins	March 2020	TBD
	1, , , , ,	\$153,690 (paid in equal annual installments over 4 years)
Decorative Street Lights	light bill because funds not	\$365,234 (Council considers budgeting for one-time payment in future fiscal year)
	Maximum energy savings and carbon reduction begin in FY19- 20	Town avoids ongoing monthly \$5,407 decorative transition cost

Meeting Date: 9/25/2019

Item #: 9., File #: [19-0780], Version: 1

Cons	Added monthly decorative fees	Carbon savings from decorative
	are ongoing and do <u>not</u> count	lighting is delayed indefinitely; only
	towards the full hardware	2/3 of all street lighting is uniform
	transition cost of \$365,234	until decorative LEDs are installed

^{**}As part of Option A, the staff recommends that the Council consider budgeting for the full \$365,234 hardware transition cost for decorative lighting in FY20-21 to avoid paying the monthly decorative light fees in perpetuity. This cost savings represents \$2,310 per month, which equals the monthly bill increase from \$36,478 to \$38,788. Another way to think about this is that in 13.17 years, the Town will have paid \$365,234 in monthly fees for new LED decorative street lights. Every month after this point will represent ongoing fees that could otherwise be avoided by making the one-time lump sum payment of \$365,234.

Staff Recommendation

That the Council authorize the Town Manager to execute an agreement with Duke Energy to convert all street lights in Chapel Hill to energy-saving LED light fixtures under Option A.

Although they are on different timelines, both of the options above will provide uniform lighting color throughout the town, enhance visibility for community safety, save energy, reduce greenhouse gas emissions and minimize waste from lighting maintenance. Staff recommends Option A because this allows for a faster transition of all street lights to LED fixtures and thereby helps to address the urgency of climate change.

Item #: 9., File #: [19-0780], Version: 1 Meeting Date: 9/25/2019

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH DUKE ENERGY TO CONVERT ALL CHAPEL HILL STREET LIGHTS TO ENERGY-SAVING LED FIXTURES (2019-09-25/R-10)

WHEREAS, the Town Council is committed to upholding the Paris Climate Agreement and reducing greenhouse gas emissions in order to help mitigate the effects of climate change; and

WHEREAS, Duke Energy owns and operates 3,605 street lights in Chapel Hill and provides this service by way of an agreement with the Town; and

WHEREAS, 376 or 10% of these total street lights are energy-saving LEDs (light emitting diodes); and

WHEREAS, the conversion of all remaining street lights to LEDs could result in an annual greenhouse gas emissions reduction of over 830 metric tons; and

WHEREAS, full conversion represents a 5.5% emissions reduction from Town operations and is equivalent to saving the electricity needed to power over 140 homes for an entire year; and

WHEREAS, a conversion to LED street lighting can also minimize waste from lighting maintenance, provide uniform lighting color throughout the town, enhance visibility for community safety and help to address the urgency of climate change.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to execute an agreement with Duke Energy to convert all street lights in Chapel Hill to energy-saving LED light fixtures as described by Option A in the Technical Memorandum and below:

- The Town will ask Duke Energy to convert all remaining non-LED street lights to LEDs as soon as the utility's installation schedule will allow, estimated to begin as early as January 2020.
- The Town will pay the standard street lighting conversion cost of \$153,690 over a four year period, or sooner, should budget allow.
- The Town will agree to pay any monthly fees associated with the new decorative LED street lighting for FY19-20.
- For the Council's consideration as part of the FY20-21 budget discussion, staff will bring forward an item to cancel the monthly decorative street light transition payment plan for LEDs and pay the full \$365,234 in a lump sum payment.
- For the Council's consideration as part of the FY20-21 budget discussion, staff may bring forward
 an item to cancel all other monthly decorative street light fee agreements and pay the one-time
 full cost for all existing decorative street lights.
- The costs above are estimated by Duke Energy and rounded to the nearest dollar. This Resolution also allows for a 1% adjustment above these costs should the final contract amounts change.

This the 25th day of September, 2019.

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 adopt a resolution, authorizing the Town Manager to execute an agreement with Duke Energy to convert all street lights in Chapel Hill to energy-saving LED light fixtures under Option A.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 10., File #: [19-0781], Version: 1

Meeting Date: 9/25/2019

Update on Climate Action and Response Plan.

Staff: Department:

John Richardson, Community Resilience Officer Manager's Office

Overview: The Town is developing its first Climate Action and Response Plan. We define "Climate Action" as the mitigation of carbon emissions for both Town operations and the community as a whole and "Response" as the adaptation needed for our changing climate. Given the urgency of climate change, the Town will work with a consultant that specializes in this area to identify the top 10 or more actions to generate the biggest positive impacts over the next five years. We will engage the community, our advisory boards and the Council to prioritize meaningful action steps by evaluating their potential benefits and costs across environmental, social, economic and public health criteria. This Plan is intended to be a lean and effective roadmap for creating real and positive change in our community over the next five years.



Recommendation(s):

That the Council receive this report and provide continued direction.

Fiscal Impact/Resources: The current budget for this project is \$50,000, as allocated through the FY19 -20 budget.

Where is this item in its process?





Attachments:

Draft Staff Presentation

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 this report and provide continued

direction.



Update on Climate Action & Response Plan

September 25, 2019

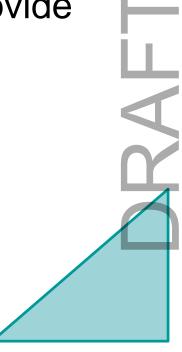






Recommendation

That the Council receive the report and provide direction.



Overview

- 1st Climate Action & Response Plan
- Focus: carbon reduction and adaptation
- Top 10+ most meaningful actions by 2025
- Evaluating: environmental, social, economic and public health benefits/costs
- Engage: Community, partners, boards and Council
- Prioritize our work

Schedule

Task	SEP	ОСТ	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
Select Consultant											F
2. Complete Emissions Inventories											7
3. Share Results, Gather Solutions											
4. Draft Plan											
5. Council Adopts Plan											
6. Implement Plan											



Planned quarterly check-in meetings with Council

Key Outcomes

- Top actions for reduction and adaptation
- Identify implementation resources
- Integration with 5-year budget plan
- New carbon goals and sustainability targets
- Enhanced community partnerships
- Tools for monitoring and evaluation

Next Steps

- Place consultant under contract
- Begin data gathering
- Continue engaging community partners
- Share more through <u>sustainchapelhill.org</u>
- 2nd Report: November 2019





TOWN OF CHAPEL HILL

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

Item Overview

Item #: 11., File #: [19-0782], Version: 1 Meeting Date: 9/25/2019

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

Staff: Department:

Maurice Jones, Town Manager John Richardson, Community Resilience Officer Manager's Office

Overview: The Town received two petitions in support of a clean energy future for Chapel Hill. The petition by the Climate Reality Group https://chapelhill.legistar.com/View.ashx?

