



TOWN OF CHAPEL HILL

Town Council Meeting Agenda

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

Mayor Pam Hemminger
Mayor pro tem Jessica Anderson
Council Member Donna Bell
Council Member Allen Buansi
Council Member Hongbin Gu

Council Member Nancy Oates
Council Member Michael Parker
Council Member Rachel Schaevitz
Council Member Karen Stegman

Wednesday, October 30, 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. Petitions from the Public and Council Members.
 - a. Chapel Hill Public Library Advisory Board Request Regarding Library Fines.

[\[19-0876\]](#)

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.

[\[19-0877\]](#)

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

resolution or ordinance separately.

- 3.** Adopt a Resolution for the Issuance of Up to \$12,250,000 in General Obligation Refunding Bonds. [\[19-0878\]](#)

By adopting the resolution, the Council authorizes the sale of general obligation refunding bonds.

- 4.** Authorize the Town Manager to Execute a Contract with Gillig LLC to Purchase New Battery-Electric Buses. [\[19-0879\]](#)

By adopting the resolution, the Council authorizes the Town Manager to negotiate and execute a five-year contract with Gillig LLC to purchase three battery-electric buses and charging units with the option to purchase an additional nineteen buses.

- 5.** Award the Same Pay Increase Approved for all Employees to the Town Attorney. [\[19-0880\]](#)

By adopting the resolution, the Council will award the same increase approved for all employees to the Town Attorney.

- 6.** Donate and Exchange Surplus Property. [\[19-0881\]](#)

By adopting the resolution, the Council authorizes the transfer and exchange of surplus equipment with other local fire departments.

- 7.** Continue the Public Hearing for the Land Use Management Ordinance Text Amendment Regarding Massing and Permeability Standards in the Blue Hill District to January 8, 2020. [\[19-0882\]](#)

By adopting the resolution, the Council continues the public hearing regarding Massing and Permeability Standards in the Blue Hill District to January 8, 2020.

- 8.** Adopt Minutes from May 22, 2019 and June 12, 19 and 26, 2019 and July 12 and 15, 2019 Meetings. [\[19-0883\]](#)

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

INFORMATION

- 9.** Receive Upcoming Public Hearing Items and Petition Status List. [\[19-0884\]](#)

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

DISCUSSION

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

PRESENTER: Michael Parker, Council Member

RECOMMENDATION: That the Council modify the process to interview applicants to the semi-autonomous boards, which includes the Board of Adjustment and Historic District Commission.

- 11.** Receive NC 54 West Corridor Study Update. [\[19-0885\]](#)

PRESENTER: Bergen Watterson, Transportation Planning Manager
Don Bryson, Principal, VHB

RECOMMENDATION: That the Council receive a consultant update on the NC 54 West Corridor Study.

- 12.** Open the Public Hearing: Land Use Management Ordinance Text Amendment - Proposed Changes to Sections 3.6.2 and 8.4 Related to Historic District Commission Procedures. [\[19-0886\]](#)

PRESENTER: Becky McDonnell, Planner II

- a. Introduction and preliminary recommendation
- b. Recommendation of the Planning Commission
- c. Comments from the public
- d. Comments and questions from the Mayor and Town Council
- e. Motion to recess the Public Hearing to November 20, 2019
- f. Referral to the Manager and Attorney.

RECOMMENDATION: That the Council open the Public Hearing, receive public comment, and continue the Public Hearing to November 20, 2019.

- 13.** Call a Public Hearing on November 20, 2019 to Consider a Petition for Annexation of Properties at Sunrise Road and Ginger Road. [\[19-0887\]](#)

PRESENTER: Corey Liles, Principal Planner

RECOMMENDATION: That the Council schedule a public hearing on November 20, 2019 to consider annexation of property at Sunrise Road and Ginger Road.

- 14.** Discuss Affordable Housing Preservation Strategy Framework. [\[19-0888\]](#)

PRESENTER: Nate Broman-Fulks, Affordable Housing Manager

Emily Holt, Affordable Housing Development Officer

RECOMMENDATION: That the Council provide feedback and guidance on the draft Affordable Housing Preservation Strategy Framework.

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.

- 15.** Open the Public Hearing: Application for Conditional Rezoning - 1751 Dobbins Drive. [\[19-0889\]](#)

PRESENTER: Michael Sudol, Planner II

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record.
- b. Introduction and preliminary recommendation
- c. Presentation by the applicant
- d. Recommendation of the Planning Commission
- e. Recommendations of other boards and commissions
- f. Comments from the public
- g. Comments and questions from the Mayor and Town Council
- h. Motion to recess the Public Hearing to November 13, 2019
- i. Referral to the Manager and Attorney.

RECOMMENDATION: That the Council open the public hearing, receive comments and evidence on the proposed Conditional Rezoning, and recess the Public Hearing to November 13, 2019.

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.

- 16.** Open the Public Hearing: Application for Special Use Permit Modification - Wegmans Food Market Street Improvements, 1810 Fordham Boulevard. [\[19-0890\]](#)

PRESENTER: Michael Sudol, Planner II

Swearing of all persons wishing to present evidence

- a. Without objection, the preliminary report and any other

materials submitted at the hearing for consideration by the Council will be entered into the record

- b. Introduction and preliminary recommendation
- c. Presentation of evidence by the applicant
- d. Recommendation by the Planning Commission
- e. Recommendations by advisory boards and commissions
- f. Presentation of evidence by the public
- g. Comments and questions from the Mayor and Town Council
- h. Applicant's statement regarding proposed conditions
- i. Motion to recess Public Hearing to November 13, 2019
- j. Referral to Manager and Attorney.

RECOMMENDATION: That the Council open the public hearing, receive evidence on the proposed Special Use Permit Modification, and recess the Public Hearing to November 13, 2019.

CONCEPT PLAN REVIEW(S)

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

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

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

- 17.** Concept Plan Review: Putt-Putt Fun Center and Storage Facility, 2200 Eubanks Road.

[19-0891]

PRESENTER: Judy Johnson, Interim Planning Director

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

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

APPOINTMENTS

- 18.** Appointments to the Transportation and Connectivity
Advisory Board.

[\[19-0892\]](#)

**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 #:** [19-0876], **Version:** 1

Meeting Date: 10/30/2019

Petitions from the Public and Council Members.

- a. Chapel Hill Public Library Advisory Board Request Regarding Library Fines.

Staff:

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

Department:

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 [Status of Petitions to Council <https://www.townofchapelhill.org/town-hall/mayor-and-council/council-minutes-and-videos/petition-status>](https://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.



Recommendation(s):

That the Council consider the following petition(s):

- a. Chapel Hill Public Library Advisory Board Request Regarding Library Fines



Attachments:

- Chapel Hill Public Library Advisory Board Request

MEMORANDUM

TO: Mayor Hemminger and members of the Chapel Hill Town Council

FROM: Chapel Hill Public Library Advisory Board

SUBJECT: Chapel Hill Public Library Fines

DATE: October 10, 2019

On behalf of the Chapel Hill Public Library Advisory Board, we present the following petition to the Town Council concerning late fees and fines at the Chapel Hill Public Library.

The Board met on Monday, September 9, 2019, and unanimously approved the following recommendation to the Town Council:

"The Chapel Hill Public Library Advisory Board recommends that the Town Council adopt a fine-free model for the Chapel Hill Public Library as part of the 2020/2021 Budget."

Recognizing that the Town Council is committed to social equity, and recognizing that the Board has considered this issue over multiple meetings and agrees with the American Library Association that Library fines represent a social equity issue, we present this petition for your review. Please find below several reasons that have led the Board to this recommendation.

First, while the initial motivation for library fines was well-considered, over time those same fines have become a barrier to equal access to Library materials. Fines have a disparate effect on citizens who are socioeconomically disadvantaged, by limiting borrowing privileges and access to those who cannot pay overdue fines.

Second, fines represent a meager portion of the Chapel Hill Library and total Town budget, limiting the impact of moving to a fine-free model. In fact, revenue from fines at the Library has dramatically decreased over time. Cities moving to the fine-free model are seeing a neutral financial impact, along with increases in circulation and library usage, as well as an improvement in the morale of Library staff¹.

Third, we offer that the fine-free model is being adopted by both national and North Carolina libraries, because fundamentally, fines do little (if anything) to deter people from returning Library materials late. New York, Chicago, Detroit and many others have moved to the fine-free model. Within in our own state, Wake, Hickory, Robeson County and Gibsonville are already (or about to be) fine-free. Libraries across the country have found that late fees and fines are not incentives to bring materials back but do serve as major barriers to access. These same libraries who have gone fine-free have seen a positive impact on borrowing.

The Board appreciates your consideration of our petition and feels this request is in alignment with town goals for the fiscal year. We look forwarding to joining the growing list of progressive cities and towns who are adopting the fine-free model.

Respectfully submitted on behalf of the Library Advisory Board,

Tiffany Allen
Chair

Blaine Schmidt
Vice Chair

¹ <https://slate.com/culture/2017/02/librarians-are-realizing-that-overdue-fines-undercut-libraries-missions.html>



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
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Item Overview

Item #: 2., **File #:** [19-0877], **Version:** 1

Meeting Date: 10/30/2019

Approve all Consent Agenda Items.

Staff:

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

Department:

Communications and Public Affairs

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



Recommendation(s):

That the Council adopt the various resolutions and ordinances.

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



Attachments:

- Resolution

**A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES
(2019-10-30/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. Adopt a Resolution for the Issuance of Up to \$12,250,000 in General Obligation Refunding Bonds. (R-2)
4. Authorize the Town Manager to Execute a Contract with Gillig LLC to Purchase New Battery-Electric Buses. (R-3)
5. Award the Same Pay Increase Approved for all Employees to the Town Attorney. (R-4)
6. Donate and Exchange Surplus Property. (R-5)
7. Continue the Public Hearing for the Land Use Management Ordinance Text Amendment Regarding Massing and Permeability Standards in the Blue Hill District to January 8, 2020. (R-6)
8. Adopt Minutes from May 22, 2019 and June 12, 19 and 26, 2019 and July 12 and 15, 2019 Meetings. (R-7)

This the 30th day of October, 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 can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 3., File #: [19-0878], Version: 1

Meeting Date: 10/30/2019

Adopt a Resolution for the Issuance of Up to \$12,250,000 in General Obligation Refunding Bonds.

Staff:

Maurice Jones, Town Manager
Amy Oland, Director

Department:

Manager's Office
Business Management

Overview: The Business Management Department is working on the issuance of up to \$12,250,000 in Town general obligation refunding bonds to refinance a portion of the Town's outstanding Taxable General Obligation Public Improvement Bonds, Series 2010B. The attached resolution provides for the issuance of these refunding bonds and authorizes staff to take related actions as considered necessary in the furtherance of this resolution. This is the final Council action needed to authorize the issuance of the refunding bonds.



Recommendation:

That the Council adopt the resolution authorizing the sale of general obligation refunding bonds.

Key Issues:

At its [September 25, 2019 <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4143413&GUID=23E5ACFB-DBFF-48B1-8FBE-BDF47C5C3A24&Options=&Search=>](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4143413&GUID=23E5ACFB-DBFF-48B1-8FBE-BDF47C5C3A24&Options=&Search=>) meeting, the Council adopted a resolution providing preliminary approval for the issuance of General Obligation Refunding Bonds, adopted the Bond Order for General Obligation Refunding Bonds and adopted a resolution providing for the publication of the Bond Order. The next step in the refunding process is to adopt a resolution for the sale of refunding bonds. This resolution does the following:

1. Formally authorizes the sale of up to \$12,250,000 in refunding bonds;
2. Formally pledges the Town's taxing power to provide for payment on the bonds;
3. Approves the form of the draft official statement for the Town in offering bonds to investors;
4. Approves the proposed form of the bonds themselves;
5. States the Town's agreement to comply with federal rules for continuing disclosure to the securities markets;
6. States the Town's agreement to comply with the relevant provisions of federal tax law; and
7. Authorizes Town staff to complete the process of issuing the bonds, and approves the steps necessary to take those related actions.

This refunding opportunity is the result of a recent drop in tax-exempt municipal bond rates, which allows the Town to save money on its annual debt service by reducing the net interest cost of debt through refunding. 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 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 is November 19, 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 through 2031 and will have debt service payments due in April and October 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>
• Savings	\$ 753,460
• Net Present Value of Savings	\$ 689,031
• Percent Savings of Refunded Bonds	6.78%

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.

Draft copies of the Official Statement are available upon request to the Business Management Director.

Fiscal Impact/Resources: Based on the analysis conducted by Davenport & Company, the Town can save approximately \$689,031 (net present value) over the next 10 years by refunding outstanding Taxable General Obligation Bonds, Series 2010B. The aggregate principal amount of debt to be issued for the purposes of refunding will not exceed \$12,250,000. The actual amount of debt issued and the actual savings will depend on the interest rates prevailing at the time of sale.



Attachments:

- Resolution

A RESOLUTION AUTHORIZING THE SALE OF GENERAL OBLIGATION REFUNDING BONDS (2019-10-30/R-2)**WHEREAS --**

On September 25, 2019, the Town Council authorized the issuance of up to \$12,250,000 in Town general obligation refunding bonds (the "Bonds") to refinance a portion of the Town's outstanding Taxable General Obligation Public Improvement Bonds, Series 2010B.

This resolution now provides for the issuance of these refunding bonds and takes related action, such as approving the form of the disclosure document that will be used to provide information to prospective bond investors.

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

1. Town Will Sell Refunding Bonds - The Town will issue and sell up to the full \$12,250,000 of the refunding bonds (referred to as the "Bonds" in this resolution) for their authorized purpose.

2. Pledge of Faith, Credit and Taxing Power -- The Town's full faith and credit are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Town will levy and collect an annual ad valorem tax, without restriction as to rate or amount, on all locally taxable property in the Town sufficient to pay the principal of and interest on the Bonds as the same become due.

3. Approval of Official Statement for Offering - There has been made available to the Mayor and each member of the Council a draft of an official statement (the "Official Statement") relating to the Bonds, which is designed to provide appropriate information about the Town and the financing to prospective investors in the Bonds. The draft Official Statement remains subject to completion and amendment.

The Council approves the LGC's distribution of the Official Statement to prospective purchasers of the Bonds. The Official Statement as distributed must be in substantially the form presented to this meeting, which the Council approves, with changes as the Finance Officer may approve. The Council ratifies the prior actions of the Finance Officer and other Town representatives, in collaboration with the LGC staff, in preparing the text of the Official Statement.

The Council acknowledges that it is the Town's responsibility, and ultimately the Council's responsibility, to ensure that the Official Statement in its final form neither contains an untrue statement of a material fact nor omits to state a material fact required to be included therein for the purpose for which the Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading. By the adoption of this resolution, the

Council members acknowledge and accept their own responsibility for causing the Town to fulfill these responsibilities for the Official Statement.

The Town deems the Official Statement as distributed by the LGC to be a "final official statement" within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended ("Rule 15c2-12"), except for the omission of certain final Bond pricing and other information that Rule 15c2-12 allows to be omitted.

4. Form of Bonds; Payment Details -- The Bonds will be designated "General Obligation Refunding Bonds, Series 2019." The Bonds will be in substantially the form set out in Exhibit A. The Bonds will be dated the date of their initial issuance, will be in fully registered form, will be in denominations of \$5,000 and integral multiples thereof and will be numbered for identification from R-1 upward.

The Bonds will bear interest at the rates determined at the time of their sale by the Local Government Commission (currently scheduled for November 19, 2019), with interest calculated on the basis of a 360-day year consisting of twelve 30-day months. The principal of the Bonds will be payable in annual installments as the Finance Officer may determine after consultation with the LGC, except that the last of the Bonds must mature not later than the final maturity of the respective bonds being refunded. Principal of the Bonds will not be subject to prepayment or redemption prior to the stated maturity dates.

Interest on each Bond will be payable semiannually (a) from its date, if it is authenticated prior to the first interest payment date, or (b) otherwise from the interest payment date that is, or immediately precedes, the date on which it is authenticated (unless payment of interest is in default, in which case such Bond will bear interest from the date to which interest has been paid). Principal and interest will be payable in lawful money of the United States of America.

The Bonds must be signed by the manual or facsimile signature of the Mayor or the Town Manager, and the Town's seal must be affixed to the Bonds (or a facsimile of the seal printed on the Bonds) and attested by the manual or facsimile signature of the Town Clerk or any Deputy or Assistant Clerk. No Bond will be valid unless at least one of the signatures appearing on the Bond (which may be the signature of the LGC's representative required by law) is manually applied or until the Bond has been authenticated by the manual signature of an authorized officer or employee of a bond registrar selected by the Finance Officer.

The Council directs the Finance Officer to execute a certificate prior to the initial delivery of the Bonds designating the final aggregate principal amount of the Bonds (up to the maximum authorized amount of \$12,250,000), the final principal payment schedule, and the interest payment dates for the Bonds. This certificate will be conclusive evidence of the Finance Officer's approval and determination of these matters.

5. Finance Officer as Registrar; Payments to Registered Owners -- The Council appoints the Finance Officer as Registrar for the Bonds. As Registrar, the Finance Officer shall maintain appropriate books and records of the ownership of the Bonds. The Town will treat the registered owner of each Bond as the person exclusively entitled to payment of principal, interest and any prepayment premium and the exercise of all rights and powers of the owner, except that the Town will make payments to the person shown as owner on the registration books at the end of the calendar day on the 15th day of the month (whether or not a business day) preceding each interest payment date.

6. Advertising Bonds for Sale - The Council directs the Finance Officer, in collaboration with the LGC, to take all proper steps to advertise the Bonds for sale in accordance with standard LGC procedures, including through the use of a "Notice of Sale" document in the LGC's customary form and in substantially the same form as used for prior Town bond sales. The Council directs the Finance Officer to review and approve a form of Notice of Sale as that officer may determine to be in the Town's best interest.

7. LGC To Sell Bonds; Provision for Delayed Sale - (a) -- The Town asks the LGC to sell the Bonds, to receive and evaluate bids and to award the Bonds based on the best bid received.

(b) If market conditions at the time of the proposed Bond sale do not allow the Bonds to be sold at interest rates and prices that make the refunding of all or any portion of the prior bonds economical, as determined by the Finance Officer, the Finance Officer is authorized to decline the sale of the Bonds, in whole or in part. The Finance Officer is further authorized to provide for additional attempts to sell the Bonds, or any portion of the Bonds, if the Finance Officer determines that market conditions have changed such that a successful sale of the Bonds (or any portion) may be possible. The Finance Officer may provide for one or more additional sales until January 1, 2020, without further advance approval from the Council. These additional sales may make use of the previously approved Official Statement, with the Finance Officer's approval, and may proceed pursuant to such advertisement for sale as the Finance Officer may approve.

8. Completing Official Statement after Sale - After the LGC has received bids and awarded the Bonds to the successful bidder, the Council directs the Finance Officer, in collaboration with the LGC, to prepare a final Official Statement within the meaning of Rule 15c2-12. The Council authorizes the Finance Officer to approve the final document as a final Official Statement. The Town, together with the LGC, will arrange for the delivery within seven business days of the sale date of a reasonable number of copies of the final Official Statement to the successful bidder on the Bonds for delivery to each potential investor requesting a copy of the final Official Statement and to each entity to which the bidder and members of the bidding group initially sell the Bonds.

9. Town Officers to Complete Closing - The Council authorizes the Finance Officer and all other Town officers and employees to take all proper steps to deliver the Bonds to the purchaser upon payment for the Bonds, and to take all other proper steps to complete the issuance of the Bonds.

The Council authorizes the Finance Officer to hold the executed Bonds, and any other documents permitted by this resolution, in escrow on the Town's behalf until the conditions for the delivery of the Bonds and other documents have been completed to the Finance Officer's satisfaction. The Finance Officer may then release the executed Bonds and other documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Council specifically authorizes the Finance Officer (a) to approve and enter into agreements to carry out the refunding contemplated by this resolution, including agreements for the custody of Bond proceeds and agreements for appropriate professional services, and (b) to approve changes to any documents previously signed by Town officers or employees, provided that the Bonds must be in substantially the form approved by this resolution and that any changes must not substantially alter the intent of the document from that expressed in the form

originally executed. The Finance Officer's authorization of the release of any such document for delivery will constitute conclusive evidence of that officer's approval of any such changes.

In addition, the Council authorizes the Finance Officer to take all appropriate steps for the efficient and convenient carrying out of the Town's on-going responsibilities with respect to the Bonds. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under the Bonds, this resolution, or otherwise with respect to the Bonds.

10. Undertaking for Continuing Disclosure -- The Town undertakes, for the benefit of the beneficial owners of the Bonds, to provide continuing disclosure with respect to the Bonds as described in Exhibit B.

The Council designates the Finance Officer as the Town officer to be primarily responsible for the Town's compliance with its undertakings for continuing disclosure provided for in this resolution. The Finance Officer will provide for the filings and reports (including the reports of material events) constituting the continuing disclosure provided for in this resolution.

11. Book-Entry System for Bond Registration -- The Town will issue the Bonds by means of a book-entry system, with one bond certificate for each maturity immobilized at The Depository Trust Company, New York, New York ("DTC"), and not available for distribution to the public. The book-entry system for registration will operate as described in the Official Statement. Therefore, so long as the book-entry system of registration with DTC is in effect, (a) the Town will make Bond payments only to DTC or its nominee as registered owner of the Bonds, (b) the Town will not be responsible or liable for any transfer of payments to parties other than DTC or for maintaining, supervising or reviewing the records maintained by DTC or any other person related to the Bonds, and (c) the Town will not send any notices related to the Bonds to anyone other than DTC or its nominee. The Council, by resolution, may elect to discontinue the Town's book-entry system with DTC. The Council authorizes the Finance Officer to enter into any agreements that officer deems appropriate to put into place and carry out the book-entry system with DTC.

12. Ratification of Professionals - The Council confirms the selection of (a) Sanford Holshouser LLP to serve as the Town's bond counsel with respect to the Bonds, and (b) of Davenport & Co. LLC to serve as the Town's financial advisor with respect to the refunding. U.S. Bank National Association will serve as the escrow agent for the purpose of holding Bond proceeds until they can be applied to the payment of the refunded bonds on April 1, and Bingham Arbitrage Rebate Services Inc. will verify the calculations required pursuant to tax law to show that payment on the refunded bonds has been fully provided for through the Bond issue.

13. Resolutions as to Tax Matters -- The Town will not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest on the Bonds to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the Town will comply with any Code provision that may require the Town at any time to pay to the United States any part of the earnings derived from the investment of the proceeds of the Bonds, and the Town will pay any such required rebate from its general funds. For this paragraph, "Code" means the United States Internal Revenue Code of 1986, as

amended, including applicable Treasury regulations.

14. Call of 2010 Bonds for Redemption - The Council directs the Finance Officer to make, on the Town's behalf, an irrevocable call for redemption of such of the Town's Taxable Public Improvement Bonds, Series 2010B, as the Finance Officer (after consultation with the LGC) deems beneficial to the Town. The Finance Officer shall make this call for redemption by the execution and delivery of an appropriate certificate in connection with the original delivery of the Bonds.

15. Finding as to Useful Life and Term of the Bonds - The Council finds and determines that the term of the Bonds will be the shortest period in which the debt to be refunded can be finally paid without making it unduly burdensome on the Town's taxpayers, and will be within the remaining period of usefulness of the projects financed with the proceeds of the prior bonds.

16. Miscellaneous Provisions - The Council authorizes all Town officers and employees to take all such further action as they may consider desirable in carrying out the purposes of this resolution. The Council ratifies all prior actions of Town officers and employees in this regard. Upon the absence, unavailability or refusal to act of the Mayor, the Town Manager or the Finance Officer, any of such officers may assume any responsibility or carry out any function assigned to another officer in this resolution. In addition, upon the unavailability of the Mayor or the Clerk, respectively, any of the rights or responsibilities directed to such officers may be carried out or exercised by the Mayor Pro Tem or any Deputy or Assistant Clerk. All other resolutions, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

This the 30th day of October 2019.

EXHIBIT A - Form of Bonds**REGISTERED****REGISTERED****Number R-X****UNITED STATES OF AMERICA****STATE OF NORTH CAROLINA****TOWN OF CHAPEL HILL****General Obligation Refunding Bond, Series 2019**

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
_____ %	April 1, _____	December 10, 2019	159 429 XXX

REGISTERED OWNER: ***CEDE & CO.*******

PRINCIPAL AMOUNT: ** _____ THOUSAND DOLLARS**
(\$_____,000)***

THE TOWN OF CHAPEL HILL, NORTH CAROLINA (the "Town"), for value received, promises to pay to the registered owner of this Bond, or registered assigns or legal representative, the principal amount stated above on the maturity date stated above and to pay interest on this Bond semiannually on each April 1 and October 1, beginning April 1, 2020, at the annual rate stated above. Interest is payable (a) from the dated date stated above, if this Bond is authenticated prior to April 1, 2020, or (b) otherwise from the April 1 or October 1 that is, or immediately precedes, the date on which this Bond is authenticated (unless payment of interest on this Bond is in default, in which case this Bond will bear interest from the date to which interest has been paid). Principal of the Bonds is not subject to prepayment or redemption prior to the stated maturity dates.

This Bond is one of an issue of the Town's \$_____ General Obligation Refunding Bonds, Series 2019 (the "Bonds"), of like date and tenor, except as to number, denomination, rate of interest and maturity. The Bonds are issued pursuant to a resolution adopted by the Town's governing Town Council on October 30, 2019, and the Constitution and laws of the State of North Carolina, including the Local Government Bond Act.