M=F&ID=7146473&GUID=15BECB45-AEE9-41D0-B13D-EF59A368D4FC> points to the overwhelming body of scientific evidence that climate change is real and that the time to act is now in order to avoid the worst of it. The Group also cites a study out of two California universities which provides a roadmap for how the country can reduce emissions 80% by 2030, and reach 100% by 2050, through the use of existing renewable energy technology.

The petition from the Orange-Chatham Group of the Sierra Club https://chapelhill.legistar.com/View.ashx?M=F&ID=7334257&GUID=E369FF88-024D-4568-8332-A5C99B30C3F7 is part of the Club's "Ready for 100" campaign, also pointing to the need for a transition to 100% clean, renewable energy by 2050. In addition to goal-setting, the petition provides a list of carbon reduction strategies for the Town to consider as it develops a Climate Action and Response Plan.

UNC Chapel Hill has made a similar commitment to net zero greenhouse gas emissions as part of its https://threezeros.unc.edu/about/ initiative. The Town's Environmental Stewardship Advisory Board reviewed both petitions and expressed support for transitioning to a clean energy future and for considering the ideas proposed as part of the Climate Action and Response Planning process.



Recommendation(s):

That the Council adopt a resolution, committing to create a Climate Action and Response Plan by 2020 to begin transitioning to 80% clean, renewable energy community-wide by 2030, and to reach 100% by 2050.

While the Council has already made the commitment to creating a Climate Action and Response Plan, this Resolution connects the plan with new long-term goals for the community.

Key Issues:

- Achieving these aspirational goals will require support, investment and action from all levels of
 government and industry. It will also be the work of everyone who lives in, works in, plays in, goes
 to school in and visits the Town of Chapel Hill.
- The Town of Chapel Hill operation is about 2% of the community's total carbon footprint and the Town can make significant investments to reduce its share of carbon emissions. For the remaining 98%, the Town can lead by example: advocating for stronger state and federal policy, forming key partnerships within the community, and enabling everyone to act.
- It will also be important that the Town and the community commit to achieving equity, affordability and access in the transition to carbon neutrality and a renewable energy future.

Meeting Date: 9/25/2019

Fiscal Impact/Resources: The fiscal impacts of a full transition to 100% clean, renewable energy will be borne by the Town, the University, the residents, local organizations and the business community. The Climate Action and Response Plan will begin to outline these costs for the Town. Partnerships, state and federal clean energy policy, collective action and community-wide investment will all be needed in order to achieve carbon neutrality and a clean energy future for Chapel Hill.





Attachments:

- Resolution
- Draft Staff Presentation

Item #: 11., File #: [19-0782], Version: 1 Meeting Date: 9/25/2019

A RESOLUTION TO TRANSITION TO A 100% CLEAN, RENEWABLE ENERGY COMMUNITY BY 2050 (2019-09-25/R-11)

WHEREAS, climate change is real, and increasing levels of greenhouse gas emissions are having adverse effects on both the natural and built environments; and

WHEREAS, these physical effects are expected to lead to water scarcity, increased numbers of refugees, food insecurity, more poverty and disease, and mass extinctions of species; and

WHEREAS, low-income communities and communities of color in North Carolina and the United States are disproportionately exposed to extreme heat and the hazardous pollutants released by fossil fuel burning that can lead to serious health problems such as cancer and asthma exacerbation; and

WHEREAS, clean, renewable energy is defined as energy derived from ongoing natural processes that rapidly replenish and is sustainably collected from renewable sources such as solar, wind, and geothermal; and

WHEREAS, a Stanford University and University of California-Davis study concludes that the United States energy supply could be based entirely on renewable energy by the year 2050 using current technologies and 80% renewable energy by 2030, while creating numerous jobs; and

WHEREAS, leading economists, policy experts, and business leaders conclude that transitioning to a clean energy economy would create millions of green jobs nationally, improve living standards, and boost economic growth; and

WHEREAS, energy efficiency is also an essential strategy in lowering the nation's energy use and emissions; and

WHEREAS, in 2017, the Town Council resolved to uphold the Paris Climate Agreement by proportionately reducing greenhouse gas emissions in Chapel Hill; and

WHEREAS, the Town Council has committed to creating and implementing a Climate Action and Response Plan to help mitigate the effects of climate change and to create a more resilient and adaptive community; and

WHEREAS, in October 2018, Governor Roy Cooper signed an executive order, "North Carolina's Commitment to Address Climate Change and Transition to a Clean Energy Economy", which states that North Carolina with honor the 2015 Paris Agreement goals and the state's commitment to the United States Climate Alliance, and requires the state to reduce its greenhouse gas emissions to 40% below 2005 levels by 2025; and

WHEREAS, the urgency of climate change is real and the time to act is now in order to one day tell our young people that we did everything we could to make their future better.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council commit to creating a Climate Action and Response Plan by 2020 to begin transitioning to 80% clean, renewable energy community-wide by 2030, and to reach 100% by 2050.

BE IT FURTHER RESOLVED that achieving these aspirational goals will require support and action from all levels of government and industry, and will be the work of everyone who lives in, works in, plays in, goes to school in and visits the Town of Chapel Hill.

BE IT FURTHER RESOLVED that the Town commits to achieving equity, affordability and access in the

Item #: 11., File #: [19-0782], Version: 1

Meeting Date: 9/25/2019

transition to carbon neutrality and a renewable energy future.

This the 25th day of September, 2019.

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 adopt the attached resolution, committing to creating a Climate Action and Response Plan by 2020 to begin transitioning to 80% clean, renewable energy community-wide by 2030, and to reach 100% by 2050.



Resolve to Plan for a Transition to 100% Clean, Renewable Energy

September 25, 2019







Recommendation

That the Council commit to creating a Climate Action and Response Plan by 2020 to begin transitioning to 80% clean, renewable energy community-wide by 2030, and to reach 100% by 2050.

Overview

- Earlier this year, Council received petitions from the Climate Reality Group and the Orange-Chatham Group of Sierra Club
- The petitions advocate for 100% clean, renewable energy community-wide, by 2050

Key Issues

- Achieving our goals will require support, investment and action from all levels of government and industry
- Town operations are 2% of Chapel Hill's total emissions and we have limited authority to affect the other 98%
- Climate justice: equity, affordability and access

Fiscal Impacts

- Near-term costs to the Town will be outlined as part of the Climate Action and Response Plan
- To reach carbon neutrality community-wide, additional costs will be borne by the Town, the University, the residents, local organizations and the business community

Recommendation

That the Council commit to creating a Climate Action and Response Plan by 2020 to begin transitioning to 80% clean, renewable energy community-wide by 2030, and to reach 100% by 2050.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 12., File #: [19-0783], Version: 1	Meeting Date: 9/25/2019
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Blue Hill Semiannual Report #10.

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

RECOMMENDATION: That the Council receive the report, and adopt a resolution calling a public hearing on October 30, 2019 to consider text amendments regarding massing and permeability standards in the Blue Hill District.



BLUE HILL SEMIANNUAL REPORT [#10]1

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT Loryn Clark, Executive Director for Housing and Community Judy Johnson, Planning Operations Manager Corey Liles, Principal Planner

PROJECT LOCATION	MEETING DATE
Blue Hill Form District	September 25, 2019

STAFF'S RECOMMENDATION

- 1. Receive the staff's report and presentation
- 2. Approve a resolution calling a public hearing on October 30, 2019 to consider text amendments regarding Blue Hill massing and permeability standards

OVERVIEW

The Report provides updates on Blue Hill District activity since the last update on March 13, 2019². Highlights include:

Elliott Road Flood Storage	All permits received and design is 90% complete. A closing date has been set for the final property easements.
Elliott Road Extension	Design work should be complete this fall. The Park Apartments project developer will construct the road following right-of-way acquisition (per terms of the 2018 Memorandum of Understanding).
Stormwater Treatment	Administrative review and greater development potential are now used to incentivize enhanced stormwater treatment (in response to recent State legislation no longer allowing Town to require it).
Approved Development Applications	 The Town recently approved two significant projects: <u>Tarheel Lodging/Quality Inn</u> (mixed use – hotel/office/multifamily) – demolition now underway 85,495 sq ft, commercial space, 234 dwelling units <u>Park Apartments Phase I</u> (multifamily) – demolition now underway 414 dwelling units, \$1.5 million payment-in-lieu for affordable housing
Greenfield Commons	The affordable senior housing project is complete and fully occupied.
Annual Property Tax Revenue	Projects under construction will generate an estimated \$800,000 increase in tax revenue, once they are complete.
Community Benefits Highlights	 1.7 acres of public Outdoor Amenity Space currently under construction Stormwater facilities (built or approved to date) will treat 36% more impervious area for the District overall, compared to typical Town requirements Upcoming projects will add over 25,000 linear feet of new sidewalks, bike lanes, and trails
Improving Development Outcomes	 Public Hearing on potential new Massing Standards proposed for October 30, 2019 Council update on Affordable Housing Strategies in early 2020 Staff working on response to June 2019 community petition for additional Code improvements

FISCAL IMPACT/RESOURCES

There are no financial impacts associated with this report.

ATTACHMENTS

- 1. Blue Hill District Report, September 2019
- 2. Resolution A (Calling a Public Hearing on Blue Hill Massing)
- 3. Development Tracking Spreadsheet, September 2019
- 4. District Debt Scorecard, September 2019

¹ This is the 10th Council-required report for the Blue Hill District that will occur through 2025.

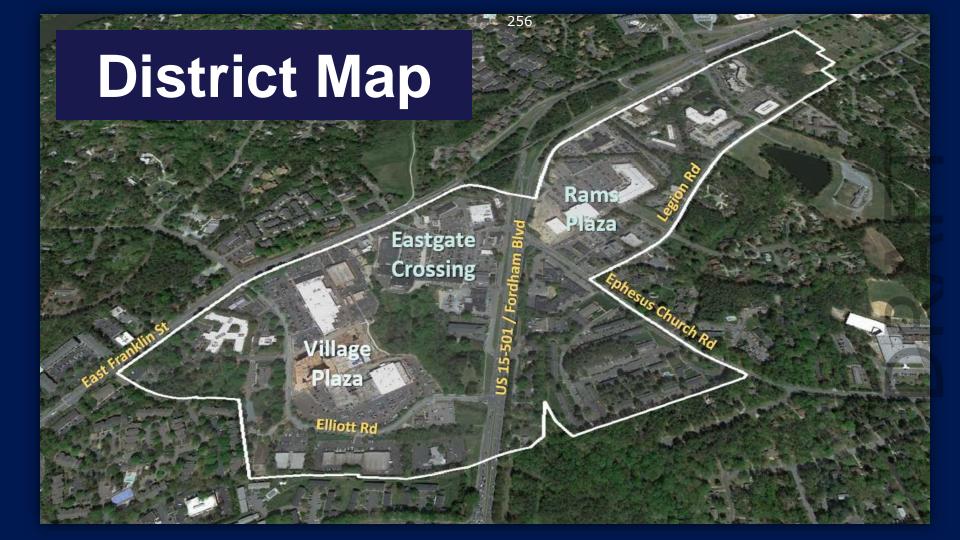
² https://chapelhill.legistar.com/MeetingDetail.aspx?ID=621445&GUID=DC1B731A-800E-4CF5-8C36-502EFC226A8C (see item #11)



Blue Hill District Report

Date: September 25, 2019







1 District Updates

1 Town Projects: Highlights

All permits received for Elliott Rd Flood Storage



Nearing final design for **Elliott Rd Extension**



Code update completed in June to restore **Enhanced Stormwater Treatment**

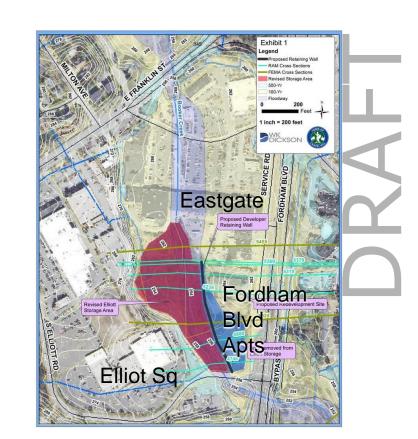




1 Elliott Rd Flood Storage

Town Project

- All required permits received
- Design 90% complete, including recreation components
- Property acquisition final easements set for closing
- Construction start targeted for Fall 2019