The Town's full faith and credit are pledged for the payment of principal of and interest on this Bond.

The Town will make all payments in lawful money of the United States. Interest is calculated based on a 360-day year consisting of twelve 30-day months.

The Bonds are issued by means of a book-entry system, with one bond certificate for each maturity immobilized at The Depository Trust Company, New York, New York ("DTC"), and not available for distribution to the public. Transfer of beneficial ownership interests in the Bonds in the principal amount of \$5,000 or any integral multiple thereof will be effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Principal and interest on the Bonds are payable by the Town to DTC or its nominee as registered owner of the Bonds. The Town is not responsible or liable for such transfer of ownership or payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

If (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Town so elects, the Town will discontinue the book-entry system with DTC. If the Town does not identify another qualified securities depository to replace DTC, the Town will deliver replacement Bonds in the form of fully registered certificates.

The Town Finance Officer has been appointed Registrar for the Bonds. As Registrar, the Finance Officer will maintain appropriate books and records indicating ownership of the Bonds. The Town will treat the registered owner of this Bond as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner, except that the Town will make Bond payments to the person shown as owner on the Town's registration books on the **Record Date**, which is the end of the calendar day on the 15th day of the month (whether or not a business day) preceding each interest payment date. Principal and interest are payable in lawful money of the United States of America.

The Town intends that North Carolina law will govern this Bond and all matters of its interpretation.

The Bonds have not been designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

All acts, conditions and things required by the Constitution and laws of the State of North Carolina to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed, and the issue of Bonds of which this Bond is one, together with all other indebtedness of the Town, is within every debt and other limit prescribed by the Constitution and laws of the State of North Carolina.

IN WITNESS WHEREOF, the Town of Chapel Hill, North Carolina, has caused this Bond to be signed by its Town Manager, its seal to be affixed hereto and attested by the Town Clerk, and this Bond to

Item #: 3., File #: [19-0878], Version: 1
Meeting Date: 10/30/2019

be dated December 10, 2019.

(SEAL)

ATTEST:	
<i>[Sample only - do not sign]</i> Town Clerk	<i>[Sample only - do not sign]</i> Town Manager
Town of Chapel Hill, North Carolina	Town of Chapel Hill, North Carolina

The Bonds have been approved by
the North Carolina Local Government
Commission in accordance with the
Local Government Bond Act.

[Sample only - do not sign]

Greg C. Gaskins

Secretary, Local Government Commission

Town of Chapel Hill, North Carolina

[\$12, 250,000] General Obligation Refunding Bonds, Series 2019

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

(Please print or type transferee's name and address, including zip code)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OR TRANSFEREE:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing _____, Attorney, to transfer said bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:	_____ (Signature of Registered Owner)
Signature(s) must be guaranteed by a participant in the Securities Transfer Agent Medallion Program ("STAMP") or similar program	NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular without alteration or enlargement or any change whatsoever.

Town of Chapel Hill, North Carolina

[\$12, 250,000] General Obligation Refunding Bonds, Series 2019

Exhibit B -- Undertaking for Continuing Disclosure

The Town undertakes, for the benefit of the beneficial owners of the Bonds, to provide the following items and information to the Municipal Securities Rulemaking Board (the "MSRB"):

(a) by not later than seven months from the end of each of the Town's fiscal years, audited Town financial statements for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements are not available by seven months from the end of any fiscal year, unaudited Town financial statements for such fiscal year, to be replaced subsequently by audited Town financial statements to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each of the Town's fiscal years, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year (which data will be prepared at least annually, will specify the date as to which such information was prepared and will be delivered with any subsequent material events notices specified in subparagraph (c) below) for the type of information included under heading "The Town - Debt Information" and "- Tax Information" in the final Official Statement (excluding any information on overlapping or underlying units), and (ii) the combined budget of the Town for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;

(6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(7) modifications to rights of the beneficial owners of the Bonds, if material;

(8) calls for redemption of the Bonds (other than calls pursuant to sinking fund redemption), if material, and tender offers;

(9) defeasances;

(10) release, substitution or sale of any property securing repayment of the Bonds, if material;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar proceedings related to the Town or any other person or entity that may at any time become legally obligated to make payments on the Bonds (collectively, the "Obligated Persons");

(13) the consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) Incurrence of a financial obligation (as defined below) of the Town, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Town, any of which affect Bondholders, if material; and

(16) Default, event of acceleration, termination event, modification of terms or other similar events under the terms of a financial obligation of the Town, any of which reflect financial difficulties; and

(d) in a timely manner, notice of a failure of the Town to provide required annual financial information described in (a) or (b) above on or before the date specified.

"Financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of an obligation described in either clause (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

For the purposes of the event identified in subparagraph (12) above, the event is considered to

occur when any of the following occurs: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

If the Town fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking will not be an event of default and will not result in any acceleration of payment of the Bonds. All actions will be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Town shall provide the documents and other information referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Town may discharge its undertaking as set forth in this resolution by providing such information in any manner that the United States Securities and Exchange Commission subsequently authorizes in lieu of the manner described above.

The Town reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the Town's judgment, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Town;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 as of the date of the final Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the Town or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of the bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the effect of the change in the type of operating data or financial information being provided.

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

By adopting the resolution, the Council authorizes the sale of general obligation refunding bonds.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 4., **File #:** [19-0879], **Version:** 1

Meeting Date: 10/30/2019

Authorize the Town Manager to Execute a Contract with Gillig LLC to Purchase New Battery-Electric Buses.

Staff:

Brian Litchfield, Director
Rick Shreve, Financial Analyst
Kathryn McMillan, Procurement Specialist

Department:

Transit

Overview: The Town of Chapel Hill must continue to acquire and maintain a modern fleet of buses to provide the best and most reliable transit services to its customers. In an effort to meet sustainability goals while reducing carbon emissions, Transit staff have been working over the last several months on procuring Battery-Electric Buses for the communities we serve.



Recommendation(s):

That the Council authorize the Town Manager to execute a five-year contract with Gillig LLC to purchase three battery-electric buses and charging units with the option to purchase an additional nineteen buses.

Background:

Chapel Hill Transit has been a leader in North Carolina in using hybrid bus and bus-related technologies and has invested in clean diesel technologies that have greatly reduced bus emissions while working to expand transit services. With the advancements in battery-electric technology for the transportation industry, exploring the environmental benefits and feasibility of expanding to a battery-electric fleet is the next step in Chapel Hill Transit's evolution. Using funding provided by the Federal Transit Administration (FTA) No-Low Emission Grant, the Renewable Energy Special Projects Committee (RESPC) at UNC Chapel Hill, and the Chapel Hill Transit funding partners, we plan to purchase three battery-electric buses as part of a pilot study to investigate further the benefits, obstacles, and infrastructure demands of owning and operating battery-electric buses.

Awarding a contract for the purchase of battery-electric buses to a qualified vendor is the first step in the pilot project. At this time, Transit Staff have completed the solicitation process and have received bids from two qualified battery-electric bus manufacturers, New Flyer of America and Gillig LLC. The bids were evaluated for cost, compliance to the bus specifications published as part of the solicitation, submission of all required federal forms, information on quality assurance systems, and financial capacity of the supplier. Based on these factors and the "lowest responsible bidder" standard of award required by North Carolina State Purchasing Law (G.S. 143-129), Transit Staff is recommending the award of the contract to Gillig LLC.

Key Issues:

- Chapel Hill Transit has a continued need to modernize their fleet in order to meet the goals of our customers and funding partners.
- There is a growing demand to pursue alternative bus technology that reduces Transit's carbon footprint while still maintaining excellent service for customers.
- Lack of award and issuance of a purchase order could result in the loss of the FTA No-Low Emission

Grant.

- Town and NC State Procurement Law require board approval for the award of purchase contracts over \$90,000.

Fiscal Impact/Resources: Transit estimates that it will place orders for three buses and the required charging units over the next twelve months with the option to purchase an additional nineteen over the next five years based on the availability of funds. The estimated amount for the initial purchase of three pilot buses is \$978,025 per bus (estimated total of \$2,833,775) and would be funded through an FTA Low -No Emission Vehicle Grant, the RESPC, and the Chapel Hill Transit funding partners. Total award potential over the next five years is \$22,000,000, pending the results of the pilot project and availability of funds.



Attachments:

- Resolution

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE A FIVE-YEAR CONTRACT WITH GILLIG LLC TO PURCHASE NEW, BATTERY-ELECTRIC BUSES AND CHARGING UNITS (2019-10-30/R-3)

WHEREAS, the Town of Chapel Hill is responsible for providing quality fixed-route transit services for the Town of Chapel Hill, the Town of Carrboro, and The University of North Carolina at Chapel Hill; and

WHEREAS, the Town of Chapel Hill has operated the public transit system, Chapel Hill Transit, since 1974 and has shared the costs with the Town of Carrboro and The University of North Carolina at Chapel Hill; and

WHEREAS, the Town of Chapel Hill has a continued need to maintain and modernize their fleet; and

WHEREAS, Chapel Hill Transit plans to purchase a minimum of three battery-electric buses as part of a pilot project with the goal of reducing carbon emissions, reducing noise, and reducing costs; and

WHEREAS, Chapel Hill Transit Staff has conducted a public solicitation; and

WHEREAS, All bids were evaluated for cost, compliance to the bus specifications published as part of the solicitation, submission of all required federal forms, information of quality assurance systems, and financial capacity of the supplier.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to negotiate and execute a five-year contract with Gillig LLC. for the purchase of three battery-electric buses and charging units with the option to purchase an additional nineteen buses.

This the 30th day of October 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 authorizes the Town Manager to negotiate and execute a five-year contract with Gillig LLC to purchase three battery-electric buses and charging units with the option to purchase an additional nineteen buses.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 5., **File #:** [19-0880], **Version:** 1

Meeting Date: 10/30/2019

Award the Same Pay Increase Approved for all Employees to the Town Attorney.

Overview: The 2019-20 budget adopted by the Town Council includes a pay increase, designed to attract and retain excellent personnel, for all Town employees. The increase was effective July 1, 2019. The Town Council has traditionally deferred the award of a pay increase to the Town Attorney until after its annual evaluation of this Council-appointed employee. That is the case in this 2019-20 budget year as well. The Town Council recently completed its evaluation of the Town Attorney and is prepared to move forward with the same market increase that it approved for all employees.



Recommendation:

That the Council award the same increase approved for all employees to the Town Attorney.

Fiscal Impact/Resources: Funding for all employees' market increase is included in the 2019-20 budget, adopted by the Council in June 2019.



Attachment:

- Resolution

A RESOLUTION TO AWARD THE SAME PAY INCREASE APPROVED FOR ALL EMPLOYEES TO THE TOWN ATTORNEY (2019-10-30/R-4)

WHEREAS, the Town Council adopted the 2019-20 Budget, including a 3% pay increase for all Town employees, effective July 1, 2019; and

WHEREAS, this increase is a market increase, designed to attract and retain excellent employees by staying consistent with market pay; and

WHEREAS, in taking this action, the Town Council consistently acknowledges that the excellent service the Town receives is a result of the good work of excellent employees; and

WHEREAS, the Town Council has traditionally deferred the award of the budget-adopted pay increase for the Town Attorney until after its annual evaluation of this Council-appointed employee; and

WHEREAS, the Town Council recently completed a satisfactory evaluation of the Town Attorney.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council awards the same pay increase approved for all employees to the Town Attorney.

This the 30th day of October, 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 will award the same increase approved for all employees to the Town Attorney.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 6., File #: [19-0881], Version: 1

Meeting Date: 10/30/2019

Donate and Exchange Surplus Property.

Staff:

Matthew J. Sullivan, Chief

Department:

Fire

Overview: The fire department possesses several pieces of surplus equipment that could be utilized by other area fire departments. The attached resolution, if adopted, would allow for this equipment to be sold and exchanged under North Carolina General Statute 160A-274.



Recommendation(s):

That the Council adopt the attached resolution authorizing sale and exchange of property under NCGS 160A-274.

Key Issues:

- North Carolina General Statute 160A-274 allows for the exchange, lease, sale or purchase of governmental property between governmental units.

Fire Suppression Foam Trailer

- The Chapel Hill Fire Department (CHFD) owns specialized equipment ("Foam Trailer") that allows for the application of fire suppression foam. The Foam Trailer carried fire suppression foam and related equipment and was useful when the Hospital Helipad was located on ground level and the Horace Williams Airport was open for aircraft operations. We no longer need this equipment because of the fire protection system at the elevated Hospital Helipad and the closure of the airport. We are preparing to surplus the Foam Trailer.
- The City of Burlington identified several hazards that would require the application of fire suppression foam and is in need of a Fire Suppression Foam Trailer.
- Transfer of this equipment, for nominal consideration, to the City of Burlington keeps it in use and is consistent with our ongoing relationships of mutual support with other local fire departments.

Exchange of Equipment with Snow Camp Volunteer Fire Department

- The Snow Camp Volunteer Fire Department would like to exchange surplus equipment, a brush truck skid mount tank and pump (property of Town of Chapel Hill) for seating and rails for a 5 ton truck (property of SCVFD).
- About five years ago CHFD obtained a 5-ton truck from the NC Forest Service. The vehicle "TAC 51" is used for high-water rescue and response. The truck did not come with seating in the bed of the truck, but employees built improvised seating. Snow Camp Volunteer Fire Department owns a like 5-ton truck that has seating and rails for the bed that are not used as the vehicle is deployed differently.
- About a year ago, Chapel Hill Fire Department and Public Works Department converted a brush truck that was being retired from service to a refueling vehicle. The pump and tank from the former brush truck were removed to make room for a small fuel tank and pumping equipment. The equipment taken off the old brush truck is slated for salvage as our department no longer has a need for this equipment.

Item #: 6., File #: [19-0881], Version: 1**Meeting Date: 10/30/2019**

- An exchange of the above referenced equipment between departments would be mutually beneficial and support our operations.

Fiscal Impact/Resources: No fiscal impacts noted



Attachments:

- Resolution
- Memorandum from City of Burlington
- Memorandum from Snow Camp Volunteer Fire Department

A RESOLUTION APPROVING AND AUTHORIZING THE SALE AND EXCHANGE OF SURPLUS FIRE EQUIPMENT (2019-10-30/R-5)

WHEREAS, North Carolina General Statute § 160A-274 allows for governmental units upon such terms and conditions deemed wise, with or without consideration, exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in personal property; and

WHEREAS, the Town of Chapel Hill, the City of Burlington and the Snow Camp Volunteer Fire Department are "governmental units" by definition of the aforementioned statute; and

WHEREAS, the Town of Chapel Hill Fire Department currently possesses surplus equipment that could be used by the City of Burlington and Snow Camp Volunteer Fire Department; and

WHEREAS, the Snow Camp Volunteer Fire Department currently possesses surplus equipment that could be used by the Town of Chapel Hill Fire Department; and

WHEREAS, sale and exchange of the aforementioned surplus equipment will assist the entities in meeting operational goals and allow for the equipment to be used for better and intended use; and

WHEREAS, sale and exchange of the aforementioned surplus equipment furthers inter local collaboration and partnerships.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves and authorizes the sale of surplus equipment, a Fire Suppression Foam Trailer and related accessories, to the City of Burlington.

BE IT FURTHER RESOLVED that the Council of the Town of Chapel Hill approves and authorizes the exchange of surplus equipment, a brush truck skid mount tank and pump for seating and rails for a 5 ton truck, with the Snow Camp Volunteer Fire Department.

BE IT FURTHER RESOLVED that the Council of the Town of Chapel Hill, directs the Manager and Attorney to actuate this transfer through the development of any appropriate terms.

This the 30th day of October, 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 authorizes the transfer and exchange of surplus equipment with other local fire departments.

BURLINGTON FIRE DEPARTMENT

215 South Church Street
Burlington, North Carolina 27215
www.burlingtonnc.gov
P (336) 229-3564 F (336) 229-3547

Hardin Watkins
City Manager

Jay A Smith
Fire Chief

MEMO

To: Matthew Sullivan, Fire Chief-Town of Chapel Hill

From: Matt Lawrence, Deputy Fire Chief-City of Burlington

Re: Surplus Resource Transfer Request-Foam Unit

Date: August 28, 2019

As recently discussed, the Burlington Fire Department has a significant need for specialized equipment to provide the application of fire suppression foam for incidents that may occur within our jurisdiction. Within a community risk analysis, we have identified significant risks within our transportation network; interstate highway, air transportation and airport, and railway; which create some significant potential for emergencies where the application of fire suppression foam could be required in quantities greater than we are currently able to provide with traditional firefighting equipment.

It has come to my attention that your department is considering the surplus of a trailer mounted foam system, which from my knowledge of this system would be a good resource and solution to some of the community risks that we are facing.

I am writing to ask the potential of some inter-local agreement to transfer this equipment to our agency if it becomes your intent to surplus it.

I'd be happy to talk more about our need, this request, or any potential for supporting this request at your convenience. Both municipalities have enjoyed and benefited from a relationship of support in the past and we hope this can be yet another example of that.

Please let me know if you have any questions.

Snow Camp Volunteer Fire Department

8416 Snow Camp Road, Snow Camp, North Carolina 27349

Phone # 336-376-3442

Fire Chief Gene Wellons

Reference: Exchange of equipment

Chief Sullivan,

We are interested in exchanging the seats and side rail assembly from our 5 ton military truck for the skid pump and tank off your former brush truck. This an equal trade between two departments is mutually beneficial to both groups. This is approved means of distributing surplus equipment under general statutes and would put to use items that would otherwise be salvaged. The Snow Camp VFD would hold the Town of Chapel Hill FD and all agents of the town harmless from all liability involved in the exchange of said equipment. Please let me know what further information you need from me to move forward with the exchange.

Best Regards,

Gene Wellons

Fire Chief SCVFD



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 7., File #: [19-0882], Version: 1

Meeting Date: 10/30/2019

Continue the Public Hearing for the Land Use Management Ordinance Text Amendment Regarding Massing and Permeability Standards in the Blue Hill District to January 8, 2020.

Staff:

Judy Johnson, Interim Director
Corey Liles, Principal Planner

Department:

Planning

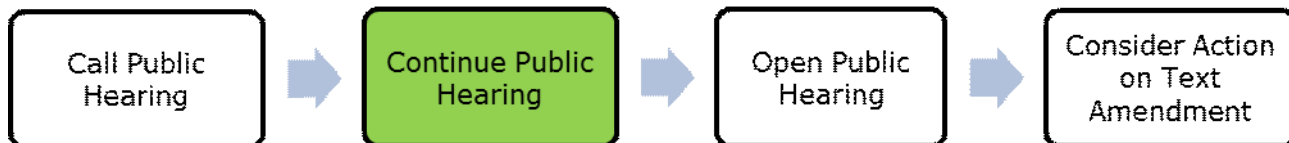
Overview: The Town has engaged two consultants to consider both urban design and market implications for the proposed text amendments regarding massing and permeability standards. Based on the complexity of the project, staff and the consultants are interested in additional time to analyze options, consider consequences, and provide visualization of outcomes.

(Because Council has not scheduled meeting dates for 2020, the resolution is written so that the public hearing will take place on either January 8 or January 15, 2020, whichever is the first regular meeting date scheduled.)



Recommendation(s):

That the Council continue the public hearing to January 8, 2020.



Attachments:

- Resolution

A RESOLUTION TO CONTINUE THE PUBLIC HEARING FOR THE LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT REGARDING MASSING AND PERMEABILITY STANDARDS IN THE BLUE HILL DISTRICT TO COUNCIL'S FIRST REGULAR MEETING IN JANUARY 2020 (2019-10-30/R-6)

WHEREAS, the Council called a public hearing to consider Land Use Management Ordinance text amendments regarding massing and permeability standards in the Blue Hill District for October 30, 2019; and

WHEREAS, staff and the consultant request the public hearing be continued to January 2020 to allow additional time to analyze options for regulations, consider consequences, and provide visualization of outcomes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council continues the public hearing for the Land Use Management Ordinance text amendment regarding massing and permeability standards in the Blue Hill District to January 8, 2020.

BE IT FURTHER RESOLVED that if a Council Regular Meeting is not scheduled for January 8, 2020, the public hearing will be continued to January 15, 2020.

This the 30th day of October, 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 continues the public hearing regarding Massing and Permeability Standards in the Blue Hill District to January 8, 2020.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 8., File #: [19-0883], Version: 1

Meeting Date: 10/30/2019

Adopt Minutes from May 22, 2019 and June 12, 19 and 26, 2019 and July 12 and 15, 2019 Meetings.

Staff:

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

Department:

Communications and Public Affairs

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



Recommendation(s):

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



Attachments:

- Resolution
- May 22, 2019 Business Meeting
- June 12, 2019 Business Meeting
- June 19, 2019 Public Hearing
- June 26, 2019 Business Meeting
- July 12, 2019 Special Meeting (BRT)
- July 15, 2019 Special Meeting (BRT)
- July 15, 2019 Special Meeting (Greene Tract)

A RESOLUTION TO ADOPT SUMMARY MINUTES OF COUNCIL MEETINGS (2019-10-30/R-7)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts summary minutes for meetings held on May 22, 2019 and June 12, 19 and 26, 2019 and July 12 and 15, 2019.

This the 30 day of October, 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 Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Jessica Anderson
Council Member Donna Bell
Council Member Allen Buansi
Council Member Hongbin Gu

Council Member Nancy Oates
Council Member Michael Parker
Council Member Karen Stegman
Council Member Rachel Schaevitz

Wednesday, May 22, 2019 **7:00 PM** **RM 110 | Council Chamber**

Roll call

Present: 7 - 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: 2 - Mayor Pam Hemminger, and Council Member Rachel Schaevitz

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Police Officer Rick Fahrer, Fire Inspector Greg Peeler, Communications Manager Catherine Lazorko, Planning Director Ben Hitchings, Principal Planner Corey Liles, Housing and Community Assistant Director Sarah Vinas, Affordable Housing Manager Nate Broman-Fulks, Planner II Becky McDonnell, Executive Housing and Community Director Loryn Clark, Manager's Office Intern Maggie Bailey, and Deputy Town Clerk Amy Harvey.

OPENING

0.01 Successes Video: Lower Booker Creek Greenway. [\[19-0506\]](#)

Mayor pro tem Anderson opened the meeting at 7:00 p.m. and said that Mayor Hemminger and Council Member Schaevitz were both out of town. She introduced a "Celebrating Successes" video narrated by Parks and Greenways Commission Chair Jeanette Bench. The video highlighted the work by community volunteers who had been clearing invasive plants from the Lower Booker Creek Greenway.

Mayor pro tem Anderson said that more than 160 people had volunteered since 2018. She thanked Ms. Bench as well as the Parks, Recreation and Greenways Committee and the many volunteers and staff who had helped out. Another cleanup was being planned, and information was available through the Parks and Recreation Department, she said.

Town Council

Meeting Minutes - Draft

May 22, 2019

0.02 Proclamation: Tourette Syndrome Awareness Month. [\[19-0507\]](#)

Council Member Parker read a proclamation declaring June 2019 as Tourette Syndrome Awareness Month in Chapel Hill. The purpose was to promote understanding, compassion and acceptance and to break the stigma that surrounds the neurological disorder, he said. The proclamation stated that no standard treatment or cure was available to those with Tourette Syndrome which has affected more than 22,871 school aged children in North Carolina alone. The Tourette Association's Greater Carolinas Group has been actively providing services and supporting research, Council Member Parker read.

Chelsea Feebick thanked the Tourette Association of America, the Greater Carolinas Tourette Group, and the Town for the proclamation. She said that Tourette's was a misunderstood condition that has led to those afflicted being fired from jobs and placed in psychiatric hospitals. Ms. Feebick said that she had been bullied all of her life but that having Tourette's had made her more compassionate and persistent and had allowed her to know herself better.

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. Joe Patterson Request Modifications to the Town's Noise Control Code. [\[19-0474\]](#)

Joe Patterson, a Chapel Hill resident, described his petition regarding noise at Cobb Terrace and the Chapel Hill Police Department's inability to do anything about it under the current statute. He asked the Council to address the issue as soon as possible since noise was at its worst during the summer.

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

1.01 Julie McClintock for CHALT Request for Department of Transportation Data from May 1, 2019 Presentation. [\[19-0508\]](#)

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

ANNOUNCEMENTS BY COUNCIL MEMBERS

1.02 Mayor pro tem Anderson Regarding Municipal Offices Closed Memorial Day. [\[19-0509\]](#)

Mayor pro tem Anderson noted that Town Hall and other municipal offices would be closed on May 27th for Memorial Day.

1.03 Mayor pro tem Anderson Regarding Orange County Peace Coalition Commemoration for Victims of War. [\[19-0510\]](#)

Mayor Pro tem Anderson said that the Orange County Peace Coalition's commemoration ceremony would be held at the Chapel Hill Public Library on May 27th from 3:00-4:30 p.m.

1.04 Mayor pro tem Anderson Thanks for those Who Lost their Lives while Serving in Wars. [\[19-0511\]](#)

Mayor pro tem Anderson thanked the families of those who had lost their lives while serving in the US military.

1.05 Mayor pro tem Anderson Regarding National Trails Day. [\[19-0512\]](#)

Mayor pro tem Anderson announced that National Trails Day would be on June 1, 2019. The Parks and Recreation Department would host a guided walk along the Lower Booker Creek Trail and would make an "Adopt a Park or Greenway Program" presentation on that day, she said. Those who wish to participate should meet the group at the 2200 Dailyroad trail head at 10:00 a.m., Mayor pro tem Anderson said.