Elliott Road Extension

Town Project

- Final Design expected this fall
- Initiating ROW acquisition
- Construction as part of Park Apartments project



1

1 Stormwater Treatment

Code Changes COMPLETE

- Response to Session Law 2018-245 stormwater treatment can only be required for net increase in impervious area
- Two paths created in Code full development potential of Blue Hill now used to incentivize enhanced stormwater treatment (limited density otherwise)
- Text Amendment adopted by Council on June 26, 2019



1 Development Highlights

Tarheel Lodging and Park Apartments Ph I recently approved, demolition underway

Construction continues on Hillstone Apartments and **Fordham Blvd Apartments**

Greenfield Commons recently completed

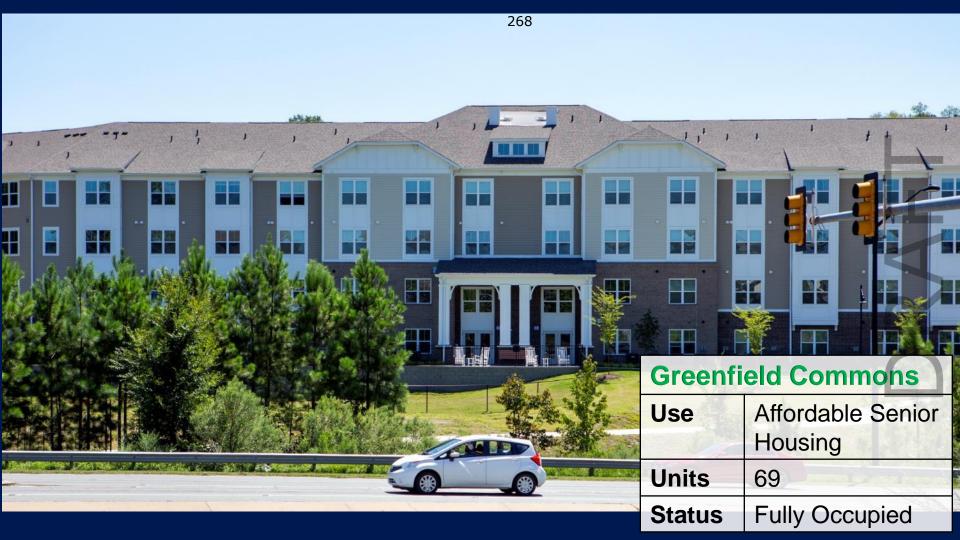












2 District Performance



Development Tracking: Highlights

648 dwelling units approved for Tarheel Lodging and Park Apts Ph I



(1,465 net total units new or in the pipeline)

85,495 sq ft of commercial space approved for Tarheel Lodging (hotel and office)



Projects under construction generate \$800K increase in annual property tax revenue (current FY vs FY 22 estimate) ■ Property Tax
■ Debt Payment \$0.9 \$0.6 **FY 19 FY 20 FY 21 FY22** Increased District revenue exceeds Cumulative Debt Payments in FY21

2

Development Tracking – Residential

Status as of September 2019

Completed Projects

415 415

Under Construction

1,248 1,050

Add'l Anticipated* through 2029

636 636

TOTAL through 2029

2,299 2,101



* Based on 2014 Projections. Includes Park Apts Ph II, Staples

More details in *Development Tracking Spreadsheet*

Development Tracking - Residential

Status as of September 2019

RESIDENTIAL SQUARE FOOTAGE NET NEW

Completed Projects

466,374 466,374

Under Construction

1,401,795 1,548,447

Add'l Anticipated* through 2029

572,000 572,000

TOTAL through 2029

2,586,821 2,440,169



* Based on 2014 Projections. Includes Park Apts Ph II, Staples

More details in *Development* Tracking Spreadsheet

2

Development Tracking - Commercial

Status as of September 2019

COMMERCIAL	
SQUARE FOOTAGE	NET NEW

Completed Projects

39,074 33,361

Under Construction

85,495 15,360

Add'l Anticipated* through 2029

130,000 28,129

TOTAL through 2029

254,569 76,850



* Based on 2014 Projections. Includes Staples, University Inn

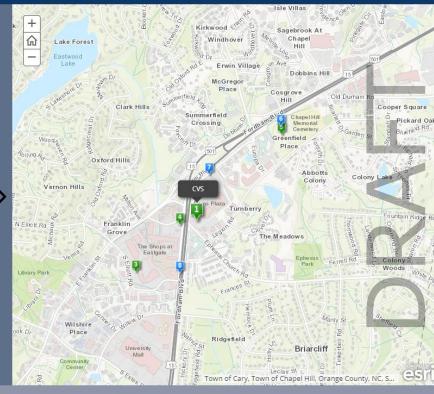
More details in *Development Tracking Spreadsheet*

Check out the

Redevelopment Story Map at

www.townofchapelhill.org/BlueHillDistrict





Click here to access detailed information on development permits issued within the Blue Hill District 📑 💆 🔗

















Fordham Bou



Debt Scorecard

Revenues exceed cumulative debt payments by FY 20-21

- Property tax revenues from completed and under construction projects
- Debt payments on completed road improvements and Elliott Rd Extension

	FY	FY	FY	FY	FY
	2017-18	2018-19	2019-20	2020-21	2021-22
Revenues					
Incremental Property Tax	\$499,190	\$510,089	\$572,946	\$1,102,164	\$1,402,391
Expenditures					
Debt Service Payments	\$435,224	\$434,429	\$487,772	\$668,617	\$663,086
Revenue less Expenditures	\$63,966	\$75,660	\$85,174	\$433,547	\$739,305
Revenue less Expenditures Cumulative	\$(370,975)	\$(295,314)	\$(210,140)	\$223,407	\$962,712

More details in *District Debt Scorecard*



Community Benefits: Highlights

1.7 acres of
Outdoor Amenity
Space currently
under construction

(Central green space provided by Flood Storage project)

Development payments for Bus Stop Furnishings total \$65K to date



Stormwater standards resulting in 36% more treated impervious area



(compared to typical Town requirements)



Community Benefits: Highlights

New Connections:

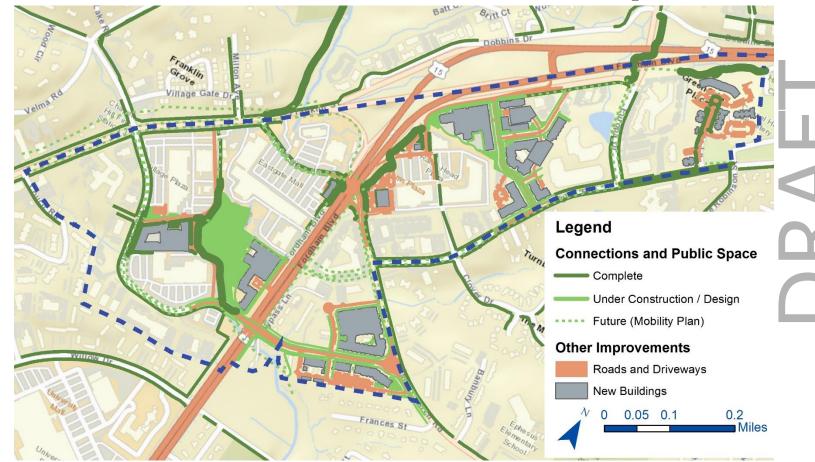
Linear Feet of:	Newly Approved (Tarheel Lodging, Park Apts)	Total Added/ Planned
Trails	220	3,450
Bike Lanes	943	7,950
Sidewalks	4,506	13,650



Park Apartments payment of \$1.5M for affordable housing



Connections and Public Space

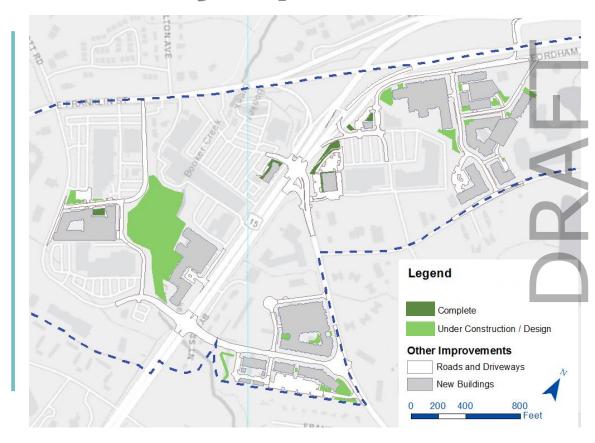




Outdoor Amenity Space

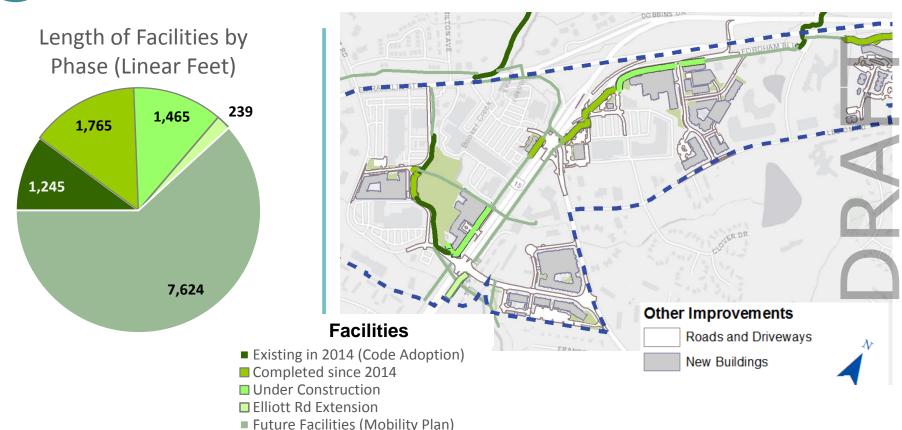
Required: 6% of site

- Completed:0.7 acres
- UnderConstruction:1.7 acres
- Flood StorageGreen Space:4+ acres



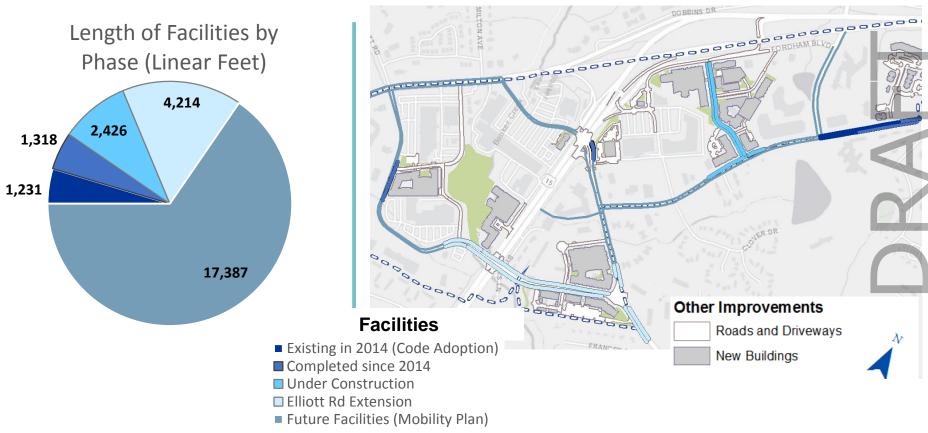


Connections: Trails & Greenways



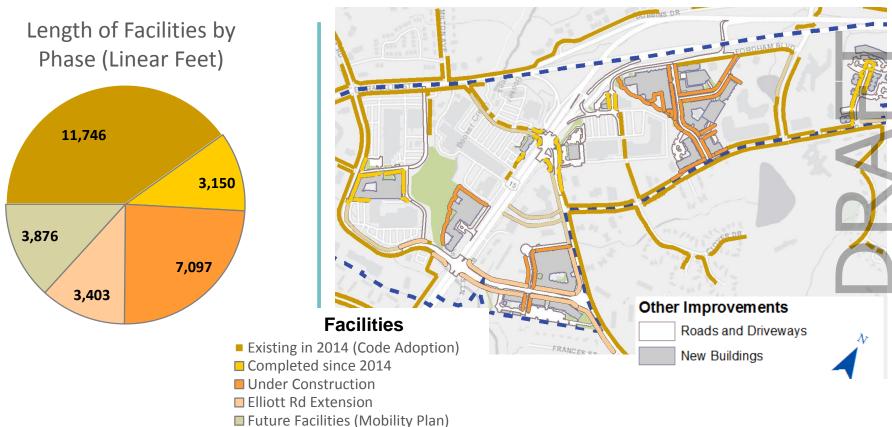


Connections: Bicycle Facilities





Connections: Sidewalks



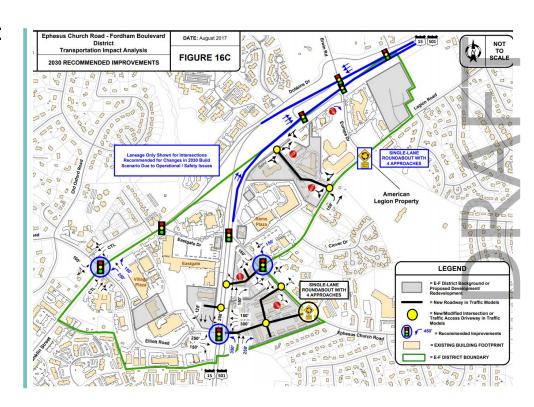


Connections: Road Improvements

Implementation of 2017 District TIA:

- Town to fund Elliott Rd Ext and through debt issuance
- Anticipated NCDOT project for Fordham Blvd improvements
- Developers construct local streets (including Novus Ln) and intersection improvements associated with sites

Roadway improvements support anticipated development and traffic generation through 2030



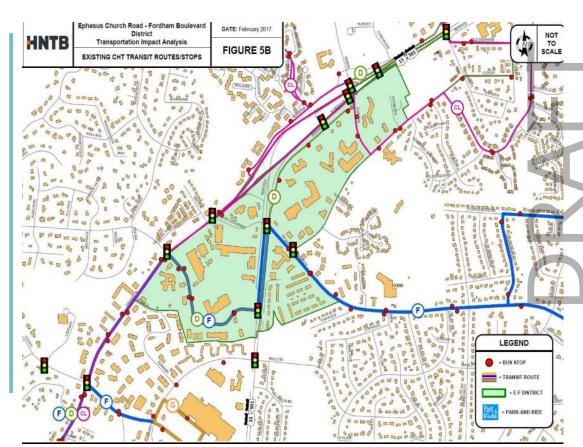


Connections: Transit Stops

Project approvals require payments for bus stop furnishings

- Payments Received: \$17,000
- Payments Pending: \$45,000

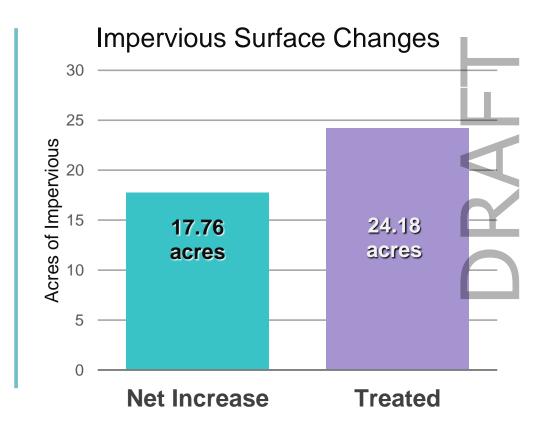
Service recommendations included in 2017 District TIA





Stormwater Management

- District stormwater
 regulations require more
 impervious surface treatment
 than town-wide standards
- As a result, new and permitted projects since 2014 will treat an additional
 6.4 acres of impervious area above normal requirements
 (36% increase)



3 Looking Ahead

March 2018 Council Petition

Submitted by Council Members in March 2018

Interests

- 1. Encourage non-residential development
 - Residential projects now require mixed-use component
- 2. Achieve affordable housing goal
 - Ongoing effort; Housing staff exploring various strategies
- 3. Address building size and massing concerns
 - Small changes made to recreation space standards.
 Further study underway



Affordable Housing Strategies

Updates

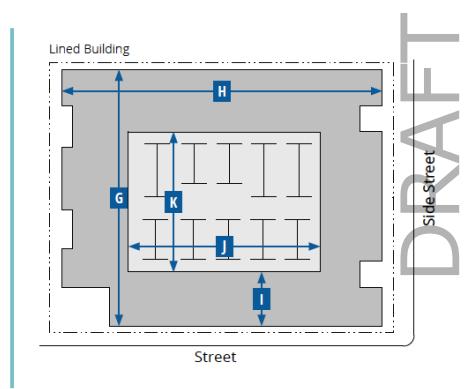
- Affordable housing made part of Blue Hill Code purpose statement in June
- Council update on additional strategies expected in early 2020



Massing Standards Study

Updates

- Council discussed recommended standards at June 2019 Work Session
- Economic analysis and Refined dimension options underway
- Public Hearing proposed for October 30





Massing Standards Study

Current Process

Previous
Text
Amendments



New
Standards
– Initial
Research



Further Research and Fine-Tuning



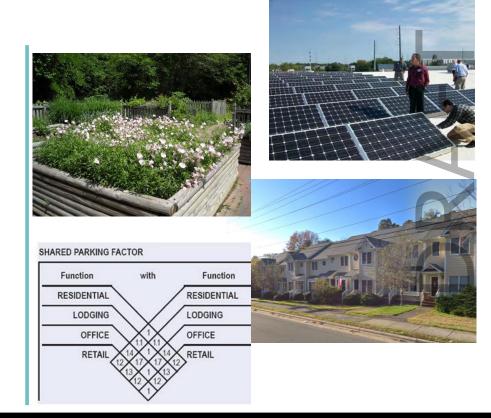
Text Amendment Review



Other Code Considerations

June 2019 Community Petition

- Interest: How the Form-Based Code can deliver additional community benefits
- Staff working on response



3 Site Inquiries

Pre-Application Discussions

Gateway Commons site



University Inn site



Understanding regulations prior to proposing a project



3 Construction Progress

Expected in the Upcoming Year

Completing construction:

- □ Novus Lane
- ☐ Hillstone Apartments
- ☐ Fordham Blvd Apartments
- □ Village Plaza Amenity Space and renovations



Starting construction:

- Elliott Rd Flood Storage
- Elliott Rd Extension
- ☐ Tru Hotel by Hilton
- □ Park Apartments





- Massing Standards Public Hearing: October 30 (anticipated)
- Affordable Housing Strategies Update: Winter 2020
- Next Blue Hill Update:
 Spring 2020

RESOLUTION A

A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENTS TO SECTION 3.11 REGARDING MASSING AND PERMEABILITY STANDARDS IN THE BLUE HILL DISTRICT (2019-09-25/R-12)

WHEREAS, on March 14, 2018, Council Members petitioned the Mayor and Town Manager to consider solutions for the Blue Hill District that would address community interests including increasing non-residential development, accomplishing the existing goal of 300 new affordable housing units, and addressing building size and massing concerns; and

WHEREAS, the Town has engaged an urban design consultant to work with the Town Council and other stakeholders to formulate possible modifications to the Blue Hill Form-Based Code that respond to the petition interest in building size and massing; and

WHEREAS, the Planning Commission is scheduled to consider Land Use Management Ordinance text amendments on this topic at an upcoming meeting and is scheduled to forward a recommendation to the Public Hearing before the Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council calls a Public Hearing on October 30, 2019 at 7:00 p.m. to consider possible Land Use Management Ordinance text amendments regarding massing and permeability standards in the Blue Hill District and refers the proposed amendments to the Town Manager, Planning Commission and Community Design Commission for their consideration.