1.06 Mayor pro tem Anderson Regarding Open House for Charting Our Future. [\[19-0513\]](#)

Mayor pro tem Anderson said that Town staff would hold an open house from 5:30-6:30 p.m. on June 5th at the Chapel Hill Public Library to allow the Council and public to review a book map that would be part of the Future Land Use Map update.

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. [\[19-0475\]](#)

Approval of the Consent Agenda

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

3. Approve the 2019-2020 HOME Investment Partnership Program Annual Plan. [\[19-0476\]](#)

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

4. Award a Bid and Authorize the Town Manager to Sign a Supplemental Agreement with NCDOT and Execute a Contract for the Construction of Variable Message Sign Project. [\[19-0477\]](#)

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

5. Authorize Town Manager to Submit a Funding Request for the North South Bus Rapid Transit Project through the Orange County Transit Plan. [\[19-0478\]](#)

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

6. Adopt Minutes from January 24, and 31, 2018 and February 14, and 21, 2018 and March 7, 14, and 21, 2018 and April 11, 2018 Meetings. [\[19-0479\]](#)

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

INFORMATION

7. Receive Upcoming Public Hearing Items and Petition Status List. [\[19-0480\]](#)

DISCUSSION

8. Consider Adopting Land Use Management Ordinance Text Amendments to Establish New Zoning Districts for the Historic Rogers Road Neighborhood. [\[19-0481\]](#)

Planner Corey Liles gave a PowerPoint presentation on the Historic Rogers Road Neighborhood zoning project. He said that the lengthy process had included extensive community engagement and had led to text amendments that the Council could consider for adoption. Council approval of Resolution 7 and Ordinance 2 (Agenda Item 8) would put standards on the books, he said, and he recommended approving both.

Caroline Dwyer, a project manager with Renaissance Planning Group, continued the PowerPoint presentation with a recap of seven public meetings since September 2018. The goal had been to develop zoning standards that aligned with the Rogers Road Community's "Mapping Our

Future (MOF)" 2016 report, she said. She proposed two new zones: residential low density (HRL) and residential medium density (HRM), and indicated another area that would remain Residential 1 and be held for future consideration.

Ms. Dwyer described the surrounding area and said that the proposed rezoning would conform with that. She listed the main goals of the MOF report and said that the plan adhered to those objectives. Staff had used a vision map that had been part of the MOF report to inform the zoning, she explained.

Ms. Dwyer reviewed changes pertaining to home-based businesses and discussed feedback regarding a mixed-use district. She said that residents did not want to allow retail at the current time. Accessory dwelling unit size would need to meet Land Use Management Ordinance limits. Billabong Lane had been removed from the map, and three properties southeast of the Greene Tract had been excluded from rezoning, she said.

Ms. Dwyer pointed out that some controversial street locations had been removed from the map. She discussed home businesses, signage, and lot size requirements, and said that triplexes would be allowed. Ms. Dwyer explained how regulations for home occupations and live/work units differed from each other.

Council Member Parker verified with staff that the Town of Carrboro intended to consider a similar action in June.

David Bellin, a Chapel Hill resident, said that the text amendments reflected the wishes of the area residents who had developed the MOF report. He urged the Council to approve the plan and to transmit details to the Town of Carrboro.

Reverend Robert Campbell thanked the Council, staff and consultant for following the MOF report. He stressed the importance of amending the zoning in order to continue the MOF process, bring more voices to the process, and keep the community engaged regarding possible future development. Rev. Campbell commended all who had been involved for keeping their composure and respecting each other.

Council Member Buansi described the changes as one of the steps that was needed after years of injustice. It was great that the Town was trying to rectify that by deeply involving the Rogers Road neighborhood in the process, he said.

Council Member Oates agreed with Council Member Buansi and thanked staff for being so responsive to comments. She said that the proposed plan seemed to reflect the interests of the neighborhood as well as the greater community.

Council Member Stegman praised staff and community members for sticking with the project for so many years. That joint area was a very important part of the Town's future, she said, and she noted the importance of having Orange County as a partner. Council Member Stegman spoke about some of the specific changes and praised the addition of affordable triplexes.

Council Member Gu said that the Town might have learned something that it could apply to similar projects in the future. She expressed support for the addition of affordable triplexes but had concern about the lack of conversation about connectivity with the rest of Town through public transit.

Mayor pro tem Anderson thanked everyone for their excellent work and said that she loved being able to vote for something that really reflected the community's vision.

A motion was made by Council Member Parker, seconded by Council Member Oates, to close the public hearing. The motion carried by a unanimous vote.

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

A motion was made by Council Member Buansi, seconded by Council Member Stegman, that O-2 be enacted as amended. The motion carried by a unanimous vote.

9. Consider Amending the Town Of Chapel Hill Zoning Atlas to Apply the HR-L and HR-M Subdistricts to Properties in the Historic Rogers Road Area.

[\[19-0482\]](#)

Mr. Liles pointed out that the rezoning had been part of the same process. He displayed a map that showed district boundaries and indicated where some areas would keep their existing zoning and others would be rezoned. The Planning Commission had recommended approval and had reached consensus with the Town to leave Billabong Lane out at the current time, he said. Mr. Liles recommended that the Council close the public hearing and enact Ordinance 3.

A motion was made by Council Member Parker, seconded by Council Member Oates, to close the public hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Buansi, seconded by Council Member Gu, that R-9 be adopted. The motion carried by a unanimous vote.

A motion was made by Council Member Oates, seconded by Council Member Buansi, that O-3 be enacted. The motion carried by a unanimous vote.

10. Approve the Traffic Calming Measures on Several Streets near the Proposed Wegmans Food Market. [\[19-0483\]](#)

This item was deferred to a future meeting in June.

11. Receive the FY19 Third Quarter Affordable Housing Quarterly Report (January-March). [\[19-0484\]](#)

Assistant Director of Housing and Community Sarah Vinas gave a PowerPoint presentation on the Third Quarter Affordable Housing (AH) Report regarding projects completed during January through March 2019. She said that the Town had projected developing 95 new and preserving 125 affordable units in 2019 and had developed 5 and preserved 8 in the third quarter. That brought the total for three quarters to 6 developed and 85 preserved, she said.

Ms. Vinas said that 78 percent of funding had been allocated and 89 percent of Town-funded projects had been completed on schedule. She showed photos and provided details about some of those projects.

Affordable Housing Manager Nate Broman-Fulks said that staff anticipated a very active fourth quarter, with 76 new and 62 preserved AH units coming on line. If those projections prove to be accurate, the total developed for the year would be 13 fewer than originally projected and the number preserved would surpass original projections by 22 units, he said.

Mr. Broman-Fulks provided updates on key projects, which included an AH Bond Application process, a Housing Displacement Assistance Program, an Employee Housing Program, and a Town project at 2200 Homestead Road. Over the coming months, staff would present a draft AH preservation strategy and would discuss a payment in lieu for rental housing development with the Council, he said. Mr. Broman-Fulks said that staff was continuing to finalize a Public Housing Master Plan and would update the Council on three Town-owned sites after June.

Council Member Buansi confirmed with Ms. Vinas that fewer than 20 displaced Park Apartments households had not yet found permanent housing.

Council Member Parker congratulated staff on receiving national recognition for their Affordable Housing Program and said that the Council appreciated all of their good work.

Council Member Parker asked how staff intended to allocate bond proceeds, and Ms. Vinas replied that they planned to evaluate that over the summer and would send out the first request for proposals (RFP) in late 2019 or early 2020. She said that staff anticipated a broad RFP that would be open to any development partner.

Council Member Stegman confirmed with Mr. Broman-Fulks that renovations at South Estes had been completed in April and that no one had to move out during the process.

Council Member Stegman requested that staff include the amount of leverage it was achieving through its work in future quarterly reports.

Council Member Oates confirmed with Ms. Vinas that a unit at 140 West Franklin, which had been part of Community Home Trust's inventory, had requested a subsidy to maintain affordability when sold.

Mayor pro tem Anderson confirmed with Mr. Broman-Fulks that staff had been tracking how much naturally occurring affordable housing the Town had and how much it was losing. Staff would use that data to inform its strategies, Mr. Broman-Fulks said.

Council Member Gu suggested that the report include demographic information, such as the occupations of those the Town had been able to help with AH. She proposed trying to tell the story of how the AH program had been making the Town more inclusive.

Ms. Vinas replied that staff had periodically gathered such information from the Town's partners and said that incorporating it into the AH report was a great idea.

Council Member Oates said she was pleased to see that staff was doing very innovative work and looking at the needs of individuals rather than lumping people into a one-size-fits-all demographic. She encouraged them to continue leveraging support from major employers in Town.

This item was received as presented.

12. Open the Public Hearing: Land Use Management Ordinance Text Amendment - Proposed Changes to Section 3.11 Regarding Affordable Housing and Stormwater Management in the Blue Hill District. [\[19-0485\]](#)

Mr. Liles and Mr. Broman-Fulks presented the item together. Mr. Liles began by describing a proposed Land Use Management Ordinance text amendment for the Blue Hill District (BHD) located at the intersection of Franklin Street and Fordham Boulevard in northeast Chapel Hill. He reviewed the process thus far and recommended that the Council open the public hearing, receive comments, and continue the hearing to June 26, 2019.

Mr. Broman-Fulks provided background on why staff was proposing an affordable housing (AH) text amendment. He explained that the Town

currently had 149 AH units toward its goal of 300. The Council had petitioned staff to identify additional ways to develop more AH in the district and staff had presented five new strategies in March 2019, he pointed out.

Mr. Broman-Fulks said that the proposed text amendment would address the first of those strategies by revising the BHD's form-based code (FBC) to reflect the Town's commitment to AH in the district. He proposed language to be included in the BHD purpose statement and said that the amendment would be a preliminary step toward supporting possible future strategies.

Mr. Liles discussed stormwater related pieces of the amendment. He reminded the Council that recent state legislation had affected how the Town could regulate stormwater. New regulations allowed local governments to only require that the net increase in impervious surface be treated post construction, rather than the 50 percent treatment that the BHD had been requiring, he explained. That legislation had made the BHD requirement unenforceable, but noted that the FBC code included trade-offs, such as density bonuses as well.

Mr. Liles outlined a proposal to restructure the FBC in a way that would offer applicants a choice of two paths for project review: A "conventional" path which would treat the net increase in impervious area only; and an "enhanced development" path that would treat more impervious area and allow greater development potential based on meeting the 50 percent treatment threshold. He provided specifics for each with regard to density, floor area ratio, Research Conservation District requirements, and the Town's approval process.

Mr. Liles said the staff was not aware of any other North Carolina communities that had made similar changes in reaction to the state legislation. He shared comments from various stakeholders and said that the Town's advisory boards had been supportive. The Planning Commission had recommended approval, he said.

Council Member Gu asked about the cost of stormwater treatment for a developer, and Mr. Liles said that staff would report back on that. The enhanced development path would cost a few hundred thousand dollars more than was currently required, he said. She confirmed with him that treating 50 percent of impervious surface meant removing 85 percent of total suspended solids before it left the site.

Council Member Oates asked why anyone would choose the conventional path under the proposed changes, and Mr. Liles replied that developers would be subject to a Special Use Permit if they were not meeting the stormwater treatment threshold. The conventional path would offer a feasible road to approval that would allow a certain amount of development to be done, he said.

Council Member Oates confirmed with him that, as structured, the text amendment would not allow anything that a developer could not currently do. It seemed as though the Council would be incentivizing some of the things that it did not like about the BHD, such as density, stormwater issues, and so forth, she said, adding that she was trying to understand what the Town would be doing.

Town Attorney Ralph Karpinos replied that the Town was responding to state law which said that the Town could no longer require a developer to provide stormwater treatment beyond what was being added to the project. The Town did require more in the BHD and was attempting to create an alternate option that would still comply with state law, he said.

Council Member Oates verified with Mr. Liles that a maximum height of 90 feet was allowed only in the WX7 sub-district and that height limits would remain as they were. She asked staff to return with a side-by-side comparison to show why anyone would choose not to have the density bonus in the enhanced path.

Mr. Karpinos replied that the point was to also offer the option that was being required under State law. The Town was required to offer an alternative for development that did not require more impervious surface treatment than what was being added, he said, explaining that this would be the conventional path.

Council Member Oates asked why anyone would choose that conventional path when there was such a differential between it and the enhanced one, and Mr. Karpinos repeated that the Town was required by law to provide it.

Mayor pro tem Anderson said that the Town did not want people to choose the conventional path and staff was proposing to offer an incentive for them to treat the stormwater that they were no longer required to treat.

Council Member Gu asked if there could be a legal issue since the Town was providing two options but one was "almost like a punishment". She wondered if the Town should make the two pathways comparable with regard to community benefits. She agreed that stormwater was very important but pointed out that green and public spaces were significantly lacking but crucial to the BHD's success.

Mayor pro tem Anderson pointed out that the Council had submitted a petition regarding FBC and would be addressing green and public improvements during an upcoming meeting on massing. The Council was currently just trying to do something quickly and easily to address the State legislation, she said.

Council Member Parker suggested making the conventional pathway as

unattractive to developers as was legally possible in order to get the higher level of stormwater treatment while preserving urban character if someone were to choose the conventional path. He agreed with the proposed approach but worried about unintended consequences, such as getting the worst of both worlds, he said. He urged staff to consult with whomever they needed to in order to have a high level of confidence in the plan.

Council Member Oates confirmed with Mr. Liles that the enhanced path would not offer anything that could not currently be done under the BHD Guidelines. She stressed the importance of making sure that the conventional path would not lead to strip-mall-type development.

Mr. Liles replied that the two-story minimum height requirement would remain with both paths.

Mayor pro tem Anderson said, in summary, that the Council wanted to make sure that choosing the conventional path would not allow a developer to build something that the Town did not want. It sounded as though staff had already thought about that, she said. She proposed including more functional green space with the conventional path.

A motion was made by Council Member Parker, seconded by Council Member Buansi, that the Public Hearing be continued to June 26, 2019. The motion carried by a unanimous vote.

13. Open the Public Hearing: Land Use Management Ordinance Text Amendment - Proposed Changes to Section 4.5.4 Special Use Permit Modifications. [\[19-0486\]](#)

Planner Becky McDonnell gave a PowerPoint overview of a text amendment to a section of the Land Use Management Ordinance regarding Special Use Permit (SUP) modifications. She explained that The Oaks Condominiums had proposed a stormwater drainage project in May 2018 that included changes that had bumped it into a major modification category. Because such a process could take up to a year, the Council had requested an alternative that would allow projects with pressing environmental or safety issues to be addressed in a timelier manner, she said.

Ms. McDonnell reviewed specific details of the text amendment which would allow some projects to be approved administratively. She said that the Planning Commission had recommended approval and that staff was recommending that the Council open and close the public hearing and then continue it to June 26, 2019 for possible action.

Council Member Parker asked about the tight 100-foot neighborhood notification radius, and Ms. McDonnell replied that it seemed reasonable to notify only adjacent neighbors. However, staff would happily increase that radius, she said.

Mayor pro tem Anderson asked how staff would address any neighborhood concerns, and Ms. McDonnell replied that they would be relayed to the applicant and the Town's technical review team. Mayor pro tem Anderson confirmed with Ms. McDonnell that the administrative review would not include advisory boards.

Mr. Karpinos pointed out that anyone who was unhappy with an administrative decision could appeal it to the Board of Adjustment.

Mayor pro tem Anderson confirmed that the item would return to Council as an Information Item on a future agenda.

Council Member Buansi verified with Ms. McDonnell that the time-frame for administrative review was one month in the ordinance but that it usually happened faster than that.

Council Member Oates recommended including a wider notification radius.

A motion was made by Council Member Buansi, seconded by Council Member Parker, that the Public Hearing be continued to June 26, 2019. The motion carried by a unanimous vote.

APPOINTMENTS

14. Appointments to the Chapel Hill Downtown Partnership. [\[19-0487\]](#)

The Council reappointed Pam Hemminger and Leonard Wohadlo to the Chapel Hill Downtown Partnership.

The Council reappointed Steven Melamut and appointed Howard Kallen and Liliane Komlos to the Grievance Hearing Board.

16. Appointments to the Human Services Advisory Board. [\[19-0489\]](#)

The Council reappointed Amy Liu and appointed Mychal Weinert to the Human Services Advisory Board.

17. Appointments to the Orange Water and Sewer Authority Board of Directors. [\[19-0490\]](#)

The Council reappointed Bruce Boehm and appointed John Cooley and Bruce Runberg to the Orange Water and Sewer Authority Board of Directors.

ADJOURNMENT

The meeting was adjourned at 8:56 p.m.



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

Town Hall
405 Martin Luther King Jr.
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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, June 12, 2019 **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 Hongbin Gu, Council Member Nancy Oates, Council Member Michael Parker, Council Member Karen Stegman, and Council Member Rachel Schaevitz

Absent: 1 - Council Member Allen Buansi

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Assistant Town Manager Mary Jane Nirdlinger, Town Attorney Ralph Karpinos, Police Officer Rick Fahrer, Fire Inspector, Communications Manager Catherine Lazorko, Planning Director Ben Hitchings, Business Management Director Amy Oland, Budget Manager Matt Brinkley, Economic Development Officer Dwight Bassett, Community Resilience Officer John Richardson, Senior Engineering Coordinator Mike Wright, Manager of Engineering and Infrastructure Chris Roberts, Stormwater Management Engineer Sue Burke, Planner II Becky McDonnell, Fire Chief Matt Sullivan, Police Chief Chris Blue, Assistant Chief of Police Jabe Hunter, Emergency Management Coordinator Vencelin Harris, Planner II Jake Lowman, Manager's Office Intern Maggie Bailey, and Communications and Public Affairs Director/Town Clerk Sabrina Oliver.

OPENING

0.01 Successes Video: Summer Reading Challenge 2019.

[\[19-0576\]](#)

Mayor Hemminger opened the meeting at 7:00 p.m. and said that Council Member Buansi was absent due to the impending birth of his child. She introduced a "Celebrating Successes" video that highlighted the Chapel Hill Public Library's "Reading Challenge Summer Blast" which would be launched at the Library on Friday from 5:00-8:00 p.m.

0.02 Proclamation: Lesbian, Gay, Bisexual, Transgender, and Queer Pride Month.

[\[19-0577\]](#)

Mayor Hemminger pointed out that June 2019 was "Pride Month" in the Town of Chapel Hill and that it marked the 50th anniversary of the

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Stonewall Inn uprising in NYC. That event had launched the modern day liberation movement for LGBTQ Americans, she said.

Council Member Stegman read a proclamation reminding all of how far the LBGTQ community had come in 50 years and how far it still had to go toward full equality. The proclamation said that Chapel Hill had led the state in advancing equal protection and freedom for LGBTQ people, and it listed the policies and steps the Town had taken in that regard.

The proclamation also stated that the Council was reaffirming its opposition to discrimination, prejudice, homophobia and trans-phobia and would continue working for a welcoming community for all. It encouraged all residents to celebrate the courage, perseverance and sacrifice that had been shown on that day in 1969 and to continue being champions for exclusivity and equality.

David Sutton, owner of Sutton and Company on Franklin Street, spoke about the difficulty of coming out and being authentic. He said that acceptance and continued support from the Chapel Hill community had allowed him to flourish and grow, and he expressed gratitude on behalf of the Town's LGBTQ community.

Sara Hancock, a Town business analyst, thanked the Council and Town Manager on behalf of the LBGTQ Employee Resource Group and other employees for acknowledging the LBGTQ community's contributions to the Town. She said that she was lucky to work for an organization that valued identities and celebrated differences and was proud of the LBGTQ Employee Resource Group's work.

Mayor Hemminger noted that former Mayor Mark Kleinschmidt was in attendance. She said that Pride rainbow flags were flying downtown, and she commented on the bravery required for coming out.

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

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0.03 Allan Chrisman of Community Policing Advisory Committee Comments Regarding Police Officer Hiring.

[\[19-0578\]](#)

Allan Chrisman, vice chair of the Community Policing Advisory Committee (CPAC), expressed concern about the Chapel Hill Police Department's struggle to recruit and retain officers, given the current competitive environment. He thanked the Town Manager for adding funds to the FY 2019-2020 budget to help adjust police pay and asked the Council to consider that.

This item was received as presented.

0.04 Elizabeth Wayne of Community Policing Advisory Committee Comments Regarding Success of Committee in Engaging with Community and Thanks to Town Council. [\[19-0579\]](#)

Elizabeth Wayne, outgoing CPAC chair, agreed with what Mr. Chrisman had said and described how effective CPAC had been in drawing out community feedback. She read a letter from CPAC members that recognized the Council's support and response during recent "Silent Sam" protests.

Mayor Hemminger acknowledged that the protests had been a stressful time for the Chapel Hill Police Department and CPAC members. She appreciated their efforts to help the Town move forward, she said.

This item was received as presented.

0.05 Emanuel Kearney Comments Regarding Master Leasing Program. [\[19-0580\]](#)

Emanuel Kearney, recipient of the Town's master leasing program with Grubb Properties and Community Home Trust, praised the experience. He especially appreciated the kindness and commitment of Community Home Trust Executive Director Robert Dowling, Glen Lennox Apartments Property Manager Trisha Selby, and the Chapel Hill Housing Department's Loryn Clark and Faith Thompson.

This item was received as presented.

0.06 Aaron Nelson Request Regarding Short Term Rentals. [\[19-0581\]](#)

Aaron Nelson, president and CEO of the Chapel Hill-Carrboro Chamber of Commerce, spoke on behalf of a Chamber/CHALT/hoteliers group called The Coalition for Neighborhood Protection and Fair Competition. He introduced their petition regarding short-term rentals and explained that having 300 units making \$6 million per year and growing rapidly in town had led the coalition to ask about applicable rules. Mr. Nelson asked the Council to direct staff to begin creating a fair and reasonable regulatory framework and to task an advisory group to help with that.

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

0.07 Julie McClintock Regarding Short Terms Rentals Petition. [\[19-0582\]](#)

Julie McClintock, representing CHALT (Chapel Hill Alliance for a Livable Town), said that all of the coming and going and parking could be problematic for those living near short-term rental properties. In addition, the explosion in the number of those units had affected affordable housing, she said. Ms. McClintock pointed out that the coalition had included a new approach to regulation in its report.

This item was received as presented.

0.08 Mark Sherburn Regarding Short Term Rentals Petition. [\[19-0583\]](#)

Mark Sherburn, general manager at Carolina Inn, said that the impact of short-term rentals had been equivalent to adding two new hotels in Town. He said that investors had been buying homes, condos and townhouses and renting them out. The hotel community was asking for a level playing field that would require those businesses to pay occupancy taxes, undergo inspections, have insurance, and be health and safety compliant, he said.

Mayor Hemminger pointed out that the issue was on the Council's June 19th agenda.

This item was received as presented.

0.09 Susan Smith of the Historic District Commission Comments Regarding Appointments. [\[19-0584\]](#)

Susan Smith, a Historic District Commission (HDC) member, emphasized the importance of institutional memory and urged the Council to make some re-appointments when voting for new HDC members.

This item was received as presented.

1. West Saint Mark Church of Christ (Disciples of Christ) Request for the Town Council to Waive any Final Application Fees Associated with Construction of a Church Sanctuary at 7708 Rogers Road. [\[19-0541\]](#)

Dr. Timothy Peppers, representing West Saint Mark Church of Christ, discussed his request for a waiver of final construction fees for a small chapel on Rogers Road. Having to pay that fee would reduce his ability to do the necessary work and would place a hardship on his small congregation, he said. Dr. Peppers pointed out that the Planning Commission had recommended that the Council consider granting a waiver.

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.

ANNOUNCEMENTS BY COUNCIL MEMBERS

- 1.01 Mayor Hemminger Regarding East Chapel Hill High School Soccer Team. [\[19-0585\]](#)

Mayor Hemminger congratulated the Chapel Hill Girls Soccer Team for its AAA state victory on May 25. She said that Carrboro High School's girls team had won its AA division as well.

- 1.02 Mayor Hemminger Regarding Community Tree Committee. [\[19-0586\]](#)

Mayor Hemminger announced that the Community Tree Committee would hold its first meeting at 5:45 p.m. on June 18th at the Southern Human Services Center. The goal would be to establish a group of volunteers and engage the entire community in replanting trees, she said.

- 1.03 Mayor Hemminger Regarding Food for Summer. [\[19-0587\]](#)

Mayor Hemminger noted that Food for Summer would begin again on June 17. It was a program in which volunteers delivered food to the more than 3,300 children who normally receive free or reduced lunches at school, she said. Information was available on the Town's website, said Mayor Hemminger.

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.

2. Approve all Consent Agenda Items. [\[19-0542\]](#)
3. Adopt the Financial Policy Guidelines. [\[19-0543\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
4. Approve Chapel Hill Transit's Title VI Program. [\[19-0544\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
5. Adopt a Calendar of Council Meetings through December 2019. [\[19-0545\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
6. Adopt Minutes from February 28, 2018, and April 18, and 25, 2018 and May 2, 9, and 23, 2018 and June 13, and 20, 2018 Meetings. [\[19-0546\]](#)

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

INFORMATION

7. Receive Upcoming Public Hearing Items and Petition Status List. [\[19-0547\]](#)

This item was received as presented.

8. Receive Proposed Affordable Housing Bond Funding Process Overview. [\[19-0548\]](#)

This item was received as presented.

DISCUSSION

9. Consider Proceeding with the Updated Proposal for Steps to Begin Addressing Coal Ash Clean-up at the Police Station Property. [\[19-0549\]](#)

Community Resilience Officer John Richardson gave a PowerPoint update on steps the Town was taking to clean up coal combustion products (CCPs) at the Chapel Hill Police Department (CHPD) headquarters. He showed a diagram and photos of the 10-acre property at 828 Martin Luther King Jr. Boulevard and described the surrounding properties. He then discussed the Town's efforts to contain the area and minimize erosion through the use of silt fences.

Mr. Richardson asked the Council to consider a budget of \$246,000 to begin clean-up and continue managing and monitoring CCPs in an area close to Bolin Creek. He reviewed the measures described in the report and said that the plan was expected to last three to five years.

Consultant David Dunkley provided background information on the site, which had been used as a fill area in the 1950s through 1970s. He said that the Town had acquired it in 1980 and built the CHPD and parking lots over it without knowing the contamination was there. He explained how he had conducted a risk assessment and developed measures to protect public safety and health while the Town determined how to relocate the CHPD.

Mr. Dunkley said that he had been working with Justin Ballard, an engineer with Hart & Hickman, to develop interim measures that would keep the Bolin Creek greenway trail open but protect citizens. These included removing about a thousand tons of soil, installing signage along the trail, adding silt fencing, and doing periodic inspections and sampling of the area, he said. Mr. Dunkley outlined a process that would lead to a final risk assessment report in the fall of 2019.

Mr. Richardson said that the original goal had been to address the entire site, but staff had decided to focus on the area long Bolin Creek until a new location for the CHPD had been determined.

Council members asked about the process for soil removal, the frequency of inspections, the potential for additional sampling, and the efficacy of silt fencing. Mr. Dunkley described a two-week soil removal process in which dust would be kept at a safe level and contaminated soil taken to another location off site. After the area had been replaced with clean fill, super silt fencing would be used in some locations and that would be visually monitored, he said. The Council confirmed with him that his firm had tested the air inside the police station and had not found concerning levels of radon.

Mayor pro tem Anderson verified with Mr. Richardson that staff would have a time-frame for big picture plans, such as future use of the property once a decision about relocating the CHPD had been made. The 3-5 year goal was to develop a plan for full remediation while monitoring the trail to ensure that it remain safe over that time-frame, he said.

Andrew Frank, an intern with Southern Law Center, warned that additional contamination would occur despite interim measures until the coal ash cliff was removed. The proposed silt fencing was inadequate, he said, and he recommended that the Town require at least quarterly sampling and monitoring of the site. Mr. Frank urged the Council to begin setting funds aside for removing CCPs from the embankment.

John Wagner, a Chatham County resident, recommended using multiple layers of super fencing to help prevent erosion during massive storms. He agreed with Mr. Frank's recommendations and expressed opposition to the idea of shipping contaminated materials off to another community. Mr. Wagner said that contaminated material should be fully encapsulated on site and that the Town should also stop the University of North Carolina (UNC) from burning fossil fuel.

Pamela Shultz, an environmental chemist/engineer representing the Stormwater Advisory Board, petitioned the Council to take immediate action to have the material along Bolin Creek Trail removed and properly disposed of offsite while considering interim and permanent solutions. She said that silt fencing was inadequate protection and that blended sampling did not necessarily catch hot spots here and there. Ms. Shultz said that she had observed leaves coated with some type of material and that not sampling the top of the soil could mean missing something.

Joe Alexander, a Chapel Hill resident and expert in groundwater contamination assessment, said that the proposed interim measures

made technical sense. However, he had prepared an unsolicited proposal regarding his patented technology to divert, capture and treat groundwater contaminants in situ, he said. Mr. Alexander said that his AI Remedial Systems alternative would complement the proposed measures and not cost as much as other long-term alternatives.

Julie McClintock, representing Friends of Bolin Creek, spoke in favor of requiring regular inspections at the coal ash embankment and performing additional sampling of the top two inches of soil. She recommended that the Council have staff provide options regarding levels of risk before the consultants completed their full risk assessment.

The Council confirmed with Mr. Dunkley that there had been no evidence through testing that coal ash had migrated to a significant degree, over 40 years, despite record amounts of heavy rain. They confirmed with Town Attorney Ralph Karpinos that the Town was not ready to make a determination about having those responsible for the contamination contribute to the cleanup. Council Members expressed concern about the environmental justice issue of shipping hazardous waste off site, and Mr. Dunkley agreed that the solution needed to be one that looked at such factors.

In response to Council questioning, the consultants said that more super fencing would not necessarily work better. Mr. Ballard pointed out that fencing would be inspected, maintained, and repaired as needed. More fencing could always be added, he said.

Mayor pro tem Anderson advocated for putting funds away toward an ultimate future fix and asked that quarterly reports be provided to the Council. She stressed the importance of transparency and said she wanted to know if there were ways to shore up the 40-foot cliff.

Council Member Oates asked about the dust on leaves that Ms. Schultz had mentioned, but no one else had observed that.

A motion was made by Council Member Parker, seconded by Council Member Stegman, that the Town proceed with the plan, as recommended. The Council added the following caveats: some level of additional soil sampling be done on a regular basis (at least every six months and after every major storm event), and the first sampling include analysis of the top leaf layer. The Town will post the results on the Town website. The motion carried by a unanimous vote.

10. Consider the Final 2019-20 Budget and Related Items.

[\[19-0550\]](#)

Town Manager Maurice Jones presented the \$116 million FY 2019-20 budget for adoption. It included no significant reductions to core services

and it addressed the Council's strategic priorities, he said. It proposed no property tax increases associated with the General Fund or Transit Fund, but did include a 1.6 cent increase in the Debt Service Fund, Mr. Jones said, noting that the increase would help pay for the \$10 million Affordable Housing Bond and general obligation bonds that the Town had approved in the past. The budget invested in environmental sustainability and included \$246,000 for coal ash remediation and \$50,000 to start a climate action plan, he pointed out.

Mr. Jones noted that changes from an earlier presentation included increases in allocations for the Food Kitchen, Community Home Trust, Project to End Homelessness, and Downtown Partnership. It added Community and Cultural Arts funding for a housing locator position at Orange County and for videography services for the Town, he said. Mr. Jones proposed that the Council and staff discuss next steps in developing a five-year budget strategy in the fall.

Council Member Stegman asked about the legality of charging a new fee for records research requests, and Mr. Karpinos replied that a reasonable fee based on the cost of technology and personnel providing the service was allowed. In recent years, the Town had spent dozens of hours collecting and providing public records in response to requests and staff was attempting to establish a policy for assessing those costs, he said.

Mayor Hemminger commented that the issue could be revisited if there were questions about it.

Council Member Stegman asked that the fee for domestic partnership registration be lowered, and Mr. Jones replied that the fee was comparable to other towns in the area. However, he could recommend a different fee for consideration if the Council was amenable to that, he said.

Council Member Gu and Mr. Jones discussed the longer term budgeting process and the need to explore additional approaches to balancing the budget.

Council Member Schaevitz asked about the strategy for Cultural Arts and Community funding, and Mr. Jones replied that \$23,500 had been put aside to meet the needs of four cultural arts related requests that had come through the Human Services Advisory Board. Money had been put aside for that in the budget and staff would return to the Council next year with a process for ranking and rating arts and culture projects, he said.

The Council and Mr. Jones discussed having the Human Services Advisory Board review applications earlier in coming years and the need for it to receive good quality direction from the Council.

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

11. Consider an Application for Zoning Atlas Amendment - Fire Station Training Center, 6902 Millhouse Road. [\[19-0551\]](#)

Planner Becky McDonnell gave a brief PowerPoint presentation on an application to rezone property on Millhouse Road from Mixed Residential 1 to Office Institutional 1 to accommodate a fire station training center. She recommended that the Council open and close the public hearing, adopt the Resolution of Consistency, and enact Ordinance A, approving the rezoning.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Schaevitz, to close the public hearing and adopt R-6. The motion carried by a unanimous vote.

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

A motion was made by Mayor pro tem Anderson, seconded by Council Member Schaevitz, that O-2 be enacted. The motion carried by a unanimous vote.

12. Open a Public Hearing and Consider a Glen Lennox Performance Incentive Agreement. [\[19-0552\]](#)

Economic Development Officer Dwight Bassett outlined a proposed \$2.2 million incentive agreement with Glen Lennox developer Grubb Properties under an incentive policy that the Council had adopted in March 2018. He explained how the office market in Town had fluctuated from 1969 to 2010 and been stagnant since 2010. The proposed performance-based incentive for 480,000 square feet of office space included a tax rebate for five years (2021-2026) and called for annual reports to the Council, Mr. Bassett said. He recommended that the Council consider approving Resolution 9, which would authorize execution of the economic incentive.

Council Member Gu expressed concern about the constitutionality of the incentive and asked how staff was making the case that the \$2.2 million would be used for public benefit.

Mr. Karpinos explained that the agreement would lead to the creation of a space that would provide an opportunity for more jobs and a greater tax base in the long run. For five years, the incentive would be equal to the amount of tax money that Grubb Properties would pay the Town, and the

Town would receive tax revenue after the five-year period ended, he said.

Council Member Gu replied that it could be argued that all businesses that pay taxes are for public benefit. Moreover, the Town would also have the expense of providing services, she pointed out.

Mr. Karpinos said that the Council would need to make that policy decision. If the decision were challenged, the courts would determine whether the proposal was constitutional or not, he said.

Council Member Gu asked if any other North Carolina government entity had given economic incentives to Real Estate developers, and Mayor Hemminger replied that communities in North Carolina had done a lot of that. She said that the state's economic officer had provided information at a recent Conference of Mayors meeting on how to do it. Under the law, towns were allowed to have such agreements for up to a seven-year period, she said.

Council Member Gu said that people at the UNC School of Government had pointed out a distinction between a Real Estate developer and other industries. Real Estate development was speculative and may not be able to create jobs, she said. Council Member Gu said that she wanted the Council to understand what it was doing.

Mr. Bassett pointed out that the Town had been discussing an incentive policy for several years before finally adopting it, but Council Member Gu repeated her concern about the speculative component with Real Estate development.

Mayor Hemminger argued that incentivizing a commercial building, which would provide property taxes to the Town, was far less risky than trying to incentivize a company that may or may not come to Chapel Hill or might leave. Those Glen Lennox buildings would remain for at least 60-80 years and that office space would generate increased property taxes regardless of whether or not it filled up, she pointed out. Mayor Hemminger said that it was Grubb Properties that was taking the risk.

Molly McConnell, a 20-year resident of Glen Lennox Apartments, asked the Council to approve the incentive, not only because of the job potential but because of all that Grubb Properties had done to support the residents who live there. She said that Clay Grubb had a long-term commitment to Glen Lennox and to the Town and that not going forward with the agreement would penalize those who live at Glen Lennox.

Aaron Nelson thanked Mr. Bassett for his leadership and creative ideas and praised the Council for considering the incentive plan. He said that the Town needed office space and noted that Strata Solar, for example,

had located its headquarters in Durham because it had not been able to find space in Town. He explained how the Town's proposal mitigated risk and said that the worst case scenario would be that the building would sit empty while the Town collected taxes year after year.

Council Members Stegman, Anderson, Oates and Parker expressed support for the plan and praised Mr. Bassett for the achievement.

Council Member Parker said that having ground floor retail should not count against the developer, and Mayor Hemminger proposed changing the word "office" to "office/retail".

Mr. Bassett suggested allowing up to 10 percent of each office building to be retail.

Council Member Bell proposed finding ways to incentivize the entire development in order to make it a residential and economic hub.

Council Member Oates asked if allowing 10 percent retail might set a precedent for other developers, such as those in the Blue Hill District.

Mr. Karpinos replied that the Council would make a policy decision regarding that if such a project came along. Approving the agreement with Glen Lennox would not set a binding precedent for the future, he said.

Mayor Hemminger predicted success and characterized the plan as a win/win/win for the community. The Council voted (7-1) to approve R-9, as amended. Council Member Gu explained that her negative vote was based on what she had heard from the School of Government regarding better ways to support projects.

A motion was made by Council Member Bell, seconded by Mayor pro tem Anderson, that R-9 as amended be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Hemminger, Mayor pro tem Anderson, Council Member Bell, Council Member Oates, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

Nay: 1 - Council Member Gu

13. Open the Public Hearing and Consider Renaming the Portion of U.S. Highway 15-501 South between Fordham Boulevard (NC 54) and Dogwood Acres Drive to "South Columbia Street."

[\[19-0553\]](#)

Senior Engineering Coordinator Michael Wright presented a request to rename a portion of U.S. Highway 15-501 to South Columbia Street. He

reviewed the process for renaming arterial collector streets and showed the area on a map. The reason for the renaming was to eliminate address confusion when using the GPS navigation system, Mr. Wright said. He recommended that the Council close the public hearing and adopt the resolution to rename.

Council Member Oates verified with Mr. Wright that staff would notify all Town and local agencies of the change and would update the Town's GIS system.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Parker, to close the Public Hearing and adopt R-10. The motion carried by a unanimous vote.

14. Municipal Services Center Project Update.

[\[19-0554\]](#)

Assistant Police Chief Jabe Hunter told the Council about a potential partnership for locating a new Municipal Services Center (MSC) at 201 South Estes Drive (University Place). The MSC would include the CHPD, Fire Administration, Parks & Recreation Administration, portions of Housing and Community, Wellness, Ombuds, Technical Solutions, and meeting space, he said. Officer Hunter emphasized the site's central location and said that the space appeared to be adequate and would save on cost and speed of construction.

Officer Hunter pointed out that the Town had other successful partnerships with Ram Development. He asked for Council feedback and for approval of Resolution 11, which would authorize the Manager to explore a business arrangement and options for approval under the Town's Land Use Management Ordinance.

The Council was generally supportive, but some raised questions about the nature of the lease and the potential for flooding, and they stressed the need to negotiate carefully.

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

15. Presentation on the Town's Stormwater Program and Projects.

[\[19-0555\]](#)

Manager of Engineering and Infrastructure Chris Roberts gave a PowerPoint presentation on services that the Stormwater Department had been providing since 2004. These included stormwater maintenance, studies and technical reviews, developing and managing capital improvement projects, and providing educational opportunities and technical assistance to residences and businesses.

Mr. Roberts discussed recent capital projects and explained how staff monitored and analyzed run off, targeted poor water quality for improvements, protected stream buffers, and used information to

investigate possible sources of pollution. He listed projects with approved funding. Increasing storage and floodplain volume at the Elliott Road Storage Facility had the highest priority and would begin in the summer of 2019 and would be followed by Lake Ellen and Eastwood Lake projects, he said. Mr. Roberts presented a video, called "Protecting Our Watersheds", which traced the flow of rainwater down to Jordan Lake and explained what stormwater management entailed.

Council Members asked about actions taken to address flooding at Eastgate during a recent hurricane. They also asked about Town versus property owner responsibility for mitigating flooding and the effect of excavation on water flow.

Mr. Roberts explained that there were not many engineering options for handling large flooding events, such as hurricanes. With regard to mitigation, new developments must meet the Town's flood ordinances and staff was willing to offer advice to people experiencing flooding in their homes, he said. Mr. Roberts said that the Elliott Road excavation was meant to slow water down by spreading it out over a larger area.

Mr. Roberts said he had discovered that there had been conflicting stories about whether or not the Cultural Arts Commission intended to use its Percent for Art funds at the Elliot Road Storage project and offered to clarify that.

Mayor Hemminger said, in summary, that the Town was currently increasing capacity in two storage areas, creating a new one, and cleaning out culverts. She noted the lack of an educational component that would alert homeowners to what they could do to reduce the amount of rain coming off their roofs. "Slow it down, spread it out, and sop it up", she said. Mayor Hemminger noted that Durham had given spreaders to residents and asked them to disconnect their downspouts.

Stormwater Analyst Sue Burke said that recommendations for "neighborhood retrofits" were included in the Lower Booker Creek Subwatershed report and in the Eastwood Lake study. The Eastwood Lake neighborhood probably would be doing some demonstration projects, she said. Ms. Burke explained that residents' roof drains had been disconnected with changes the Council had made several years back and that water was no longer allowed to run into the ground or stream.

Mayor Hemminger proposed figuring out how to educate people and perhaps get a grant for items such as spreaders.

Council Member Stegman said that the Stormwater Advisory Board probably would be thrilled to be engaged in education and outreach.

Mayor Hemminger proposed putting the video and information just presented on the Town's website. She said that she had asked the Stormwater Board to look at Raleigh's Green Infrastructure Program to see if the Town could glean anything from that.

This item was received as presented.

APPOINTMENTS

16. Appointments to the Chapel Hill Public Library Advisory Board [\[19-0556\]](#)

The Council reappointed Dawn Rivers and Judson Williamson to the Chapel Hill Public Library Advisory Board.

17. Appointment to the Orange County Climate Committee. [\[19-0557\]](#)

This item postponed to a future date.

18. Appointments to the Community Policing Advisory Committee. [\[19-0558\]](#)

The Council appointed Michelle Cassell, Paris Miller, Bill Murray, and Joshua Romero to the Community Policing Advisory Committee.

19. Appointments to the Parks, Greenways and Recreation Commission. [\[19-0559\]](#)

The Council reappointed Jeanette Bench and Wesley McMahon and appointed William Kaiser to Town Resident seats on the Parks, Greenways, and Recreation Commission. The Council also appointed Jeff Hall to the Cemetery Champion seat on the Parks, Greenways, and Recreation Commission.

20. Appointments to the Historic District Commission. [\[19-0560\]](#)

The Council appointed Diane Kunz, Nancy McCormick and Angela Stiefbold to the Historic District Commission.

21. Appointments to the Transportation and Connectivity Advisory Board. [\[19-0561\]](#)

The Council reappointed Susanne Kjemptrup-Lovelace and appointed Aaron Frank and Rudy Juliano to the Transportation and Connectivity Advisory Board.

ADJOURNMENT

The meeting was adjourned at 11:01 p.m.



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Jessica Anderson
Council Member Donna Bell
Council Member Allen Buansi
Council Member Hongbin Gu

Council Member Nancy Oates
Council Member Michael Parker
Council Member Karen Stegman
Council Member Rachel Schaevitz

Wednesday, June 19, 2019 **7:00 PM** **RM 110 | Council Chamber**

Roll Call

Present: 7 - Mayor Pam Hemminger, Mayor pro tem Jessica Anderson, Council Member Donna Bell, Council Member Allen Buansi, Council Member Hongbin Gu, Council Member Nancy Oates, and Council Member Michael Parker

Absent: 2 - Council Member Karen Stegman, and Council Member Rachel Schaevitz

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Police Officer Rick Fahrer, Fire Inspector Chris Wells, Planning Director Ben Hitchings, Planning Operations Manager Judy Johnson, LUMO Project Manager Alisa Duffey Rogers, Senior Planner Anya Grahm, Planner II Michael Sudol, Executive Director for Housing and Community Loryn Clark, Manager's Office Intern Maggie Bailey, and Deputy Town Clerk Amy Harvey.

OPENING

Mayor Hemminger opened the meeting at 7:00 p.m. and said that Council Members Schaevitz and Stegman would be absent due to work-related travel. Mayor pro tem Anderson arrived at 7:04 p.m.

0.01 Success Video: Charting Our Future Project.

[\[19-0610\]](#)

The Council viewed a "Celebrating Successes" video about the Town's Future Land Use Map (FLUM), the part of the Comprehensive Plan that serves as a blueprint for implementing the community's vision. The video discussed community feedback to proposed FLUM revisions and explained how the FLUM would be used.

Mayor Hemminger noted that Agenda Item 7 would address the FLUM, as well, and that more information was available on the Town's website, where citizens could always leave comments.

Town Council

Meeting Minutes - Draft

June 19, 2019

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

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

0.02 Rogers Road Neighbors Request Regarding Greene Tract Resolution.

[\[19-0611\]](#)

Larry Reid Sr., speaking on behalf of the Rogers Road/Eubanks Neighborhood Association and others involved with a "Mapping Our Community's Future" report, asked the Council to join with the Orange County Board of Commissioners and Carrboro Board of Aldermen in passing a resolution regarding the Greene Tract. More than a hundred petitioners were requesting that the Council pass that resolution, he said, and asked that it be put on the Council's June 26th agenda.

Reverend Robert Campbell, a Rogers Road resident, spoke about his neighborhood's aspirations and vision for achieving economic diversity and social development through use of the Greene Tract.

Delores Bailey, a Chapel Hill resident who had been involved with Greene Tract discussions since 2003, said that neighbors were merely asking the Council to move forward with a resolution in the same way that Orange County and Carrboro had already done. She reminded the Council that the Rogers Road/Eubanks community had endured pressures from the landfill for more than 20 years. They just wanted to see something good, such as mixed income housing brought into their neighborhood, she said.

Karen Reid, a Rogers Road/Eubanks Community resident, asked the Council to put the resolution on its June 26th agenda. The community wanted to see mixed-income housing and perhaps a school there, but wanted the most sensitive part of the Greene Tract preserved, she said.

Mayor Hemminger replied that she and the Council were committed to helping the neighborhood achieve its potential and had dedicated resources to that goal. The Council was committed to affordable housing (AH) and had developed zoning that would prevent "gentrification" once the sewer system had been installed, she pointed out. She said that

there had been confusion regarding Greene Tract boundaries and that the Chapel Hill-Carrboro School Board had determined that the tract was not a good site for a school.

Mayor Hemminger said that the three governmental bodies had previously agreed to provide information to the community in early September, and the Town's schedule for June 26th was already packed. She assured the speakers that she was not procrastinating but did want to have broad community buy-in when proceeding. "I promise to you that moving it forward is a goal of mine," she said.

Council Member Bell confirmed that the proposed resolution was the same one that had been presented to the Council on February 19, 2019 and that passing it was necessary in order to have further conversations. It seemed like a small step to approve a resolution that the Town's partners had already passed, she said.

Mayor Hemminger replied that she thought the larger community would be more supportive if it had more information. She wanted everyone to be excited about the plan and not confused due to lack of information, she said.

Town Manager Maurice Jones said that staff probably could put the item together fairly quickly, since there would not be much change from a previous memo.

Council Member Buansi pressed to have the item moved forward and proposed having a special Council meeting if the June 26th date was not feasible. Mayor pro tem Anderson and Council Members Parker expressed support for that idea.

Council Members Gu and Oates argued that more information was needed first, and Council Member Bell requested that they clearly state what that information was.

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 to find a date for a special meeting and to provide the Council with information ahead of time. The motion carried by the following vote:

Aye: 6 - Mayor Hemminger, Mayor pro tem Anderson, Council Member Buansi, Council Member Gu, Council Member Oates, and Council Member Parker

Nay: 1 - Council Member Bell

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.03 Council Member Oates Regarding Miss Orange County Ashton Blackburn's Involvement in Miss North Carolina Pageant. [\[19-0612\]](#)

Council Member Oates reported that Ashton Blackburn, Miss Orange County, was competing in the Miss North Carolina pageant. The crowning would occur at 8:00 p.m. on June 22nd and would be broadcast on ABC, she said.

0.04 Council Member Oates Regarding Death of Dr. Charles van der Horst. [\[19-0613\]](#)

Council Member Oates noted that Chapel Hill resident Charles van der Horst, a well-known AIDS researcher and social justice activist, had unexpectedly passed away the prior weekend. She expressed gratitude for the example Dr. van der Horst had been and for the life he had given.

0.05 Council Member Buansi Regarding Birth of his Child. [\[19-0614\]](#)

Council Member Buansi expressed joy and pride over the birth of his first child, a daughter named Zora, during the previous week.

0.06 Mayor Hemminger Regarding Community Tree Committee Meeting. [\[19-0615\]](#)

Mayor Hemminger said that about 30 people had attended a meeting at the NC Botanical Gardens regarding replanting trees in the community. She shared some of the ideas presented and said the goal was put trees in public places and in private yards. Anyone who wanted a tree or who would like to be involved with the project should contact Kevin Robinson at the Town's Parks and Recreation Department, she said.

0.07 Mayor Hemminger Regarding Movies Under the Stars. [\[19-0616\]](#)

Mayor Hemminger noted that movies would be shown, in partnership with UNC, on the grass at McCorkle Place, beginning on June 20th.

0.08 Mayor Hemminger Regarding 4th of July Celebration. [\[19-0617\]](#)

Mayor Hemminger noted that the annual Fourth of July celebration would be held at Southern Community Park this year.

0.09 Mayor Hemminger Regarding Food for the Summer. [\[19-0618\]](#)

Mayor Hemminger said that the Food for the Summer program needed volunteers for different opportunities, such as picking up and delivering food to sites and/or serving lunches to children.

0.10 Mayor Hemminger Regarding Item #4 Moving to End of the Agenda and Closed Session. [\[19-0619\]](#)

Mayor Hemminger pointed out that Agenda Item 4 had been moved to the end of the meeting.

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 as amended removing item #4, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. Approve all Consent Agenda Items. [\[19-0588\]](#)
2. Approve the Year-End Miscellaneous Budget Ordinance Amendments to Adjust Various Fund Budgets for FY 2018-19. [\[19-0589\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
3. Adopt the Public Libraries Records Retention and Disposition Schedule. [\[19-0590\]](#)
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
4. Approve a Framework for Chapel Hill's Participation in the Orange County Intergovernmental Work Group, Convey this Framework and Designate the Town's Representatives. [\[19-0591\]](#)

Item moved to the end of the meeting.

INFORMATION

5. Receive Upcoming Public Hearing Items and Petition Status List. [\[19-0592\]](#)

This information was received as presented.