This the 25th day of September, 2019.

Blue Hill Development -- Original 2014 Projections

Source: Town of Chapel Hill Economic Development Office

Note: Projections based on local market conditions, long-term leases and the known interests of property owners

Projects assigned to phases based on year of anticipated completion and addition to tax roll

Projected Development, Years 0-4 (2014-2018)						
Project Name	Other Name	Property Type	Projected Residential Units	Projected Square Footage		
Quality Inn	Tarheel Lodging/TRU	Hotel	(200,000		
The Park		Residential	775	680,000		
The Park (comm site)		Commercial	(7,000		
Former Theater	Berkshire	Residential	225	240,000		
Former Theater	Berkshire	Retail	(10,000		
Ram's Plaza/CVS	Outparcel & CVS	Retail	(13,000		
			1,000	1,150,000		

Projected Development, Years 4-10 (2018-2024)						
Project Name	Other Name	Property Type	Projected Residential Units	Proj	ected Square Footage	
University Inn		Hotel		0	100,000	
		Retail		0	13,000	
Regency Center	Old BBQ Restaurant	Retail		0	4,000	
DHIC	Greenfield Place	Residential	1	01	80,550	
			1	01	197,550	

Projected Development, Years 10-15 (2024-2029)						
Project Name	Other Name	Property Type	Projected Residential Units	Projected Square Footage		
Eastgate		Retail		20,000		
		Office		75,000		
		Residential	22	200,000		
Ram's Plaza		Retail		300,000		
		Office		75,000		
		Residential	120	100,000		
Volvo Dealership	Hillstone	Retail		100,000		
			34:	5 870,000		

Total Projected Development, Years 0-15 (2014-2029)				
	Projected Residential Units	Projected Square Footage		
	1,446			
	Total Office	e 150,000		
	Total Reta	il 460,000		
	Total Hote	300,000		
	Total Residentia	1,300,550		

Note: 2014 projections also informed by 2011 TIA, which was informed by market analysis associated with Small Area Plan

Blue Hill Development -- Actual to Date

Source: Town of Chapel Hill Planning & Development Services, Approved Applications

Note: Projects include those built, under construction and permitted; numbers based on permitted amounts

Actual Development, Years 0-4 (2014 - 2018)								
						Net New		Net New Square
Project Name	Other Name	Property Type	Status	Projection	Residential Units	Residential Units	Square Footage	Footage
Ram's Plaza Outbuildin	g	Retail	Complete	Years 0-4	0	C	2,700	2,700
Former Theater	Berkshire	Residential	Complete	Years 0-4	266	266	307,000	307,000
Former Theater	Berkshire	Retail	Complete	Years 0-4	0	C	15,600	11,539
CVS		Retail	Complete	Years 0-4	0	C	13,013	13,013
Eastgate Building D	Former BP	Retail	Complete	Not projected	0	C	7,761	6,109
DHIC	Greenfield Place	Residential	Complete	Years 4-10	80	80	81,599	81,599
DHIC	Greenfield Commons	Residential	Complete	Years 4-10	69	69	77,775	77,775
					415	415	505,448	499,735

Note: Net New Square Footage subtracts the Old BBQ Restaurant (4,061) and the Former BP Gas Station (1,652)

Actual Development, \	/ears 4-10 (2018 - 2024)							
						Net New		Net New Square
Project Name	Other Name	Property Type	Status	Projection	Residential Units	Residential Units	Square Footage	Footage
Hillstone	Former Volvo	Residential	Under construction	Years 10-15	328	328	400,411	400,411
Fordham Blvd Apts	Former Days Inn	Residential	Under construction	Not projected	272	272	291,015	291,015
Fordham Blvd Apts	Former Days Inn	Hotel	Demolished	Not projected	0	(0	(23,418)
Quality Inn	TRU/Tarheel Lodging	Hotel	Under construction	Years 0-4	0	(43,040	37,075
Tarheel Lodging		Residential	Approved	Not Projected	234	234	312,037	312,037
Tarheel Lodging		Office	Approved	Not Projected	0	(42,455	1,703
The Park	Park Apartments Ph I	Residential	Approved	Years 0-4	414	216	544,984	398,332
					1,248	1,050	1,633,942	2 1,417,155

Note: Net Units and Net Square Footage reflects future demolition of Hong Kong Buffet, Quality Inn, and existing Park Apartments

Blue Hill Development -- Anticipated by 2029

Source: Town of Chapel Hill Planning & Development Services Department

Note: Projects include those in pre-application or conceptual phases; numbers are preliminary estimates and subject to change

		Antio	cipated Development,	Years 4-15 (2018 - 20	29)			
				Anticipated	Net Anticipated	Anticipated	Square Anticipa	ated Net
Project Name	Other Name	Property Type	Original Projection	Residential Units	Residential Units	Footage	Square	Footage
The Park	Park Apartments Ph II	Residential	Years 0-4	336	336	;	302,000	302,000
Staples		Residential	Not Projected	300	300) 2	270,000	270,000
Staples		Retail	Not Projected	(0)	30,000	-8,579
Legion & Ephesus Ch.		Retail	Not Projected	(0 0	Square Foot	tage Unknown	
Legion & Ephesus Ch.		Residential	Not Projected	Units Unknown		Square Foot	tage Unknown	
University Inn		Hotel	Years 4-10	(0 0)	100,000	36,708
				636	636	;	702,000	600,129

Note: Net Units and Net Square Footage reflects future demolition of Staples and associated outbuildings, and University Inn Other sites may redevelop in Years 5-15 that are not anticipated at this time