DISCUSSION

6. Receive the Chapel Hill Downtown Partnership Annual Report. [\[19-0427\]](#)
Matt Gladdek, new executive director of the Downtown Partnership, described the search that had brought him to the position. He discussed the Partnership's budget and provided details on planned activities regarding investment and traction, place-making, and business services. He said that a strategic plan to develop a unified vision for Downtown would be launched at the end of 2019.

Council Member Oates urged Mr. Gladdek to advocate with others against

a NC General Assembly bill to allow alcohol sales at football games, and he agreed to find out if the Partnership board wanted to get involved in such advocacy.

Council Member Gu and Mr. Gladdek discussed the causes of empty storefronts and options for turning that situation around.

Mayor Hemminger thanked Mr. Gladdek for listening, rather than making assumptions, and for sharing his expertise with the Town.

Mayor Hemminger announced that Agenda Item 10 would be moved to the June 26, 2019 Council meeting.

This information was received as presented.

7. Charting Our Future - Review and Provide Feedback on the Draft Guiding Statements. [\[19-0593\]](#)

LUMO Project Manager Alisa Duffey Rogers asked for feedback on guiding statements that would officially be adopted when the Chapel Hill 2020 Comprehensive Plan was amended to include the refined Future Land Use Map (FLUM). She pointed out that suggestions from Town boards and commissions had been incorporated in the draft before the Council.

Ms. Duffey Rogers read the 10 guiding statements and indicated changes that had been made since the Council's March review of them. She outlined the upcoming process through the summer and pointed out that the guiding statements would not be adopted until the revised Comprehensive Plan -- with the revised FLUM and all of its components -- was formally adopted.

Mayor pro tem Anderson confirmed with Ms. Duffy Rogers that staff would meet with the University of North Carolina at Chapel Hill (UNC) over the summer regarding the student housing components of the FLUM.

Council Member Gu confirmed that the Council would analyze how its guiding principles were being met and that the analysis could be as regimented as a scoring system or done at a more conceptual level.

Julie McClintock, a Chapel Hill resident, stressed the importance of getting the implementation pieces under each statement right. She read the first one, regarding climate change and environmental stewardship, and suggested items to include in that. Ms. McClintock also recommended creating a new guiding statement for transportation.

Mayor pro tem Anderson stressed the need for more than a focus group conversation on student housing. She expressed support for adding more about transportation and proposed also including additional information

about Town efforts to address parking issues and alternative transportation.

Council Member Parker stressed the need to describe goals for the LUMO itself. One such goal should be that the LUMO is fair and predictable for both developers and residents, he said.

Council Member Oates noted a couple of errors in the maps. She asked if there was a way to convey the Council's intent that duplexes, triplexes, and accessory apartments not be investment properties or student housing.

Council Members Oates and Gu stressed the importance of "concurrency" and of the guiding principles being most effective when working together. The Council and Mayor suggested several wording changes as well.

Ms. Duffey Rogers reviewed the next phases of the process. She said that Council's approval of the blueprint on June 26th would allow the staff to spend the summer engaging on all components of the FLUM including; the guiding statements, map series, and focus area maps.

Mayor Hemminger stressed the importance of inviting boards and commissions to combined meetings and of having four or five different sessions so that all could attend.

Council Member Parker confirmed with Ms. Duffy Rogers that staff was using Arc GIS for outreach and was trying to find locations in every focus area.

Mayor Hemminger said she had talked with UNC and others about student housing needs for the next 30 years. She said that a subcommittee of Town and UNC staffs had been tasked with making recommendations, and Mayor pro tem Anderson confirmed with Ms. Duffey Rogers that this would be reflected in Statement 10.

Mayor Hemminger asked about putting LUMO goals that the Council had discussed in writing, and Ms. Duffey Rogers offered to add those as Statement 11.

This information was received as presented.

8. Consider Pursuing a Text Amendment Process for Changes to the Land Use Management Ordinance in Response to Short Term Rentals (STR).

[\[19-0594\]](#)

Planning Director Ben Hitchings gave a PowerPoint presentation about the rapid expansion of short-term rentals (STRs) throughout the country. He said that there were about 300 STRs in Town, representing an estimated

\$5 million in revenue in 2018. There had been an approximated 40 percent increase in STR nights throughout the Town from 2017 to 2018, he said.

Mr. Hitchings said that key current concerns pertained to health and safety, missed occupancy tax revenue, community benefits/impacts, and the limits of staff capacity for enforcement. He recommended that the Council adopt Resolution 6, authorizing the Town Manager to do four things: 1) develop updated STR standards with input from community stakeholders; 2) conduct appropriate enforcement efforts in the short term; 3) conduct an education campaign prior to implementing new regulations; 4) explore possible enforcement assistance from third party vendors.

Senior Planner Anya Grahn provided more specifics on STR locations and explained that the LUMO predated them and currently regulated them through three definitions: Home Occupation, Tourist Home, and Overnight Lodging. Complaints to the Town regarding STRs had been related to increased parking, noise, and diminished character of the residential neighborhood, she said.

Ms. Grahn said that STR operators argue that the use regulates itself via the need for positive online reviews from customers. However, hoteliers had expressed concern about unfair competition, since they must adhere to health and safety inspections and other requirements that STRs do not, she said.

Ms. Grahn pointed out that there was only one zoning compliance officer for the entire Town and that additional staff would be needed to regulate and enforce 300 STRs. Hiring a third-party vendor to help with that would cost between \$5,000 and \$25,000 per year, she said.

Mr. Hitchings described recent efforts to address the STR phenomenon via the Town's noise ordinance and law enforcement. He proposed that the Town engage in a collaborative effort to upgrade LUMO standards, perhaps with help from the UNC School of Government. A public review process and education campaign would precede implementation of new standards, if the Council decided to adopt changes, he said. Mr. Hitchings noted the possibility that state legislation might limit or preempt local governments from establishing requirements, however.

The Council confirmed with Mr. Hitchings that the Town's current nuisance regulations were adequate to address some complaints but that issues such as trying to identify where STRs were located were more complicated. Mayor Hemminger confirmed that third party vendors could help locate STRs that were not paying occupancy taxes and could help with collections as well.

Council Member Parker verified with Mr. Hitchings that staff had met with the Chamber of Commerce regarding a recent petition from them and the Chapel Hill Alliance for a Livable Town and hoteliers regarding STRs. He confirmed that those who had drafted that petition would be providing input on standards.

The Council and Mr. Hitchings discussed the impact of STRs on local hotels. They discussed the makeup of a stakeholder committee to provide input, what hoteliers were required to do regarding health and safety regulations, and how having various definitions under STRs was confusing but did limit the total number of units in a given structure. "Overnight lodging" in the Blue Hill District had no limitation, Mr. Hitchings pointed out.

Town Attorney Ralph Karpinos noted that the Council had received a petition from a citizen asking the Town to look at allowing an enforcement action against property owners as well. That was in progress and might address some concerns, he said.

Mayor pro tem Anderson asked how the Town might track and enforce a maximum number of days that an owner could rent out an entire house, and Ms. Grahm recommended talking with software vendors regarding options.

David Hartman, Rodney McLamb, Kate Fix, Barbara Holloway and Richard Riggio told of their individual positive experiences as Chapel Hill residents who rent all or part of their homes through Airbnb. They each said that they were dependent on the income they received from their STR property. They argued that the Town needed a diversity of STR options. They said that Airbnbs were already regulated by the Airbnb rating and the Town's nuisance ordinance.

John Quintero, a local economic and social policy consultant and one of the petitioners, said that STRs were a commercial activity that the LUMO never envisioned and was poorly equipped to address. He said that the Town should create a distinct use category for the STR business model, and he encouraged the Council to create an advisory body that would include experts from the UNC School of Government.

Katie Loovis, representing the Chapel Hill Carrboro Chamber of Commerce, agreed with what Mr. Quintero had said and discussed the impact of STRs on investors, such as those who wanted to construct a hotel or a conference center in Town. With regard to proposed Resolution 6, the Chamber was against Number 2 because conducting enforcement efforts in the short term could create confusion, she said. Ms. Loovis recommended that Rebecca Badgett of the UNC School of Government be part of the

stakeholder committee.

Edmund Burke, president of a small HOA, asked to be a community stakeholder on the committee. He said that STRs were allowed in his Residential 3 community and that he and his neighbors had taken action against a violator. They had amended their HOA covenants with stronger enforcement action, which including fines, he said. Mr. Burke asked the Council to consider "putting some muscle behind your current ordinance" with fines.

The Council discussed the need for fair competition and the issues of health, safety and tax collection. They agreed that residents should be able to rent extra space in their homes but said that year-round whole-house rental needed careful thought. The Council agreed to proceed with all of Resolution 6 except Number 2 regarding enforcement and recommended finding out what had worked in other communities. There was a general agreement among Council members that the Town should respond to nuisances on a case-by-case basis but not go looking for problems.

Council Member Oates confirmed that there were no funds in the recently-adopted Town budget for a new enforcement position. She suggested revisiting why the Town did not currently allow bed and breakfasts and expressed concerns that allowing STRs could contradict the Council's AH goals. There needed to be a penalty for violations, she said, and she recommended letting the public know right away that the Town was working on regulations.

Mr. Karpinos pointed out that there were enforcement provisions, such as civil penalties, criminal penalties, and opportunities to go to court to seek a court order directing compliance in the current zoning ordinance. The idea that the Town could only issue warnings was not correct, he said.

Council Member Buansi asked for periodic updates on how each action item was going and for a time-table regarding steps taken.

Mayor Hemminger agreed with others that Number 2 in Resolution-6 would only confuse people and might not be worth the time and energy. She had no problems with owner-occupied homes having people in their houses but mentioned wanting to learn more about whole house rentals. She expressed concern about outside investor groups buying homes, and said she agreed that having a level playing field for hoteliers needed to be considered.

Mayor Hemminger said that she had heard good things about Ms. Badgett at the School of Government. Crafting something that would work for Chapel Hill would require a variety of stakeholders, including some whose

neighborhood homeowner associations had experience with STRs, she said. She asked staff to return with one definition to fit all STRs and said she would like to know at some point why the Blue Hill District had a different model.

Mayor Hemminger confirmed with Mr. Hitchings that a webpage had been set up and that people could leave comments and/or let the Town know if they want to be involved in the stakeholder process.

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. Update on the UNC Health Care Eastowne Development Agreement Proposal. [\[19-0595\]](#)

Mr. Hitchings gave a presentation that was a follow up to earlier meetings regarding a development agreement (DA) with UNC Healthcare regarding its Eastowne project. The process had reached the end of the visioning phase and staff was checking in with the Council to see if it correctly understood the issues and considerations, he said.

Simon George, vice president for Real Estate at UNC Healthcare, gave a PowerPoint presentation on the Eastowne master planning process, which had included multiple meetings both internally and across the community, as well as a site analysis. He described the 48-acre site at the corner of Interstate-40 and US 15-501 in an area that was a major gateway to Town and was targeted for mixed-use zoning.

Mr. George explained UNC's goal to consolidate its outpatient clinics and to have more space to provide services for a local and statewide population. He said that the current meeting was marking the end of the visioning phase of the DA process and the start of the planning scenarios.

Consultant John Martin, a principal with Elkus Manfredi Architects, continued the applicant's presentation regarding the three-month visioning process, which had included listening; site tours; and meetings with advisory boards, Council members, neighbors and others. He said that the primary comments and concerns expressed had been related to the following areas: place-making, creating infrastructure that fosters later development, creating a sustainable design, creating a walkable design, enhancing the natural environment, and creating community prosperity.

Mr. Martin discussed the physical characteristics of the site, which was part of a dedicated natural heritage area, abutted an important watershed, and included a man-made farm pond. He said that UNC would develop scenarios that do and do not include many of those environmental features. Mr. Martin said that current utility service probably did not have

the capacity to support the kind of development that would satisfy all of the criteria he had listed and that any substantial development would require traffic mitigation. He looked forward to discussing whether the site was appropriate for AH, Mr. Martin said.

Planning Operations Manager Judy Johnson reviewed the schedule for phasing for the next couple of months, which included many meetings and two open houses. She said that staff would return to share a preferred alternative at a public meeting in late October. Meetings would be listed on the Town's website and notices would be sent out, she said.

Ms. Johnson explained that a draft DA, which had been changing every day, had gone to the Planning Commission and would go to other boards for input as well. It would then go to the Council and be posted on the webpage so that all boards would be able to continue adding to it, she said. Ms. Johnson explained that the DA would be an organic, living document that would help guide the Town as it develops its negotiation place for the DA.

Council Member Parker, a member of the Council Negotiating Committee, asked Mr. Hitchings about the stage at which an urban designer would help guide the process and what staff input would help synthesize advisory board feedback into something the Council Committee could start working on.

Mr. Hitchings described an 18-month process of gathering broad input that would include a consultant as well as the Town's technical review, which consisted of people from Public Works, Engineering, Stormwater, Police, Fire, Planning, and Housing Departments. He named some consultants that the Town and UNC Healthcare were poised to hire but stressed that it was early in the process and that key policy questions were still being addressed.

Council Member Parker said that the Negotiating Committee was trying to develop the criteria that would be used to analyze the scenarios. It wanted to have its own opinion of what would make a good project on the site which UNC Healthcare could then look at before spending a great deal of time developing scenarios that may not be responsive to what the Town wants, he said.

Mayor pro tem Anderson clarified with Mr. Hitchings that staff planned to put ideas and options together for the Council to use in developing its negotiating position.

Council Member Gu, a Council Negotiating Committee member, asked for additional clarity on the process. Mr. Hitchings described a sequence in which the Council and UNC Healthcare would talk at a high level to decide

on key characteristics and then staff would meet with the technical team and advisory boards to refine those scenarios and bring them back to the Council Committee for confirmation.

Mayor pro tem Anderson argued that the Town's negotiating position should be based on what it wants and determined before negotiations begin. She asked when Council members would have that conversation among themselves.

Mr. Hitchings replied that the goal was to have options for the Council to consider by the end of June, with Council feedback in early July becoming a preliminary negotiating position that the Town could send to UNC Healthcare.

Mayor pro tem Anderson confirmed that staff hoped to have urban designer Tony Cease under contract within the next few weeks.

Council Member Parker said that the Town needed consultant input on its negotiating position as soon as possible, and Mayor Hemminger proposed having the Council Committee meet with the technical team and consultants at noon on July 22, prior to its 2:30 p.m. negotiating meeting with UNC Healthcare.

Council Member Gu confirmed with Mr. Hitchings that staff was working to bring a proposed template regarding key features of various scenarios for discussion.

Council Member Parker noted a lack of a common vocabulary regarding words such as "scenario". He said that the Council needed a common language and common level of detail and asked for an outline of what elements a scenario would contain.

Julie McClintock suggested that scenario characteristics be in a framework with metrics to be taken to the negotiations with UNC Healthcare.

Council Member Bell asked if the framework for negotiations felt complete to the Council Committee, and Council Member Gu replied that it was an evolving document that staff would give to the boards and commissions for input and would continue to update. Deciding how to align the two negotiating frameworks was something that would be discussed, said Council Member Gu.

Council Member Parker again stressed the need for help with creating a coherent document that the Town could use and UNC Healthcare could understand, and Council Member Gu replied that information was still being collected. It had not been integrated into a coherent document yet but would be by the Council Committee's July 22nd meeting, she said.

Town Manager Maurice Jones commented that staff would try to get consultants involved prior to that July meeting.

Council Member Buansi said that he wanted to be part of the loop even though he was not on the negotiating committee, and Mayor Hemminger and Mr. Jones commented on the importance of developing ways to have check-ins and ongoing communication with the entire Council.

Council Member Oates said that UNC seemed "skittish" with regard to AH on the site. She noted that they would have a workforce there and stressed how absolutely critical the housing piece was to the Council.

This information was received as presented.

10. Discuss Affordable Housing Goals for Rental Housing Development. [\[19-0596\]](#)

This item was deferred to the June 26, 2019 Council meeting.

CONCEPT PLAN REVIEW(S)

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

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

As a courtesy to others, 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.

11. Concept Plan Review: Bridgepoint, 2214 & 2312 Homestead Road. [\[19-0597\]](#)

Planner Michael Sudol gave a PowerPoint presentation on a proposed 54-townhome development encompassing up to 121,000 square feet of floor area at the corner of Homestead Road and the Weaver Dairy Road Extension. The proposal was to modify a currently approved SUP that had approved a rezoning to Residential-5/Conditional, he said. He described a new additional proposal to build an access point and roundabout to satisfy AH requirements.

Mr. Sudol showed the location of the proposed roundabout. He said that the Town's Inclusionary Zoning Ordinance traditionally required 15 percent of units to be set aside as affordable, half at 65 percent and half at 80 percent of the area median income (AMI). He said that the applicant was proposing a new access point and roundabout as an alternative to that requirement, with a cash payment in lieu for any remaining balance.

Mr. Sudol said that the Housing Advisory Board (HAB) had strongly advocated for AH units onsite and was asking the applicant to clearly demonstrate why those units were not feasible. The HAB did think that a driveway shared with the Town's development at 2200 Homestead Road made sense and encouraged the applicant and Town to work on that, he said.

Applicant Eric Chupp, of Capkov Ventures Inc., described the project and listed reasons why the area was a good location for a townhome community. He said that the SUP had been approved in 2009 and said that the new request was to increase the number of townhomes, eliminate the commercial component, and create a roundabout and shared entrance.

Mr. Chupp said that the proposal would fully comply with the Town's Inclusionary Zoning Ordinance by making a payment in lieu for AH based on 15 percent of the market rate lots. That amounted to 8.1 AH units, for a total contribution of \$688,500, he said. He proposed that a portion of that payment in lieu go toward constructing the shared road and traffic circle and that the remainder be paid to the Town's AH fund. Mr. Chupp provided details on how he believed the proposal would achieve Town goals.

The Council ascertained from Executive Director of Housing and Community Loryn Clark that the need for a traffic circle had not been determined and that the proposed payment in lieu of \$85,000 per unit had come from the Town's ordinance. Whether or not to accept a payment in lieu was a Council decision, said Ms. Clark.

The Council confirmed with Mr. Chupp that a proposed pocket park, described in the plan, would probably be owned and managed by the homeowners' association but that adjoining neighbors typically use such amenities as well.

Susan Nassar, a nearby property owner, expressed concern about tree removal, especially at the back of the property. She described water management issues in her neighborhood and said that area homeowners were concerned about the current holding pond not being large enough to meet additional stormwater needs.

Council Member Buansi said he strongly preferred affordable housing onsite and was not clear about why that was not a feasible option. Other Council members criticized the regimented feel of the project's design, where the developer seemed to be squeezing townhomes into every inch of the buildable area. Some thought that the pocket park was inadequate and the majority commented on the need for a better thought-out and more interesting place where residents would want to live. The Council did acknowledge that the proposal addressed the "missing middle" market, however.

Council members stressed their preference for AH units onsite and expressed reluctance to trade eight AH units for a traffic circle. However, they were willing to discuss adjusting AMI level, unit size, and other factors, they said. The Council confirmed with Ms. Clark that it was too early for staff to comment but that she would return with updated AH information and options as the project moved forward. Council Member Gu said she was open to innovative solutions but would like to know if the proposal would actually benefit AH.

Mr. Chupp agreed to take the Council's comments into consideration. He said that the density was the result of trying to build a townhome project with an RCD going through the back area. There were constraints with land, but he would go back and look at making it more livable, he said.

Cameron Rice, a civil engineer with Advance Civil Design, described the physical challenges with the site that prevented a meandering road network and townhome lots, and Council Member Oates verified with him that not being able to put buildings or plantings within the sewer easement had prevented the kind of graceful development that Mr. Chupp had done in other parts of Town.

Council Member Oates said she would need to be convinced of the need for a traffic circle, and Mr. Rice replied that the NC Department of Transportation would require the entrance to be aligned with the Courtyards at Homestead. He noted several ways in which having a traffic circle would improve traffic and prevent stacking in the area.

Council Member Oates replied that the Town had multiple multi-family projects that included more units than the one being proposed and that stacking had never been an issue. She saw the proposed traffic circle as a waste of space and a barrier between the two subdivisions, but was in favor of having shared driveways, she said.

Mr. Rice replied that eliminating the traffic circle would mean that the applicant would not be in compliance with the driveway permit that they anticipated getting from the NC Department of Transportation.

Council Member Oates said she did not want AH money to be used for a traffic circle and strongly requested that the applicant comply with the Inclusionary Zoning Ordinance.

Mayor Hemminger noted that the majority of Council members wanted AH onsite and said she agreed with not spending AH funds on a traffic circle. However, the Town might have to restructure some aspects of the affordability piece if it wanted middle type housing, she said. She said that she understood how the "grid look" was a product of the site's constraints but recommended breaking up a 750-foot wall of buildings along the road. Mayor Hemminger proposed that the applicant meet with the Town's Housing staff and Community Home Trust and return with a more creative AH proposal that includes some on site.

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

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 enter into closed session as authorized by 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 12:23 a.m., and adjourned the meeting at the conclusion of the closed session.



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Jessica Anderson
Council Member Donna Bell
Council Member Allen Buansi
Council Member Hongbin Gu

Council Member Nancy Oates
Council Member Michael Parker
Council Member Karen Stegman
Council Member Rachel Schaevitz

Wednesday, June 26, 2019 **7:00 PM** **RM 110 | Council Chamber**

Roll Call

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

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Police Officer Donald Bradley, Fire Inspector Donnie Morrissey, Communications Manager Catherine Lazorko, Communications Specialist Mark Losey, Planning Director Ben Hitchings, Planning Operations Manager Judy Johnson, Planner II Becky McDonnell, LUMO Rewrite Project Manager Alisa Duffey Rogers, Principal Planner Corey Liles, Housing and Community Assistant Director Sarah Vinas, Affordable Housing Manager Nate Broman-Fulks, Director of Organizational and Strategic Initiatives Rae Buckley, Management Analyst David Finley, Assistant Police Chief Jabe Hunter, Police Chief and Executive Director for Community Safety Chris Blue, Communications and Public Affairs Director and Town Clerk Sabrina Oliver, Housing and Community Executive Director Loryn Clark, Executive Director for Technology Scott Clark, Assistant to the Town Manager for Administrative and Program Management Ross Tompkins, Public Housing Director Faith Thompson, Manager's Intern Maggie Bailey, and Deputy Town Clerk Amy Harvey.

OPENING

Mayor Hemminger opened the meeting at 7:00 p.m. She pointed out that the meeting would be the last regularly scheduled one before the Council's summer break. However, the Council might hold a special meeting on July 15th, she said.

Council Members Gu and Bell arrived at 7:02 p.m. and 7:25 p.m., respectively.

0.01 Success Video: Chapel Hill Transit's 45th Anniversary.

[\[19-0649\]](#)

Mayor Hemminger introduced a Celebrating Successes video regarding Chapel Hill Transit's 45th anniversary. It featured Howard Lee, former mayor of Chapel Hill, who characterized developing the Town's transit

Town Council

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system as one of his proudest and most important achievements. Mr. Lee described the process that led up to the first buses running in 1974 and said that he was greatly impressed with what the Town had done since then. He expressed gratitude to all for making Chapel Hill Transit what it was today.

Mayor Hemminger pointed out that Chapel Hill Transit was the largest fare free bus system in the country. She was grateful to Mayor Howard Lee for having the vision and sticking with it, she said. She praised the Town's Transit Department as well for embodying the idea of making a transit system that works for everyone.

0.02 Proclamation: Fathers on the Move Month.

[\[19-0650\]](#)

Council Member Buansi read the proclamation regarding Fathers on the Move, a program that provides a wide range of transitional services to men in the criminal justice system who have children. He said that Fathers on the Move had partnered with the Chapel Hill Police Department to mentor more than 300 men in Orange County and had expanded to other counties as well. The Council was declaring July 2019 to be Fathers on the Move Month in Chapel Hill, he said, urging all residents to support the organization and its efforts.

Bishop Victor Glover accepted the proclamation and explained how he had founded Fathers on the Move in 2008 after being the first single father in Orange County to ask for help. That experience had led to his current position with the Department of Social Services where he was helping other men believe in themselves and succeed, he said.

0.03 Proclamation: Cleft and Craniofacial Awareness Month.

[\[19-0651\]](#)

Council Member Schaevitz read a proclamation regarding a birth defect that affected one in 700 infants per year and require extensive special care and complex services over a number of years. She declared July 2019 as Cleft and Craniofacial Awareness Month in the Town of Chapel Hill and urged all citizens to contribute however they could and support families and organizations working to help those affected.

Garret Bailey, an intern at the American Cleft Palate and Cranial Facial Association, thanked the Mayor and Council for the official recognition. He said had received care throughout his life from the team at American Cleft Palate and Craniofacial Center, headquartered in Chapel Hill, he said. Mr. Bailey asked residents to help promote awareness on behalf of the 7,000 children born with a cleft in the United States every year, and others throughout the world.

0.04 Proclamation: Flo Miller Day.

[\[19-0652\]](#)

Mayor Hemminger read a proclamation declaring June 26, 2019 to be Florentine Miller Day in the Town of Chapel Hill. She said that Ms. Miller,

Deputy Town Manager, had an unmatched understanding of how the Town operated, having worked with every department over the past 30 years. Ms. Miller was recognized by her colleagues for being committed to the highest standards of professional ethics and for bringing out the best in everyone, Mayor Hemminger said. She noted that Ms. Miller was also being named as Hometown Hero of the Week.

Ms. Miller expressed surprise and gratitude for the proclamation and said that it had been her privilege and pleasure to serve the Town. She commented on the support that she had received from the Town Manager, staff, and Council and said that the Town had become a great organization with a culture of helping one another.

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. Community Design Commission (CDC) Request to Authorize the CDC to Create and Facilitate a Chapel Hill Design Award Program. [\[19-0620\]](#)

Architect Ted Hoskins, representing the Community Design Commission (CDC), proposed establishing a design award program to recognize recent excellent community design. He said that starting such a program had been a CDC goal for at least two years, and he pointed out that both Durham and Raleigh had such programs. Mr. Hoskins said that the CDC would like to begin announcing winners at Council meetings in the fall of each year, and he listed various aspects of the program that would need staff assistance.

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.

2. Community Design Commission Request for Modifications to the Concept Plan Review Process. [\[19-0621\]](#)

Susan Lyons, speaking on behalf of the CDC, requested modifications to the concept design review process, which would facilitate the

decision-making process. She made suggestions for how to achieve this, which included having applicants provide more drawings and examples, such as photos, that show how a project would address Town goals and fit into an area. Ms. Lyons noted that such modifications would require making changes to the definition of concept plan.

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.

3. 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. [\[19-0622\]](#)

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.

4. Orange-Chatham Group of the Sierra Club Request for a "Ready for 100 Resolution." [\[19-0623\]](#)

Ed Harrison, representing the Orange-Chatham Group of the Sierra Club, outlined the petition that Sierra Club members across the country were bringing to their local governments. The "Ready for 100 Resolution" asked for 100 percent clean renewable energy for all energy sectors by December 21, 2050 or sooner, he explained. Mr. Harrison asked the Town to explicitly commit to that as it begins working on its Climate Action Plan.

Mayor Hemminger said that climate action plans had been one of the main topics of discussion at a recent Metropolitan Mayors meeting with NC Governor Roy Cooper.

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.

- 4.01 Various Speakers Regarding Greene Tract. [\[19-0653\]](#)

Abel Hastings, representing Friends of the Greene Tract Forest, said that his group had submitted a petition, with more than 660 names, which asked that 80 percent of the Greene Tract be permanently preserved as open, natural space with 20 percent used for housing. Signers supported the Rogers Road RENA Report and strongly believe that all needed to work together to meet both housing and conservation goals, he said.

Mr. Hastings stated that a current proposal before the Council had put it in an untenable position of having to choose between affordable housing and land preservation. He said that the case for affordable housing was clear, and he then presented arguments for preserving 80 percent of the

land. He said that the Rogers Road community had already recommended an 80/20 percent split, and he asked that the Council commit to that. Jennifer Hastings, a Chapel Hill resident, commented on the importance of preserving land for future generations.

David Bartholomew, a Chapel Hill resident, expressed concern that a recent Orange County/Carrboro resolution had not aligned with the previously identified community goal of having an 80/20 split. He asked for more transparency with regard to how changes to plans are made.

Larry Reed Sr., a Rogers Road neighborhood resident, thanked the Council for continuing to hear all concerns and for allowing Rogers Road community members to participate in the decision-making process regarding their neighborhood.

Charlie Buckner, a Chapel Hill resident, said he hoped that the Greene Tract petition would be denied because the Town should preserve more than 80 percent. He acknowledged the need for affordable housing, but listed several reasons why the Greene Tract was not the right place for it. There was a chance for affordable housing with every new development, but the Greene Tract was the last chance to have a big piece of public land, he said.

Tom Gerakars, a Billabong Lane resident whose property abuts the Greene Tract, said he had "no idea" what the right move should be.

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.

4.02 Julie McClintock Request Regarding the Blue Hill Form Based Code. [\[19-0654\]](#)

Julie McClintock, representing CHALT (Chapel Hill Alliance for a Livable Town), said that expected community benefits had not materialized in the Blue Hill District because form-based code asked for very little. She discussed changes that the Town had made to address that, but said that CHALT did not think those were sufficient. Ms. McClintock proposed several additional measures that CHALT members were recommending for inclusion.

A motion was made by Council Member Bell, 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.

4.03 Stormwater Management Utility Advisory Board Regarding Greene Tract. [\[19-0655\]](#)

Mayor Hemminger read the petition regarding a low-density map that

Orange County, Carrboro and Chapel Hill had developed to be used in the Greene Tract development framework.

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.

ANNOUNCEMENTS BY COUNCIL MEMBERS

4.04 Mayor Hemminger Regarding Kick-Off Work Session for North-South Bus Rapid Transit Workshops. [\[19-0656\]](#)

Mayor Hemminger reminded Council that the kick-off for a weekend of north-south bus rapid transit workshops would be on July 12th from 9:00 a.m. to 10:30 a.m.

4.05 Mayor Hemminger Regarding Update on Bus Rapid Transit Planning. [\[19-0657\]](#)

Mayor Hemminger said that the Council would receive an update on bus rapid transit planning on July 15th at Town Hall. She said that the public was welcome to come and expressed hope that a special meeting regarding the Greene Tract would be held on that day as well.

4.06 Mayor Hemminger Regarding 4th of July Celebration at Southern Community Park. [\[19-0658\]](#)

Mayor Hemminger pointed out that the Fourth of July fireworks celebration would be held at Southern Community Park this year and was expected to begin at around 9:15 p.m. More information would be posted on the Town's website, she said.

4.07 Mayor Hemminger Regarding Metro Mayors Meeting with Governor Cooper. [\[19-0659\]](#)

Mayor Hemminger said that the aforementioned meeting with Governor Cooper had produced many good ideas and that she would share those with the Council at a later date.

4.08 Council Member Gu Regarding Importance of Bus Rapid Transit Sessions. [\[19-0660\]](#)

Council Member Gu stressed the importance of the bus rapid transit workshops and strongly urged all to attend.

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 as amended be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

5. Approve all Consent Agenda Items. [\[19-0624\]](#)

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

6. Approve \$446,500 in 2019-2020 Funding for Performance Agreements with Human Services Agencies as Recommended by the Human Services Advisory Board. [\[19-0625\]](#)

Council Member Gu thanked the Housing Services Advisory Board for its hard work toward fulfilling the Council's goal of supporting the most vulnerable populations in Town. She noted that there were many other urgent needs and proposals that the Council would like to address as well. Council Member Gu asked for an amendment to the resolution in Item 6 that would ask the Manager and staff to bring back information on a granting process that would be accessible to all and address the broad needs of the community.

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

7. Authorize Club Nova to Occupy Historic Town Hall During Construction of its New Facility. [\[19-0626\]](#)

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

8. Receive Final Report of the Varsity Theatre Task Force. [\[19-0627\]](#)

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

INFORMATION

9. Receive Upcoming Public Hearing Items and Petition Status List. [\[19-0628\]](#)

This item was received as presented.

DISCUSSION

10. Discuss Affordable Housing Goals for Rental Housing Development. (Reissued from June 19, 2019) [\[19-0629\]](#)

Affordable Housing Manager Nate Broman-Fulks gave a PowerPoint presentation regarding affordable housing (AH) in new rental housing developments. He provided background on the AH policy that the Town created in 2000 and asked for Council feedback on new draft AH housing goals.

Mr. Broman-Fulks pointed out that a group of citizens had submitted a petition in 2017 that asked staff to work with the Housing Advisory Board (HAB) on a methodology that would create a return for the Town and a reasonable level of predictability for developers. In 2018, the Council had discussed payment in lieu options and had looked at potential formulas, he said. He explained that the Council had to then step back and discuss Town goals and objectives further before delving into the intricacies of various formulas.

Mr. Bowman-Fulks reviewed the staff's research on what other municipalities had done regarding affordable rentals and what would be a realistic approach for Chapel Hill. He said that most communities base their payment in lieu amounts on the cost of constructing AH units and that 16 percent was the average expectation. Most communities looked at targeted 50-65 percent area median income (AMI) levels, he said.

Jared Brown-Rubinowitz, representing the HAB, reviewed the HAB's recommendations. He said that on-site units were more valuable than a payment in lieu, and he recommended that 15 percent of the units be on-site and affordable to households at 60 percent AMI and below. The HAB also recommended that on-site units be indistinguishable from the others, affordable for a 30-year term, and that properties accept housing vouchers, he said.

Mr. Rabinowitz reviewed a list of additional recommendations, which included allowing a payment in lieu if the developer could demonstrate that having to build AH on-site would create a reasonable financial hardship. The payment in lieu should be based on the cost of providing an equivalent number of AH units off site to households at 60 percent AMI and below, he said.

The Council confirmed with Mr. Broman-Fulks that staff hoped to have a higher level discussion with the Council about AH goals. Staff would then develop a payment-in-lieu formula to help achieve those goals once they were set, he said. Council Members also confirmed with him that the incentives that other communities were offering developers were similar to those that the Town was already using. The Council stressed the importance of setting realistic, achievable criteria.

Jackie Jenks, speaking on behalf of the Orange County Affordable Housing Coalition, expressed support for the HAB's recommendations, which was almost identical to a list that the coalition had developed, she said. The Coalition had not yet arrived at a recommendation for a payment in lieu and had called for AH to be 50 percent of AMI, based on annual income from Orange County's living wage, she said. Ms. Jenks asked the Council to support the HAB's recommendation and to prioritize developing housing for those making living wage and those at incomes of 30 percent and below.

Council Members expressed appreciation to both staff and the HAB for the work that they had done. Most of the Council expressed a preference for on-site AH and said that payments in lieu should be based on hardship that a developer would need to document with a pro-forma financial statement. The Council expressed interest in the concept of 15 percent AH units on-site and asked staff to provide more information regarding the feasibility. Most supported units at 60 percent AMI and they asked for more information about whether 50 percent would be feasible. Council Members recommended that staff help developers understand what creative partnerships with AH providers could be and to make such information clearer up front.

Council Member Oates said she would prefer to see affordability over the life of the building, rather than 30 years. She wanted the AH units to be on-site but could imagine a payment in lieu if it were passed on to the Community Home Trust, she said.

Mayor Hemminger noted that the Council generally preferred on-site units wherever possible and that the payment in lieu should only be an option if nothing else could be worked out. She said that the Metropolitan Mayors Organization had been gathering data and learning from each other and had told North Carolina's leadership that lack of AH was a crisis in the state and across the nation. Mayor Hemminger said that she leaned toward having more units in different ranges, rather than fewer units in one range. She encouraged staff to talk with more developers about the issues.

This item was received as presented.

11. Consider a Land Use Management Ordinance Text Amendment - Proposed Changes to Section 4.5.4 (Special Use Permit Modifications).

[\[19-0630\]](#)

Mayor Hemminger explained a proposed update to the Land Use Management Ordinance (LUMO) to ensure a process for public input during a CDC courtesy review meeting. That input would go to the Town Manager for an administrative decision, and the Manager would bring it to the Council only if there was some kind of conflict, she said. Mayor Hemminger said that the Planning Commission had recommended finding a pathway for public input as well. She had proposed addressing the issue with the amended resolution that was before the Council, she said.

Planner Becky McDonnell gave a brief PowerPoint presentation on the SUP modifications in the proposed LUMO text amendment. She provided background on how a request to install a drainage conveyance system at The Oaks Condominiums had triggered a year-long SUP modification process, which had led to the Council asking for an alternative approval process for similar projects. The resulting text amendment was before the Council for action and staff was recommending that Council pass the resolution and ordinance, which would have some projects go to the CDC

for a courtesy review and then to the Manager within 15 days for administrative approval.

Mayor pro tem Anderson confirmed with Ms. McDonnell that an application would go through the full SUP modification process if the Manager determined that the project was not eligible for administrative review.

Council Member Bell raised questions about the sequence of meetings, and Mayor Hemminger suggested clarifying the wording to say that the public information meeting would be followed by the CDC courtesy meeting on the same evening or day.

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 Stegman, R-5 be adopted. The motion carried by a unanimous vote.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Stegman, O-1.1 be enacted as amended. The motion carried by a unanimous vote.

12. Consider Land Use Management Ordinance Text Amendments - Proposed Changes to Section 3.11 Regarding Affordable Housing and Stormwater Management in the Blue Hill District.

[\[19-0631\]](#)

Planner Corey Liles and Mr. Broman-Fulks gave a joint PowerPoint presentation on a LUMO text amendment regarding changes related to AH and stormwater in the Blue Hill District's (BHD) form based code. He presented background information on the public review process and recommended that the Council close the public hearing, adopt Resolution 7, and enact Ordinance 3, which included a maximum setback percentage for primary frontages.

Mr. Broman-Fulks explained that the amendment would change the BHD purpose statement to say that the BHD was intended to support Town goals by providing diverse and affordable options serving a range of income levels.

Mr. Liles explained that the amendment was also related to stormwater and was a response to a change in a 2018 law regarding the amount of post-construction impervious area that must be treated for water quality. He reviewed those changes and said that staff was presenting a package that included two paths for review and an incentive for doing the level of stormwater treatment that had previously been required. Mr. Liles described those two pathways in detail and summarized input received from stakeholders and the Town's advisory boards and commissions.

Council Members Schaevitz, Gu and Anderson asked about how aligning setbacks along one frontage would affect green and open space and the appearance of a building's other three frontages. Mr. Liles explained that a courtyard or some other interesting space, could be an opportunity to deactivate the other street frontages. He said that the CDC had noted that O-3 would allow future infill by leaving contiguous areas not built upon.

Ms. McClintock said she felt "utterly confused" by Item 10 and that she wondered if the Stormwater Advisory Board had considered the stormwater impacts with the different scenarios. She noted that the state legislature had removed the Town's great stormwater standards and said she was very pleased that staff had taken the initiative to get some good water quality treatment. Ms. McClintock characterized the AH goal as "window dressing" that "would not really do anything".

Linda Brown, a Chapel Hill resident, questioned the safety and security of having buildings lined up on a street with one long frontage. Walking behind buildings at 1:00 a.m. could be dangerous, and having everything lined up would create a wind tunnel, she said.

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

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

A motion was made by Council Member Parker, seconded by Mayor pro tem Anderson, that O-3 be enacted. The motion carried by the following vote:

Aye: 8 - Mayor Hemminger, Mayor pro tem Anderson, Council Member Bell, Council Member Buansi, Council Member Gu, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

Nay: 1 - Council Member Oates

13. Charting Our Future - Consider the Proposed Components of the Future Land Use Map.

[\[19-0632\]](#)

LUMO Project Manager Alisa Duffey Rogers asked the Council to provide feedback on the proposed Future Land Use Map (FLUM) and its components and then adopt Resolution 9 authorizing the Manager and staff to engage with the community regarding the FLUM over the summer and early fall. Ms. Duffey Rogers reviewed components of the revised FLUM and outlined a proposed schedule for community engagement. She discussed a list of recent changes to the blueprint and to the focus area

maps for 111 Erwin Road and the Courtyards at Homestead.

Council Members raised issues related to "concurrency," having public facilities in place to serve development being approved. Council Member Gu said that having a statement in the FLUM that development would be expected once bus rapid transit (BRT) was in place would give a clear guideline for when to expect what. It might help alleviate some of the anxiety that people feel when they imagine more with only the current transportation infrastructure, she said.

Ms. Duffey Rogers said that concurrency was a tricky idea because various court cases had restricted the Town's ability to address it. In addition, many of the things that the Town might want to have done concurrently were not within its control, she pointed out. Ms. Duffey Rogers said that the FLUM was a future-oriented document that might or might not be enabled through zoning through the LUMO rewrite. She said that more clarification could be added.

Mayor pro tem Anderson asked for more information about concurrency rulings, and Ms. Duffey Rogers explained that a Supreme Court ruling meant that a developer who cannot be forced to pay for all of the improvements to mitigate everything that had happened in the past. And a state case dealt with impact fees and towns not being able to tell developers that they must put infrastructure in place in order to get approval, she said.

Mayor pro tem Anderson pointed out that the Town could talk about concurrency in terms of what it, itself, intended to do. She asked if there was a way to talk about having capacity in place before allowing a lot of density.

Ms. Duffey Rogers pointed out that there were statements in the document regarding density that would be appropriate along the BRT once it was in place. Staff could look at strengthening that to show that the Town would not be "creating Manhattan" along Highway 15-501 North, she said.

Council Member Stegman and Ms. Duffy discussed the importance of being flexible and adaptable in relation to Council goals.

The Council and Ms. Duffey Rogers discussed potential next steps and how specific the FLUM should be. She said that staff was open to responding to what the Council thought was appropriate.

Harvey Krasny argued against the land use designation of an undeveloped, five-acre property at 111 Erwin Road that was currently zoned R-2. He said that the property was immediately behind where he lived and surrounded by individual homes and townhomes. Changing the future land use to high rise apartments there would noticeably change the

character of the entire area and quality of life, he said. Dr. Krasny said that the result would be unimaginable traffic congestion, lower property values, additional stormwater problems, and irreparable damage to the wildlife and vegetation.

Erwin Road area residents Pamela Tekumalla, Martha Hauptman, Yunjun Mu and Xilong Zhao agreed with Dr. Krasny's comments and argued for keeping the area's low density residential zoning. Some pointed out that the Council had unanimously opposed increasing density in that area when a Marriott proposal had come before the Town in October 2018. They expressed concerns about future traffic concerns and environmental issues -- such as noise, pollution, and changes to wildlife habitat.

Kimberly Brewer, a Purefoy Road resident, discussed the Highway 15-501 South area. She said that residents wanted to see a FLUM that included a map (and perhaps pictures) that showed a rich diversity of housing being preserved in the area, preservation of historic Merritt's Grill, and preservation of open space and park land. Ms. Brewer said that the map as currently laid out could accelerate the destruction of those things.

Julie McClintock expressed concern about the amount of density on some of the maps and questioned the Town's ability to serve that density. She pointed out that CHALT had recently submitted a letter suggesting that the Town exercise good planning and not approve anything that would prevent people from being able to move around Town. Ms. McClintock pointed out that the Town did a new Comprehensive Plan at least every 10 years and said that a 2049 map would be a waste of time and endlessly confusing.

The Council discussed how the Highway 15-501 North area was expanding, and Council Member Bell pointed out that those whose family farms had once been there had probably never imagined having the four subdivisions with more than 300 homes that were there today.

The Mayor and Council agreed that they needed to clarify what the Town was willing to accept in various locations, especially the areas around Erwin Road and Merritt's Pasture. They noted that they had seen concept plans and knew what developers were interested in building in those areas and should be clear about what was appropriate to bring forward. Mayor Hemminger pointed out that having a map showing six stories, even though the area was not currently zoned for that, would lead to proposals for such buildings. Residents of those neighborhoods would have to come out and protest, again and again, she said.

Council Member Buansi said that he was fine with taking the possibility of a six-story building at Erwin Road off the table.

Council Member Gu said that people had a tendency to confuse the FLUM with zoning maps. She suggested that the Town provide education,

maybe a video, showing how the Town was going to "morph" into a city in 30 years.

Council Members Stegman and Anderson commented on the challenge of staff of trying to explain the complexities of land use 30 years ahead when talking with residents. She reminded the public that Town staff was following the Council's direction and said that any criticism should be directed to the Council. Mayor pro tem Anderson said that the Town needed a better way of helping people understand that nothing would be changed immediately.

Council Member Schaevizt noted the importance of being able to tell residents where BRT stops would be. She said that people were also interested in having Town creeks be amenities in the future and in not having buildings turn their backs to creeks. Highlighting creeks in a particular way on the maps would help with that, she said.

Council Member Oates said that the Town seemed to be moving away from single-family homes and that almost all of the areas designated to be higher intensity development on the maps would come at the expense of single-family neighborhoods. She did not want Chapel Hill to turn into a place where one would have to live in a six-story apartment -- especially when space was not being made for grocery stores within walking distance, she said.

Several Council Members spoke enthusiastically about taking the FLUM out to the community for feedback, but Council Member Oates expressed skepticism about the value of doing that, again, since the Town already knew that people did not want clear-cutting, flooding, or high-rise apartments next to single-family neighborhoods.

With regard to Ms. McClintock's comments, Council Member Parker said he agreed that the Town would redo its Comprehensive Plan in 10-15 years but said that a longer, aspirational view was needed as well. Thirty years would arrive a lot faster than we think, he said.

Mayor Hemminger said that the Council seemed to have lost the preamble -- to just look at transit corridors and downtown -- and should go back to that. The point was to make sure that people would be able to move around Town as it grows and get to where they need to be without facing overwhelming traffic, she said. She pointed out that "preservation of a rich diversity of housing" was one of the Town's principles, and she stressed the need for efficiency along transit corridors. Mayor Hemminger said that she looked forward to hearing how staff planned to reach out and obtain more input.

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

14. Consider Approving Strategic Plan Goals and Objectives to Build a Strategic Plan Framework.

[\[19-0562\]](#)

Director of Organizational and Strategic Initiatives Rae Buckley gave a PowerPoint presentation on changes to strategic goals and objectives and provided background on the strategic planning process. She said that the Council had expressed interest in developing a policy matrix connecting all pieces of the goal areas, and that the current presentation was about connecting transportation and environmental sustainability. Staff would then develop performance measurement metrics in each of the goal areas and start to refine the Council's strategic work plan, she said.

Ms. Buckley explained that staff would ultimately integrate the goals and objectives into the Town's five-year budget strategy. She reviewed specific changes to those and discussed results of a recent survey. Ms. Buckley recommended that the Council adopt R-10, which would approve specific goals and objectives described in the Council's packet, subject to any modifications that the Council might make.

Council members made some editing recommendations, clarified the staff's approach, and discussed a potential schedule. Council Member Gu confirmed with Ms. Buckley that the final document would provide input into the Town's five-year budget process. She commented on how the Bike Plan was supposed to be implemented in 2020, and asked where that would be listed.

Ms. Buckley replied that she would talk with planning staff about prioritizing and implementing the Bike Plan in Objective 2.

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

15. Approve a Framework for Chapel Hill's Participation in the Orange County Intergovernmental Work Group, Convey this Framework and Designate the Town's Representatives.
(Reissued from June 19, 2019)

[\[19-0633\]](#)

Mayor Hemminger explained that Item 15 had been pulled from the Consent Agenda. She explained that the Orange County Board of Commissioners had requested that the Town participate in a one-year pilot program that would replace the Assembly of Governments. If the Council approved, she would send a letter to the Commission chair and the mayors of Carrboro and Hillsborough, she said, noting that those bodies had already passed it and were waiting for Chapel Hill's response.

Council Member Oates said that it was she who had pulled the item because she had heard that the Assembly of Governments was still continuing to meet once a year.

Mayor Hemminger replied that she had not understood that to be true but would find out for sure. She and Council Member Oates discussed the merits of different meeting formats and group sizes and Mayor Hemminger recommended trying the pilot out and bringing the issue back if problems arose.

Council Member Oates asked for a friendly amendment stating that the understanding was that the Assembly of Governments would meet once a year, but Mayor Hemminger said that this was not part of what had been sent to her for Council approval. She would provide the information that had to the Council, Mayor Hemminger said.

A motion was made by Council Member Parker, seconded by Council Member Stegman, that this Discussion Item be adopted. The motion carried by the following vote:

Aye: 8 - Mayor Hemminger, Mayor pro tem Anderson, Council Member Bell, Council Member Buansi, Council Member Gu, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

Nay: 1 - Council Member Oates

APPOINTMENTS

16. Appointments to the Cultural Arts Commission.

[\[19-0634\]](#)

The Council reappointed Peter Bosman, Janice Farringer and Mary Norkus to the Cultural Arts Commission.

17. Appointments to the Environmental Stewardship Advisory Board.

[\[19-0635\]](#)

The Council reappointed Hui Ding and Bruce Sinclair and appointed Noel Myers and Julie McClintock to the Environmental Stewardship Advisory Board.

18. Appointments to the Housing Advisory Board.

[\[19-0636\]](#)

The Council reappointed Jared Brown-Rabinowitz and Mary Jean Seyda. The Council is seeking applicants for the For-Profit Developer position.

19. Appointments to the Justice in Action Committee.

[\[19-0637\]](#)

The Council reappointed Robert Campbell, and Jaclyn Gilstrap and appointed Sarah Cheek, Ruby Garcia, Miriam Madison, and Elizabeth Flake to the Justice in Action Committee.

20. Appointment to the Orange County Climate Committee.

[\[19-0638\]](#)

The Council appointed Donna Rubinoff to the Orange County Climate Committee as a Chapel Hill At-Large Representative.

21. Appointments to the Stormwater Management Utility Advisory Board. [\[19-0639\]](#)

The Council reappointed Stephen Bevington, Stefan Klakovich and Phil Post to the Stormwater Management Utility Advisory Board.

ADJOURNMENT

The meeting was adjourned at 11:33 p.m.



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Jessica Anderson
Council Member Donna Bell
Council Member Allen Buansi
Council Member Hongbin Gu

Council Member Nancy Oates
Council Member Michael Parker
Council Member Rachel Schaevitz
Council Member Karen Stegman

Friday, July 12, 2019 9:00 AM RM 110 | Council Chamber

Roll Call

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

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Police Officer Rick Fahrner, Communications Specialist Mark Losey, Transit Director Brian Litchfield, Transit Development Manager Matthew Cecil, LUMO Project Manager Alisa Duffey Rogers, Fire Marshal Tommy Gregory, Communications and Public Affairs Director and Town Clerk Sabrina Oliver.

OPENING

Mayor Hemminger opened the meeting at 9:00 a.m. Council Members Stegman, and Schaevitz arrived at 9:01 a.m. and 9:10 a.m., and Mayor pro tem Anderson arrived at 9:03 a.m., respectively.