Blue Hill District - Score Card

FY201	5-16	F	Y2016-17	FY2017-18	FY2018-19	FY2019-20	FY2020-21	FY2021-22	FY2022-23	FY2023-24	FY2024-25	FY2025-26	FY2026-27	FY2027-28	FY2028-29	FY2029-30	FY2030-31
\$	-	\$	- :	\$ 499,190 \$	510,089 \$	572,946 \$	1,102,164 \$	1,402,391	1,402,391 \$	1,402,391 \$	1,402,391 \$	1,402,391 \$	1,402,391 \$	1,402,391 \$	1,402,391 \$	1,402,391 \$	1,402,391
\$	-	\$	434,941	\$ 435,224 \$	434,429 \$	487,772 \$	668,617 \$	663,086 \$	657,378 \$	651,493 \$	646,521 \$	640,166 \$	634,817 \$	629,265 \$	623,511 \$	617,555 \$	612,486
\$	-	\$	(434,941)	\$ 63,966 \$	75,660 \$	85,174 \$	433,547 \$	739,305 \$	745,013 \$	750,898 \$	755,870 \$	762,225 \$	767,574 \$	773,126 \$	778,880 \$	784,836 \$	789,905
	\$ \$ \$	\$ - \$ -	\$ - \$ \$ - \$	\$ - \$ - \$	\$ - \$ - \$ 499,190 \$ \$ - \$ 434,941 \$ 435,224 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ \$ - \$ 434,941 \$ 435,224 \$ 434,429 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ \$ - \$ 434,941 \$ 435,224 \$ 434,429 \$ 487,772 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ \$ - \$ 434,941 \$ 435,224 \$ 434,429 \$ 487,772 \$ 668,617 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ 1,402,391 \$ \$ - \$ 434,941 \$ 435,224 \$ 434,429 \$ 487,772 \$ 668,617 \$ 663,086 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ 1,402,391 \$ 1,402,391 \$ \$ \$ - \$ 434,941 \$ 435,224 \$ 434,429 \$ 487,772 \$ 668,617 \$ 663,086 \$ 657,378 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ \$ 1,402,391 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ \$ 1,402,391 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ 1,402,391 \$ 1,	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 646,521 \$ 640,166 \$ 634,817 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 646,521 \$ 640,166 \$ 634,817 \$ 629,265 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 1,402,391 \$ 629,265 \$ 623,511 \$	\$ - \$ - \$ 499,190 \$ 510,089 \$ 572,946 \$ 1,102,164 \$ 1,402,391 \$ 1,

lote:

Debt Service for Phase I and Phase II, includes an additional \$2.6 million (NET) for Phase II construction to be issued in late FY20

Incremental property taxes are based on the aggregate change in the valuation of the district since its establishment in 2014

Incremental tax revenue is recognized beginning in FY18 when the first new developments were completed

Expected NCDOT reimbursement of \$1.6 million used to reduce the borrowing for Phase II

Incremental Transit tax will remain in the Transit Fund and will not be used for debt service

Tax Increment Calculation	FY20	015-16	FY2016-1		FY2017-18	FY2018-19	FY2019-20	FY2020-21	FY2021-22	FY2022-23	FY2023-24	FY2024-25	FY2025-26	FY2026-27	FY2027-28	FY2028-29	FY2029-30	FY2030-31
General Fund 38.6 cents		-		- \$	409,815	\$ 420,715	\$ 456,937	\$ 878,999	\$ 1,118,436 \$	1,118,436	1,118,436	1,118,436 \$	1,118,436	\$ 1,118,436 \$	1,118,436 \$	1,118,436 \$	1,118,436 \$	1,118,436
Debt Fund 8.2 cents in FY18-19; 9.8 cents in FY20+		-		-	89,375	89,375	116,010	223,165	283,955	283,955	283,955	283,955	283,955	283,955	283,955	283,955	283,955	283,955
Total	\$	-	\$	- \$	499,190	\$ 510,089	\$ 572,946	\$ 1,102,164	\$ 1,402,391 \$	1,402,391	1,402,391	1,402,391 \$	1,402,391	\$ 1,402,391 \$	1,402,391 \$	1,402,391 \$	1,402,391 \$	1,402,391
Transit Fund 6.0 cents	\$	-	\$	- \$	54.497	\$ 65.396	\$ 71.026	\$ 136.632 \$	\$ 173.850 \$	173.850	173.850	173.850 \$	173.850	\$ 173.850 \$	173.850 \$	173.850 \$	173.850 \$	173.850

Calculation of Incremental Increase in District Value		FY2017-18	FY2018-19	FY2019-20	FY2020-21	FY2021-22	FY2022-23	FY2023-24	FY2024-25	FY2025-26	FY2026-27	FY2027-28	FY2028-29	FY2029-30	FY2030-31
	Ef District Valuation January 2014	\$ 154,002,930	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930 \$	154,002,930
	Ef District Valuation January 20xx	262,996,401	262,996,401	272,380,286	381,722,786	443,753,186	443,753,186	443,753,186	443,753,186	443,753,186	443,753,186	443,753,186	443,753,186	443,753,186	443,753,18
	Incremental Value Increase	\$ 108 993 471	108 993 471 \$	118 377 356 \$	227 719 856 \$	289 750 256 \$	289 750 256 \$	289 750 256 \$	289 750 256 \$	289 750 256 \$	289 750 256 \$	289 750 256 \$	289 750 256 \$	289 750 256 \$	289 750 250

Development Projects*	Status	Sq Ft Resid.	Sq Ft Comm.	Est. Value	Completion
Village Plaza Apartments (Alexan)(Berkshire)	Occupied	305,000	\$ 15,600	\$ 61,604,500	FY18
CVS at Rams Plaza	Occupied	-	10,461	532,000	FY18
Eastgate Building D	Occupied	-	7,761	776,100	FY18
Rams Outparcel	Occupied	-	2,700	692,900	FY18
Greenfield Place	Occupied	81,599	-	9,383,885	FY19
Hillstone Chapel Hill**	Construction	400,411	-	58,201,200	FY20
Greenfield Commons (Tax Exemption Pending)	Occupied	77,775	-	8,944,125	FY20
Fordham Blvd. Apartments**	Construction	291,015	-	42,197,175	FY20
Quality Inn Redevelopment Phase I (hotel)**	Construction	-	43,040	7,532,000	FY21
The Park Apartments Redevelopment (Phase I)**	Construction	544,984	-	54,498,400	FY21
Quality Inn Redevelopment Phase II (office & residential)*	Under Review	312,037	42,455	-	FY22
The Park Apartments Redevelopment (Phase II)***	Concept	304,000	-	-	FY23
Total		2,316,821	122,017	\$ 244,362,285	

*Source: Planning & Economic Development Staff

** Projects in construction phase have valuations that use an estimated valuation based on square footage and business type; actual values will be updated once on the tax scrolls

*** Project is in preliminary stages and no value has been assigned