AGENDA ITEM

1. North South Bus Rapid Transit Station Design and Land Use Development Community Engagement Event - July 12 - 15, 2019 [\[19-0663\]](#)

Mayor Hemminger explained that the upcoming weekend of workshops would focus on the Town's North-South Bus Rapid Transit (N-S BRT) plans. The Town would submit a grant application for the 30 percent design phase at the end of August, she said.

Transit Director Brian Litchfield gave a PowerPoint presentation that provided context and background on the BRT project, which would run through Town from the Eubanks Park & Ride in the north to the Southern

Town Council

Meeting Minutes - Draft

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Village Park & Ride in the south. He said that the current transit system was close to capacity, with approximately 4,500 rides per day. Planners were envisioning a second BRT corridor between Highway 54 and Eastowne Drive, he said, and he described other possible connections as well.

Mr. Litchfield said that the current development stage included addressing environmental aspects, doing a traffic impact analysis (TIA), beginning to integrate bike and pedestrian facilities, and discussing aspirations for station areas. The 30 percent design and environmental analysis would be completed by the end of the summer and that staff would ask the Federal Transportation Authority (FTA) for a project rating at the end of August, he said.

Mayor pro tem Anderson confirmed with Mr. Litchfield that guiding principles for the project included meeting transit, economic development, and overall mobility needs. Mr. Litchfield said that BRT would expand the corridor's diverse ridership and improve access for riders.

Julia Suprock, representing AECOM, reviewed plans for the workshops, gave an overview of BRT design work, and discussed the goals and principles of a study on transit-supported development. She said that the three major categories of the work plan were: to develop a typology framework; to hold an urban design workshop; and to define an implementation plan. She discussed a similar project that AECOM had developed in Texas and said that Chapel Hill's implementation plan would be developed over a few months.

Council Members confirmed with Ms. Suprock that the typical walking distance from station areas would be a half mile to three miles and that discussions regarding transitions to neighborhoods had already begun. The half-mile radius around each station would be eligible for active FTA funding, but anything beyond that would not, she said.

Mr. Litchfield said that staff would begin talking with the Metropolitan Planning Organization and others about additional funding sources and that he would provide more information on that as the project moved into the 30 percent design phase.

Council Members verified that the Town's Mobility Plan was already being integrated into the process. They emphasized the importance of incorporating the Town's unique characteristics and values and of having a people-friendly system that included green spaces and provided safe, efficient, and accessible transportation for all. Council Member Buansi stressed the importance of reaching out to include all residents in the process and Council Member Gu asked to see hard numbers on the type and amount of greenspace that would be in the corridor.

Council Member Schaevitz asked Ms. Suprock to elaborate on a proposed fresh approach to parking, and Ms. Suprock said that part of the implementation plan would be to address minimizing the visual impact of parking at station areas. She said that tools for doing that included having a maximum, allowing shared use; reducing overall supply; designing in a less visually obtrusive way and having a signage system that directs drivers to park somewhere else.

The Council confirmed with Mr. Litchfield that sustainability was a major part of the project and would be emphasized as a Town goal. He said he hoped to have a recommendation for an electric bus vendor in September and would focus on other features, such as green spaces and options for solar lighting as well. Council Members expressed enthusiasm over the possible range of public spaces and the potential for displaying public art at stations.

Mr. Litchfield said that there were 800 parking spaces in the corridor at the current time and that 3,500 additional riders primarily walked to the 62 bus stops along the way.

Council Member Oates asked how the new approach to parking would fit with developers' business models and parking requirements.

Mr. Litchfield replied that staff would recommend best practices, but the Council would make the ultimate decisions regarding land use around stations.

Council Member Oates confirmed that staff had invited business people and land owners to participate in the weekend workshops and would hold additional stakeholder meetings in future months. She stressed the importance of including private equity developers who are accustomed to the business model.

Mayor pro tem Anderson confirmed with Mr. Litchfield that staff would be talking with the North Carolina Department of Transportation (NC DOT) over the summer and fall about what would work in the corridor. NC DOT appeared to be open to having the multi-use paths and understood the Town's interest in having amenities such as stations, he said. He would have a more definitive answer after the TIA had been completed and discussed with NC DOT, said Mr. Litchfield.

Mayor Hemminger confirmed with Mr. Litchfield that there might be funding to buy more property to expand the Eubanks Park & Ride lot later on in the process. She asked him to look into the possibility of obtaining property behind the Town Operations Center. She stressed the importance of considering an art component at stations and emphasized the need to inform citizens about the people-friendly nature of the

stations themselves.

Amy Groves, a principal with Dover, Kohl and Partners, described how workshop presentations would help people visualize and think about station area design. She reviewed the weekend schedule and described the goal of reaching a common vision. She gave a PowerPoint presentation that showed different scenarios for design and how station areas might change over time.

Urban Designer Victor Dover continued the PowerPoint presentation, showing maps that compared sample areas and designs. He said that he planned to ask workshop participants the following questions: What opportunities are you most excited about? What are your concerns? What existing public realm features should remain in the long-term future, and what uses are missing? Is it easy to walk or bike, and where are better pedestrian, bike and vehicular connections needed near proposed stations? What kinds of buildings and public spaces need to be created?

Mayor Hemminger said that Council Members were more interested in converting the road than expanding it, but they realized that this may not be possible everywhere. The Council did not want a big highway coming into Town and wanted to reduce the Town's carbon footprint. Additionally, they were more interested in moving people more effectively, she said.

Council Member Schaevitz left the meeting at 10:25 a.m.

Council Members stressed their interest in making the BRT an attractive and enticing means of transportation. They emphasized the importance of having a system that would be inclusive and accessible to all. There was much discussion regarding the Town's desire for pleasant, welcoming stations where people would want to be.

Council Member Stegman left the meeting at 10:30 a.m.

Council Member Parker expressed concern that the BRT would not be well-connected to other bus routes. He also stressed the importance of not having plans that are driven by NC DOT's tendency to focus on moving cars rather than moving people.

Council Member Buansi said that a wide spectrum of people such as students, renters, homeowners, and people who live in mobile home parks might not be involved in the weekend workshops. He also raised concerns about BRT lanes becoming crowded with non-approved vehicles.

Mr. Dover replied that there would need to be guidelines for when other vehicles, such as private shuttles, would be allowed to use the lane.

The Council asked the consultants to return with information about other communities that they had helped transition out of cars. They asked for more information about the character of individual destinations and who those destinations would be designed to attract. Council Members stressed the importance of setting realistic expectations and about being careful regarding how questions were framed. They discussed how the BRT would be integrated with other Town plans and place-making goals.

Mayor Hemminger cautioned against showing the public pictures of trees and green infrastructure and then delivering something that was all concrete. She emphasized the need to pay attention to the corridor itself and to show what would actually be delivered.

Mr. Dover pointed out that any transition would be gradual and that the system would not appear all at once. He said that adding transit-supported development would mean making choices. He confirmed with Mayor Hemminger that in addition to trees and green space, historic features, public access, and safety were important to people in Town.

ADJOURNMENT

The meeting was adjourned at 10:53 a.m.



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Jessica Anderson
Council Member Donna Bell
Council Member Allen Buansi
Council Member Hongbin Gu

Council Member Nancy Oates
Council Member Michael Parker
Council Member Rachel Schaevitz
Council Member Karen Stegman

Monday, July 15, 2019 **5:30 PM** **RM 110 | Council Chamber**

Roll Call

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

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Police Officer Rick Fahrner, Communications Specialist Catherine Lazorko, Transit Director Brian Litchfield, Transit Development Manager Matthew Cecil, and Communications and Public Affairs Director and Town Clerk Sabrina Oliver.

OPENING

Mayor Hemminger opened the meeting at 5:30 p.m., and noted that several Council Members were still en route. She said that a series of meetings over the weekend had solicited much community feedback regarding station area design for a North-South Bus Rapid Transit (N-S BRT) route from Eubanks Park & Ride in the north to the Southern Village Park & Ride in the southern part of Town. The Council was eager to hear that feedback, she said.

Council Members Schaevitz, Buansi, Anderson and Stegman arrived at 5:35, 5:37, 5:42, and 6:06 p.m., respectively.

SPECIAL MEETING AGENDA ITEM

1. North South Bus Rapid Transit Station Design and Land Use Development Community Engagement Event - July 12 - 15, 2019. (no attachment) [\[19-0665\]](#)

Transit Director Brian Litchfield gave a PowerPoint overview of what had transpired at the weekend workshops. He said that planners had received community input that would inform of planning principles as well as

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development around station areas. Mr. Litchfield described the proposed BRT system and pointed out that plans included bike and pedestrian facilities as well.

Amy Groves, a principal with Dover, Kohl and Partners, gave a recap of the weekend workshops. She said that the purpose had been to work toward a future vision for the Town's BRT. The two main focus areas had been the Downtown area at Franklin and Columbia Streets and the northern area around Weaver Dairy Road, she said.

Ms. Groves reported that the community had raised questions regarding public spaces, ease of walking/cycling, public features that should remain, missing uses, and where better connections were needed near stations. Focus groups had included business and institution leaders, senior citizens, developers, cyclists, and others, she said.

Ms. Groves provided extensive feedback on participants' preferences and displayed pictures of their top three urban design choices. Most participants wanted the BRT to include a variety of station areas and have trees between stations, she said. Participants wanted the corridor to provide a pleasant, safe, and inviting walking and biking experience, and connectivity to community and neighborhood facilities had been a priority, said Ms. Groves.

Urban Designer Victor Dover, of Dover, Kohl and Partners, showed draft sketches of possible Downtown and Weaver Dairy Road station areas. He said that workshop participants had stressed the importance of creating a welcoming environment that would be more than just a canopy and platform. He discussed driving and biking patterns in Town and explained how converting those trips to BRT along the corridor would require making connections that do not currently exist.

Mr. Dover said that including green areas was crucial to workshop participants. Trees and orderly planting would visually unite the corridor and make it a great address, he said. He showed examples of how the northern area might become more of an urban village over time. Mr. Dover explained how station area designs could address amenities, accessibility, and safety.

Augy Wong, owner of CMW Design Strategies, said that station items and amenities that participants had discussed included benches, solar panels, public art, comfort, accessibility and safety. He discussed various components, such as lighting, public art, railings, emergency call buttons, ramps, cameras, and drinking fountains and said that all of those could be included in the design.

Mr. Wong discussed a type of paving that would enhance the experience.

He described speakers with an audible countdown and easily accessible bus doors. He presented a typical plan, which showed activities within the station and the interaction between a multi-use path and a station. Mr. Wong explained how bike and pedestrian pathways might be separated without sacrificing an eight-foot boulevard along the corridor.

The Council confirmed with Mr. Litchfield that approximately 100 people had attended the workshop sessions and/or focus groups over the weekend. Staff had received feedback via email and an online survey as well, he said. Over the next several months, staff would engage with those who might not have been represented, Mr. Litchfield explained. He confirmed that maximum ridership was expected to be between 14,000 and 15,000.

Council Member Schaevitz asked how prior discussions regarding a super-street intersection at Perkins Drive would fit into current plans for the northern end of Martin Luther King Jr. Boulevard.

Mr. Litchfield replied that the answer to such questions depended on what the NC Department of Transportation (NC DOT) would accept. He should be able to answer that in the fall, he said.

Council Member Parker recommended including bike facilities, such as racks and lockers in the sketches. He asked staff to provide information on whether every station would be aligned with a traffic light, and he confirmed with Mr. Dover that it would be logical to make intersections smaller and more pedestrian friendly.

Council Member Oates spoke in favor of converting rather than constructing the BRT. She said that no driver wanted to be stuck behind a bus, particularly at rush hour. She verified that not all local stops would be removed with BRT and that both Mr. Litchfield and Mr. Dover preferred traditional pitched roofs for shelters.

In response to Council questions, Ms. Groves said that some participants had described having difficulty getting to nearby services in the Weaver Dairy Road area. Mr. Dover added that there had been different opinions regarding the convenience of a multi-modal environment and about whether converting a lane would create problems by reducing its availability to the average driver.

Mayor pro tem Anderson asked about the justification for re-purposing lanes, and Mr. Litchfield explained that roads being considered for conversion were currently operating as de facto bus lanes. Having a dedicated lane would eliminate many bus traffic issues and make it less confusing than it currently was, he said.

Council Member Gu confirmed with the consultants that the multi-use path would be separated or protected with a landscaped buffer in the northern corridor and that having a 10-foot multi-use trail on each side of the road was being studied.

Joe Milazzo, executive director at Regional Transportation Alliance (RTA), praised the Council for considering different community values and perspectives. He said that he would continue to be engaged and supportive of the process and would bring in speakers whom he had heard during a recent Virginia tour. RTA was ready to support the Town in any way it could, he said.

Wayne Pein, a cyclist and former researcher at UNC Highway Safety Research Center, said that the multi-use path was a bad idea because bicyclists would be able to attain high speeds going down that hilly corridor. He described how a collision could happen with the bike path crossing numerous driveways along that route.

Randy Barrow, a Chapel Hill resident, spoke in favor of construction rather than conversion of the corridor section between Estes Drive and Franklin Street. He described already having difficulty with current traffic and predicted long caravans and traffic jams all the way to Southern Village with a one-lane plan. Mr. Barrow also recommended considering a contingency plan for bad weather.

Mayor Hemminger thanked the consultants for listening and providing the Council with good visuals. She confirmed with Mr. Litchfield that staff would check in with the Council again in the fall after having several more community input sessions.

Mr. Litchfield said that next steps included finalizing the traffic impact analysis (TIA) and preparing market and transit-supported development studies. He said that environmental work would be completed in late spring 2020.

ADJOURNMENT

This meeting was adjourned at 6:57 p.m.



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Jessica Anderson
Council Member Donna Bell
Council Member Allen Buansi
Council Member Hongbin Gu

Council Member Nancy Oates
Council Member Michael Parker
Council Member Rachel Schaevitz
Council Member Karen Stegman

Monday, July 15, 2019 **7:15 PM** **RM 110 | Council Chamber**

Rollcall

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

Other Attendees

Town Manager Maurice Jones, Deputy Town Manager Florentine Miller, Town Attorney Ralph Karpinos, Police Officer Rick Fahr, Fire Inspector Chris Kearns, Communications Manager Catherine Lazorko, Planning Director Ben Hitchings, Planning Operations Manager Judy Johnson, Planner II Michael Sudol, Assistant Director of Housing and Community Sarah Vinas, Transportation Demand Community Manager Len Cone, and Deputy Town Clerk Amy Harvey.

SPECIAL MEETING AGENDA ITEM

1. Consider Adopting a Greene Tract Resolution.

[\[19-0664\]](#)

Mayor Hemminger opened the meeting at 7:15 p.m.

Senior Planner Judy Johnson gave a PowerPoint overview of the 164-acre Greene Tract. She said that a substitute resolution (R-C) had been provided in addition to R-A and R-B. She pointed out that the Town's jurisdictional partners (Orange County and the Town of Carrboro) owned the southern 104 acres of the Greene Tract jointly with the Town and that Orange County was the sole owner of a northern 60-acre parcel.

Ms. Johnson reviewed actions taken by the three jurisdictions over many years, including adopting a 2002 resolution that showed 18 acres for affordable housing (AH) and 86 acres of open space. A "Mapping Our Community's Future" report, produced by the Rogers Road neighborhood, had been one of the staff's guiding documents for the area, she said.

Ms. Johnson displayed a map and photos and discussed a recent

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environmental scan of the property. She noted the historical and cultural significance of the Greene Tract and explained how R-C differed from R-A, which Orange County and the Town of Carrboro had approved in February 2019. Staff had held five public meetings since February regarding possible locations for AH, a school site, and open space, Ms. Johnson said.

Town Manager Maurice Jones outlined the next steps associated with each of the three resolutions before the Council. He said that R-C was an attempt to promote general uses in the Greene Tract without designating exactly where those uses would be located or how much land would be dedicated to each of them.

Mr. Jones proposed that the Council begin discussions with its jurisdictional partners in July and August. He said that an environmental study would begin in October/November and staff would provide an update at a community meeting in November/December. Staff would present the results and a connectivity study to the Council in January/February and at the Assembly of Government's third community meeting, he said.

Mayor Hemminger thanked staff for working diligently over recent weeks to try and find a path forward.

In response to questions from Council Member Gu, Ms. Johnson described how the staff from the three jurisdictions had done a quick scan of the property and said that a deeper analysis would be needed.

In response to questions from Council Members Oates and Anderson, Mr. Jones explained that staff members and some elected officials from other jurisdictions had discussed the next steps. Environmental and connectivity studies would be needed regardless of which resolution the Council approved and would take three to five months, he said.

Council Member Stegman confirmed with Town Attorney Ralph Karpinos that the Council adopting R-C would reopen the conversation about uses for the property and would have to go back before the other jurisdictional boards.

Ed Harrison, a former Council member, offered historical background on the Greene Tract and expressed support for a resolution that would include performing an updated environmental analysis.

Larry D. Reid, Sr. and Reverend Robert Campbell, Rogers Road area residents, expressed support for R-C. Mr. Reid said that R-C would push the other two jurisdictions to do what they had been asked to do in the past and Reverend Campbell said that maps should not be included until there had been more analysis and discussion.

Abel Hastings, representing The Friends of the Greene Tract Forest, spoke

in favor of R-C and summarized comments from a community meeting. R-A did not address community needs, he said.

Sally Council and Beverly Ferriero, Billabong Lane residents, expressed support for R-C. Ms. Council said that R-A substantially diverged from the 2016 "Mapping Our Community's Future" report.

John Hammond, a Chapel Hill resident, said that it was past time for the Council to act and that a "not in my backyard" response by some people had been especially egregious considering the history of the Rogers Road neighborhood.

Stephen Hall, a field biologist with the NC Natural Heritage Program, stated that the 2000 environmental study had been inadequate because it was conducted in February. He speculated that rare amphibians, such as the four-toed salamander, were living on Greene Tract land.

Adam Searing, a Chapel Hill resident, expressed support for R-C and gave a PowerPoint tour of the Greene Tract that showed the area's natural beauty. He wondered why the Neville Tract was not part of the discussion, he said.

Josh Levenson, a Chapel Hill resident, suggested that the Town consider creating a pollinator garden, park, larger community center, and/or transition zones that include public housing, tiny homes, and environmentally sustainable communities on the Greene Tract. He proposed adding "environmental considerations for living in harmony with the environment" to R-C.

Joal Hall Brown, Chapel Hill Carrboro City Schools (CHCCS) chair, said that preservation of a school site on the Greene Tract would be helpful for the future and asked that CHCCS be allowed to participate in vetting the site.

Andrew and Bethany Slack, Marin Road residents, expressed support for R-C. Mrs. Slack, a civil engineer, said that Marin Road would not be able to support traffic to the designated school site, and Mr. Slack said that R-A had been based on an imprecise scan that Carrboro had approved without notifying neighbors. Both Mr. and Mrs. Slack said that an outside engineering company would be better equipped than Town staff to study the area.

Wesley McMahon, Parks Greenways and Recreation Commission chair, asked the Council to include Town commissions in the decision-making process. He gave examples of information that the commissions would be able to provide and said that proceeding without their perspective would mean missing out on an important opportunity for community engagement.

Lydia Lavelle, Mayor of Carrboro, said that R-A generally identified the

amount of land that would be committed to various uses and enabled moving forward with the studies. R-A was the same resolution that the three boards had discussed throughout 2018 and 2019, she said, and she asked the Council to honor that work and join fellow elected officials by voting for R-A.

Jane Stein, a Chapel Hill resident, agreed with Mayor Lavelle's comments and asked the Council to respect the work that the jurisdictions had done over many years.

Sally Greene, Orange County Commissioner and former Council member, urged the Council to pass R-A. She distributed relevant information that the Council had not previously received and argued that the Town could pass R-A and still achieve all of its relevant goals.

John Rees, a Chapel Hill resident, expressed support for R-A and agreed with what Mayor Lavelle and Commissioner Greene had said. R-C seemed to erase 10 years of hard work in community meetings, he said.

Penny Rich, Orange County Commission chair, asked the Council to vote for R-A. She stressed that the map was merely a concept for discussion and urged everyone to trust each other. No decisions had been made and the numbers were just approximate placeholders, she said.

Mark Marcoplos, Orange County commissioner, spoke as a citizen and characterized R-A as a unique opportunity to address a long-term community vision to create mixed-use AH on government-owned land that was mostly slash pine. He asked the Council to support R-A and to maximize the Greene Tract for the greater good.

Eleanor Kinnaird, an Orange County Affordable Housing Board member, spoke as a Chapel Hill citizen. She urged the Council to adopt R-A and emphasized the Town's severe AH shortage. It would be nice for the Town to have its own beautiful woods in perpetuity, but the Greene Tract belonged to all members of the community, including those who provide necessary services, she said.

Tai Huynh, a Housing Advisory Board member, spoke as a citizen and said that proceeding with R-A would respect the desires of the Rogers Road community and would move the conversation forward. The Greene Tract presented the best opportunity for AH in Chapel Hill, she said.

Joseph Holmes, a University of North Carolina at Chapel Hill student, said that R-A was the best way to meet the needs of the RENA community.

Allison DeMarco, a Chapel Hill resident, read a statement from Orange County Commissioner Mark Dorosin in support of R-A. Commissioner Dorosin stated that the goals of all three jurisdictions were to ensure that the most environmentally sensitive areas be protected and to combine

contiguous areas to maximize their collective options for future development.

Heather Brutz, co-chair for the Chapel Hill-Carrboro NAACP Housing Committee, read a statement urging the Town to pass R-A. The statement expressed concern about delaying the process while the need for AH continued to grow and said that R-A was consistent with NAACP principles.

Michelle Laws, a former Chapel Hill resident, expressed support for the work that the Rogers Road community had done and spoke in favor of R-A. She said that ancestors of the Rogers Road areas would want the Town to house the homeless, ensure that children have a safe school, and protect the environment, she said.

Yvette Mathews, office and community organizer for the Community Empowerment Fund, discussed the plight of low-income people. She was in favor of respecting the environment, but did not understand why elected officials continued to talk when there was an opportunity for AH, she said.

Mayor Hemminger thanked speakers for their comments and said that notification of the meeting had been sent to everyone living within 1,000 feet of the Greene Tract.

Council Member Bell said that she had helped craft a compromise between the community and elected officials but that the resulting resolution was not what was before the Council. According to that compromise, text associated with a map on R-A should have been put into R-C, she explained. She said that the compromise had maintained acreage descriptions and numbers but had not designated what would go where.

Mayor Hemminger pointed out that many meetings had been held in an attempt to find a path forward. She asked staff to put the list of next steps on the screen so that everyone would understand that the Town was continuing to move forward.

Council Member Buansi commented that language such as a reference to "undesirables" that he had heard had no place in the conversation. He mentioned the Rogers Road community's fight against the landfill in their neighborhood, and how they had spent hundreds of hours creating the "Mapping Our Community's Future" report. He respected the work that the partners had put into R-A, but thought that R-C presented the best way forward for those residents, he said.

Council Member Stegman said that the three jurisdictions appeared to agree on the next steps and said she was strongly in favor of moving ahead with R-A because she could not justify more delay.

Council Member Gu said that a decade of broken promises had led to mistrust and that this was why it was so important to do sound research this time. She pointed out that the Greene Tract's neighbors did not want to see significant high density development there. AH was a Town wide issue and the Rogers Road community should not be overburdened, she said.

Council Member Schaevitz said that the compromise that Council Member Bell had brought would achieve many of the Town's goals. It showed the Town's commitment to creating 45 acres of AH/mixed-use development while allowing that to be in an appropriate space based on the pending environmental audit, she said.

Council Member Parker said that R-A contemplated doing everything that people on both sides of the issue had asked for. However, he was willing to accept R-C as a way forward if that was what other Council members preferred, he said.

Council Member Oates said questions seemed to remain about what was on the Greene Tract and the best use of that land. She pointed out that residents had expressed strong opposition to increased traffic during the Rogers Road rezoning process. It was premature to make definite decisions about that land before knowing how people would move around, she said. Council Member Oates said that R-C seemed to be the way to address those issues.

Mayor pro tem Anderson spoke in favor of R-C and said that the Council was trying to bring the community together, not trying to stop or slow the process.

Mr. Karpinos put R-C on the screen, but Council Member Bell said that what was shown was not the version she had proposed that afternoon. Her proposal was like the original R-C, but the designated spaces on the map were changed to "undesignated" and housing was removed from the proposed land use definitions on Exhibit 1 (the map), she said.

Mayor Hemminger said that the Council valued AH and valued the work that the Rogers Road neighborhood had done over 40 years. She said that having to coordinate among three governmental agencies had made the process more difficult and time consuming, and she reviewed all that the Town had done to support the Rogers Road community.

Mayor Hemminger said that the Council wanted to include voices from all over Town, find shared values, work toward a mutual goal, and not make promises that it would not keep. She liked R-C and wanted to work with the other jurisdictions while also respecting the community by notifying

people of the proposed huge change, she said.

Mayor pro tem Anderson moved R-C and Council Member Oates seconded. Council Member Parker proposed a friendly amendment to remove the "be it further resolved..." clause regarding next steps, making that a separate resolution.

The Council discussed changes to R-C and Mayor Hemminger explained that it differed from R-A by not specifying what uses would go where. It was a compromise that said the Town agrees with its partners' values but was not able to say what should go where, she said.

Council Member Parker said that Council Member Bell's proposed revised R-C would replace numbers 1 and 2 in R-C with 1 and 2 from R-A. However, he was not certain that this was what had been moved, he said.

After further discussion, Mayor Hemminger proposed voting on the "be it further resolved..." piece as a separate resolution.

A motion was made by Council Member Schaevitz, seconded by Mayor pro tem Anderson, that the removed "BE IT FURTHER RESOLVED" clause, which outlined goals and target dates for next steps become R-2 and be adopted. The motion carried by a unanimous vote.

Mayor pro tem Anderson moved the original R-C, but several Council members expressed confusion about the differences between the original and the revised resolution.

Mayor Hemminger said that R-C1 had no acreage on it and R-C2 was an amalgamation of A and C with the acreage spelled out. She could support either version, she said.

After more clarifying discussion, the Council voted on Mayor pro tem Anderson's motion to adopt R-C1.

A motion was made by Mayor pro tem Anderson, seconded by Council Member Oates, that the original option C, without the acreage but with the undesignated, purple and green map, be adopted. The motion failed by the following vote:

Aye: 4 - Mayor Hemminger, Mayor pro tem Anderson, Council Member Gu, and Council Member Oates

Nay: 5 - Council Member Bell, Council Member Buansi, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

A motion was made by Council Member Parker, seconded by Council Member Stegman, that R-1C as amended during the meeting and conforms to the intent that Council Member Bell expressed be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Hemminger, Mayor pro tem Anderson, Council Member Bell, Council Member Buansi, Council Member Parker, Council Member Stegman, and Council Member Schaevitz

Nay: 2 - Council Member Gu, and Council Member Oates

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 Mayor pro tem Anderson, that the Council enter into closed session as authorized by N.C. General Statute Section 143-318.11(a)(4) to consider an economic development matter. The motion carried by a unanimous vote.

ADJOURNMENT

The meeting was recessed at 10:24 p.m.; the Council went into closed session and the meeting adjourned at the end of the closed session.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 9., **File #:** [19-0884], **Version:** 1

Meeting Date: 10/30/2019

Receive Upcoming Public Hearing Items and Petition Status List.

Staff:

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

Department:

Communications and Public Affairs



Recommendation(s):

That the Council accept the reports as presented.

Background:

Two pages on our website have been created to track:

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

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

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

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



Attachments:

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

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

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

Scheduled Public Hearings

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

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

October 30

- Open a Public Hearing for Conditional Rezoning at [1751 Dobbins Dr.](#) from Residential 4 (R-4) to Office Institutional 2 Conditional Zoning (OI- 2-CZ)
- Open a Public Hearing for [Wegmans- SECU Street Connection](#), Commercial - Retail Development, 1820 Fordham Blvd.
- Open the Public Hearing for Amendments to Land Use Management Ordinance [Sections 3.6.2 and 8.4](#) Pertaining to the Historic District.
- Open the Public Hearing: Land Use Management Ordinance Text Amendment for [Blue Hill Massing and Permeability](#)
- Concept Plan Review: [Putt-Putt Fun Center](#). (Project #19-090)

November 13

- Initial Public Forum: [Housing and Community Development Needs for 2020 2025 Orange County HOME Consortium Consolidated Plan and Use of 2020 2021 Community Development Block Grant Funds](#)
- Open the Public Hearing for Amendments to Land Use Management Ordinance Articles 3, 4, and 6 Pertaining to Conditional Zoning
- Concept Plan Review: [West Rosemary Street Hotel](#) (Project #19-107)
- Concept Plan Review: [Charterwood](#) (Project #19-111)

STATUS OF PETITIONS TO COUNCIL

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

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

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
10/02/2019	Parks, Greenways, and Recreation Commission	Request to Reconsider the Designation of a Cemetery Champion Seat on the Commission.	Communications & Public Affairs Sabrina Oliver , Communications & Public Affairs Director Phone: 919-968-2757	Staff is preparing information to respond to this request.
10/02/2019	Parks, Greenways, and Recreation Commission	Request to Permit Current Commission Officers to Serve an Additional Year and a Recommendation to Change the Policy.	Communications & Public Affairs Sabrina Oliver , Communications & Public Affairs Director Phone: 919-968-2757	Staff is preparing information to respond to this request.
10/02/2019	Susan Smith	Request Regarding Advisory Board Vote Policy.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
10/02/2019	Daniel Dunn	Request Regarding Government Transparency.	Technology Solutions Scott Clark , CIO Phone: 919-968-2735 Communications & Public Affairs Sabrina Oliver , Communications & Public Affairs Director Phone: 919-968-2757	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
09/25/2019	Chapel Hill Downtown Partnership	Request Regarding Franklin Street Restriping.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.
09/25/2019	Glen Heights/Windsor Circle Neighborhood	Request to Exclude the Neighborhood from the South Martin Luther King, Jr. Boulevard Future Land Use Area.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	At their 10/02/19 meeting, the Council adopted a resolution to remove Glen Heights from the South Martin Luther King, Jr. Boulevard Focus Area.
09/11/2019	Grubb Properties	Request Regarding 137 E. Franklin Street & 136 E. Rosemary Street Limited Scope SUP.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	When they reviewed the Concept Plan at their 10/02/19 meeting, the Council adopted a resolution limiting the scope of the proposed SUP application for this project.
09/11/2019	East Franklin Neighborhood Steering Committee & Neighbors	Request Regarding Neighborhood Preservation.	Police Chris Blue , Police Chief Phone: 919-968-2766 Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
06/26/2019	Community Design Commission	Request to Authorize the CDC to Create and Facilitate a Chapel Hill Design Award Program.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	At their 10/04/19 meeting, the Council Committee on Economic Sustainability received a staff update on the response to this request.
06/26/2019	Julie McClintock	Request Regarding the Blue Hill Form Based Code.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
06/26/2019	Burwell Ware	Request to Place a Moratorium on the Construction of New Fast-Food Drive-Throughs Until Future Town Councils Decide to Repeal the Moratorium.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
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	At their 09/25/19 meeting, the Council resolved to transition to a 100% clean, renewable energy community by 2050.
06/26/2019	Community Design Commission	Request for Modifications to the Concept Plan Review Process.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	At their 10/04/19 meeting, the Council Committee on Economic Sustainability received a staff update on the response to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
05/08/2019	Rebecca Cerece	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 Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
04/24/2019	Cobb Terrace Residents	Petition Regarding Rooming Houses in the R-3 Zoning Districts.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff shared some preliminary information with the Council at the 06/07/19 Council Committee on Economic Sustainability meeting.
04/17/2019	Amy Ryan for Planning Commission	Commission Regarding Site Plan Review Process.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
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	At their 09/25/19 meeting, the Council resolved to transition to a 100% clean, renewable energy community by 2050.

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 Judy Johnson , Interim Planning Director Phone: 919-969-5078 Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	As discussed at the 04/24/19 Council meeting, staff will develop options aimed at achieving the Council's energy efficiency goals for new development.
02/13/2019	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.
02/13/2019	David Adams and Julie McClintock	Regarding Evaluation of Town Transportation Needs.	Transit Brian Litchfield , Transit Director Phone: 919-969-4908 Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	The Town's request for an additional \$8 million from the Orange County Transit Plan for the North South Bus Rapid Transit Project was approved by the OC Board of Commissioners, the GoTriangle Board, and the DCHC MPO.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
01/16/2019	John Morris	Regarding GoTriangle Meetings and Materials.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Transit Brian Litchfield , Transit Director Phone: 919-969-4908	Staff is preparing information to share with GoTriangle.
12/05/2018	Paul Pritchard	Request to Defer Reforestation at Cleland, Rogerson, and Oakwood Intersection.	Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785	This topic was added to the 01/15/19 agenda of the Parks, Greenways and Recreation Commission, with time allocated for the neighbors to speak. Another public meeting will be scheduled later in the year.
10/24/2018	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 will update the "Comment at Council Meetings" web page to clarify the Town's willingness to extend speaking time and how to request this extension.
10/24/2018	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	The Town will engage this group for additional input on the need and how the Town can best respond.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
09/19/2018	Julie McClintock of CHALT	Regarding Land Use Intensification.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	The Town's Resiliency Map is part of the map series for the Future Land Use Map. On 06/12/19, the Council received a presentation on the Town's Stormwater program. Staff is preparing information to respond to the additional requests in this petition.
06/27/2018	Susanne Kjemtrup / Brian Hageman	Transportation and Connectivity Advisory Board Request for an Electric Vehicle Provision in the Land Use Management Ordinance.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Referred to the Future Land Use Map and Land Use Management Ordinance rewrite process, which began in Fall 2017 and is expected to be completed in 2020.
06/13/2018	Mayor Pam Hemminger	Regarding Reviewing Policies, Procedures, and Practices for Development.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	A Town web page with TIA exemption requests is available. Staff continues to look for ways to apply the LUMO clearly and consistently for all stakeholders in the development process.
06/13/2018	Mayor pro tem Jessica Anderson	Request to Amend Bus Advertising Policy.	Transit Brian Litchfield , Transit Director Phone: 919-969-4908	At their 01/22/19 meeting, the Chapel Hill Transit Public Transit Committee considered the draft nonpublic forum transit advertising policy in order to provide feedback to the Chapel Hill Town Council on the option of amending the policy.
06/13/2018	Ondrea Austin	CHALT's Request to Revise the Tree Ordinance.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
03/14/2018	Council Members Anderson, Gu, and Schaevitz	Request Regarding Addressing Blue Hill District Community Interests.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	The Council enacted ordinance amendments to improve outcomes for stormwater management and affordable housing, to encourage non-residential development, and to address building size. Staff will return to Council in Fall 2019 to discuss building massing.
09/06/2017	Tom Henkel from the Environmental Stewardship Advisory Board	Request for Modification to the Ephesus-Fordham Form-Based Code for the Purposes of Energy Efficiency.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Where feasible, modifications will be considered as part of the development process for the Blue Hill Design Guidelines.
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 Judy Johnson , Interim Planning Director Phone: 919-969-5078	Request incorporated into process to update Public Works Engineering Design Manual.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
11/07/2016	Mayor Hemminger	Regarding Parking and Transit Needs in Downtown Area.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 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-in-lieu and public/private partnerships.
05/09/2016	Stormwater Management Utility Advisory Board	Request for Orange County Commissioners to Increase Staffing in Soil and Erosion Control Division and Improve Efficiency of Temporary Soil Erosion and Sediment Controls During Construction.	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.
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.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 10., File #: [19-0817], Version: 1

Meeting Date: 10/30/2019

Consider Modifying the Process to Interview Applicants to the Boards with Semi-Autonomous Authority.

Staff:

Mayor Pam Hemminger
Mayor pro tem Jessica Anderson
Council Member Donna Bell
Council Member Michael Parker

Department:

Council Committee on Boards and Commissions

Overview: In addition to two autonomous boards, the Council delegates some authorities to the Planning Commission, Community Design Commission, Board of Adjustment and Historic District Commission. The Council has several methods to interview applicants to various boards, including the Planning Commission and the Community Design Commission.



Recommendation(s):

That the Council modify the process to interview applicants to the semi-autonomous boards, which includes the Board of Adjustment and Historic District Commission.

Background:

Typically, an advisory board will review applications and may meet or interview applicants prior to making a recommendation to the Council for appointments.

On March 10, 2014 <http://chapelhill.granicus.com/MinutesViewer.php?view_id=21&clip_id=2049&doc_id=abaf092e-faa1-1031-b922-6bad25aefadb>, the Council considered revisions to the Advisory Board Membership Policy. The key decision points were: to consider and approve memberships for five development review boards; to make policy decision regarding "champions" on the Planning Commission; to determine how the Council might be involved in screening applicants; and advisory boards and commissions include supporting statements with their recommendations. The Council ultimately decided that the full Council would interview Planning Commission and Community Design Commission applicants. "Interviews will usually take place at a Council meeting at least one meeting prior to the Council meeting at which appointments are made." (excerpt from [Advisory Board Membership Policy](https://www.townofchapelhill.org/town-hall/mayor-and-council/boards-commissions/board-membership-policy/appointment-procedures) <<https://www.townofchapelhill.org/town-hall/mayor-and-council/boards-commissions/board-membership-policy/appointment-procedures>>, Appointment Process)

Historically, the Council Committee on OWASA Interviews meets and interviews applicants and makes a recommendation to the full Council for Town appointees on this autonomous board.

On September 23, 2019, the Council Committee on Boards and Commissions recommended the Council modify the interview process to include all four semi-autonomous advisory boards, an opportunity for a subcommittee to interview applicants prior to the full Council interviews with those applicants that most meet the values that the Council has set for the board. This may result in fewer and more indepth interviews with the full Council.

Item #: 10., **File #:** [19-0817], **Version:** 1

Meeting Date: 10/30/2019



Attachments:

- Resolution

A RESOLUTION TO MODIFY THE PROCESS TO INTERVIEW APPLICANTS TO THE BOARDS WITH SEMI-AUTONOMOUS AUTHORITY (2019-10-30/R-8)

WHEREAS, in addition to two autonomous boards, the Council delegates some authorities to the Planning Commission, Community Design Commission, Board of Adjustment and Historic District Commission; and

WHEREAS, on [March 10, 2014 <http://chapelhill.granicus.com/MinutesViewer.php?view_id=21&clip_id=2049&doc_id=abaf092e-faa1-1031-b922-6bad25aefadb>](http://chapelhill.granicus.com/MinutesViewer.php?view_id=21&clip_id=2049&doc_id=abaf092e-faa1-1031-b922-6bad25aefadb), the Council decided to interview applicants for the Planning Commission, and Community Design Commission prior to making appointments; and

WHEREAS, these interviews are conducted by the full Council at a special meeting where each applicant is asked several questions in a brief three to five minute period; and

WHEREAS, in 1977 the [Orange Water and Sewer Authority <https://www.owasa.org/history-of-owasa>](https://www.owasa.org/history-of-owasa) (OWASA) was created as an autonomous board with representatives from the Towns of Chapel Hill and Carrboro, and Orange County; and

WHEREAS, the Council has a subcommittee to interview the applicants to the OWASA Board of Directors. This subcommittee makes recommendations to the Council for the five Town-appointed seats; and

WHEREAS, these are two methods that the Council uses to interview applicants to advisory boards; and

WHEREAS, on June 19, 2019, the Council Committee on Boards and Commissions (Committee) recommended that the full Council consider if and how the Council would interview the applicants to the Board of Adjustment and Historic District Commission.

WHEREAS, on September 23, 2019, the Committee further recommended that the full Council consider modifying the interview process for the semi-autonomous boards; and

WHEREAS, the Committee recognized the interest for all Council members to advocate for applicants based on their perspectives and for a process that is not onerous for the applicant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council modifies its interview process to interview applicants to include all four semi-autonomous boards (Board of Adjustment, Community Design Commission, Historic District Commission, and Planning Commission).

BE IT FURTHER RESOLVED that the Council modifies the applicant interview process to add the formation of a Council subcommittee with three to four Council members. This subcommittee will review applications, and interview applicants. Using a Council approved rubric to identify the candidates that best meet the Council's interests for that board, the subcommittee will recommend applicants for full Council interview.

BE IT FURTHER RESOLVED that the Council asks the Council Committee on Boards and Commissions to draft a rubric that reflects the Council's values for each board for the full Council's approval.

BE IF FURTHER RESOLVED that the Council asks the Town Clerk to amend the Advisory Board Membership Policy to reflect this process.

This the 30th day of October, 2019.

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

PRESENTER: Michael Parker, Council Member

RECOMMENDATION: That the Council modify the process to interview applicants to the semi-autonomous boards, which includes the Board of Adjustment and Historic District Commission.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 11., **File #:** [19-0885], **Version:** 1

Meeting Date: 10/30/2019

Receive NC 54 West Corridor Study Update.

Staff:

Judy Johnson, Interim Director
Bergen Watterson, Transportation Planning Manager

Department:

Planning

Overview: In June 2017, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) conducted a study of NC 54 from Old Fayetteville Road in Carrboro to the I-85 interchange in Graham. After reviewing the initial report in November 2018, the DCHC MPO Board asked the consultants to conduct further study to address concerns from Board members. That second phase has been completed and the [entire study <http://www.nc54west.com/>](http://www.nc54west.com/) has been released for public comment.



Recommendation(s):

That the Council receive a consultant update on the NC 54 West Corridor Study.

Context:

- The [Phase I Final Report <http://www.nc54west.com/pdf/NC%2054%20Final%20Draft%20Report%20\(10012018\).pdf>](http://www.nc54west.com/pdf/NC%2054%20Final%20Draft%20Report%20(10012018).pdf) was submitted to the DCHC MPO Board in October 2018
- Chapel Hill is the destination of a significant number of trips from the NC 54 West Corridor.
- The potential widening of NC 54 west of Carrboro, as recommended in the study report, could impact the travel patterns of Chapel Hill commuters.
- Alternative transportation options - transit, bike, and pedestrian - have been common themes of discussion throughout the study.
- The Carrboro Board of Aldermen adopted a resolution rejecting the findings of the NC 54 West study.
- The Orange County Board of County Commissioners approved widening NC 54 as a priority project for the next NCDOT prioritization process.



Attachments:

- Draft Consultant Presentation
- Consultant Memorandum
- Attachment A - Phase 2 Memorandum
- Attachment B - Phase 2 Visuals

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

PRESENTER: Bergen Watterson, Transportation Planning Manager
Don Bryson, Principal, VHB

Item #: 11., File #: [19-0885], Version: 1**Meeting Date: 10/30/2019**

RECOMMENDATION: That the Council receive a consultant update on the NC 54 West Corridor Study.



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NC 54 WEST CORRIDOR STUDY

I-85 in Graham to Carrboro

Town of Chapel Hill, Town Council Meeting

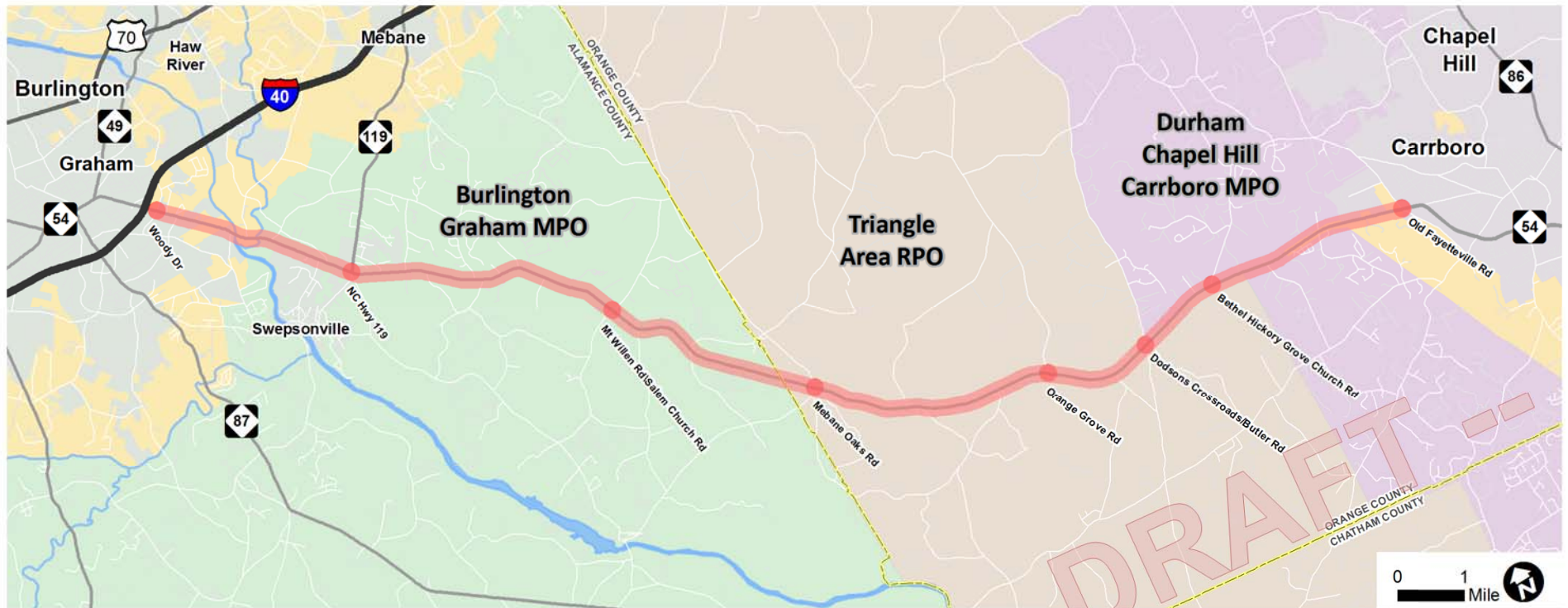
Presented by
VHB

October 30, 2019

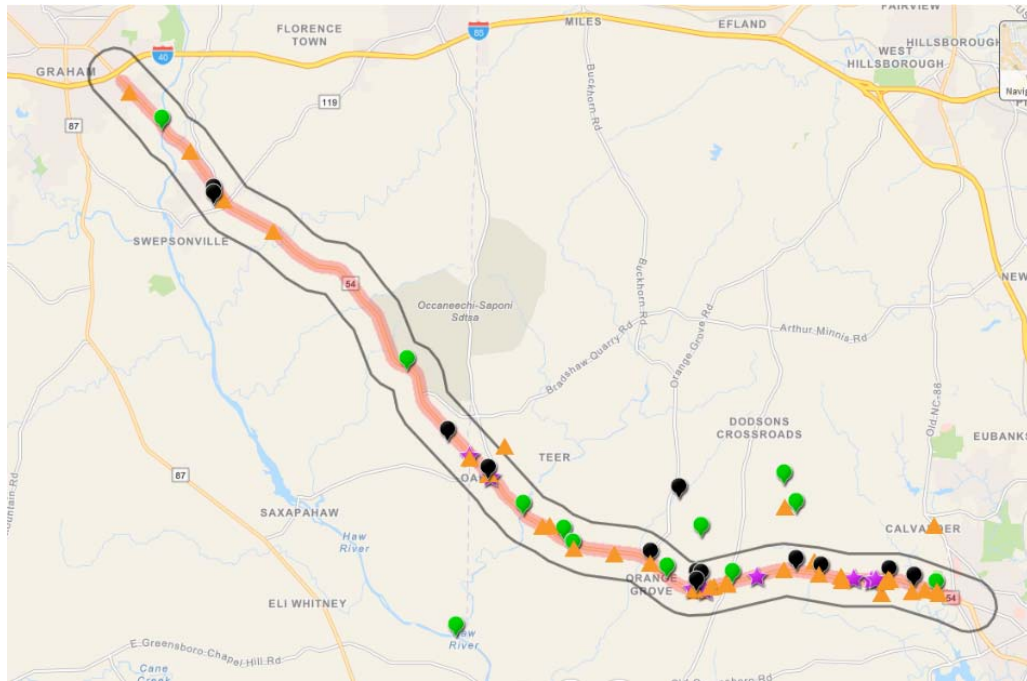
NC 54 Study Overview

- Analyze existing & future transportation & land use conditions along this >20-mile corridor between Graham & Carrboro
- Review existing plans & proposed projects
- Clarify needs & long-term vision for the corridor
 - Safety
 - Multimodal options
 - Community character & environmental preservation
 - Economic viability
- Identify & evaluate trade-offs:
 - Low cost, low impact, easily implemented near-term solutions
 - Longer-term infrastructure improvements
 - Supportive land uses & development policies

NC 54 Planning Jurisdictions



Public Engagement



NC54 WEST CORRIDOR STUDY

NEWSLETTER 2 | APRIL 2018

Corridor Study Schedule

Phase 1 | Fall 2017
Existing Conditions and
Market & Economic
Assessment

Phase 2 | Early 2018
Round #1 of Community Meetings
and Long-Range Forecasts

Phase 3 | Spring 2018
Round #2 of Community
Meetings and Draft Report

Phase 4 | Summer/Fall 2018
Draft Report – Summer 2018,
and Final Report

NC 54 Corridor Study

The NC 54 Corridor Study is an in-depth review of the 20+ mile stretch of NC 54 between Old Fayetteville Road in Carrboro and I-85 in Graham. Over the past several months, the NC 54 Corridor Study project team has completed data collection, sought community feedback, and completed an Existing Conditions report. Read on for more information on these project milestones.

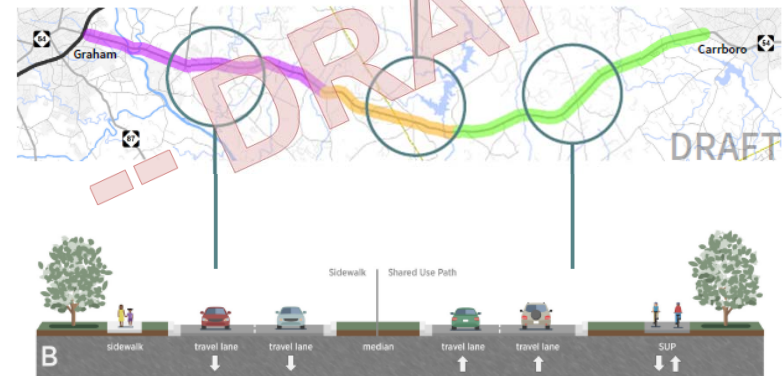
A series of draft options will be presented at the **upcoming Community Meetings in May 2018**, and your feedback is important in developing final recommendations!

Corridor Study Status

After examining the existing conditions, traffic volumes, future travel demand models, and key issues identified by the public, the NC 54 Corridor Study project team is narrowing the potential improvements down to a series of recommendations for improving the corridor. These include:

- Three- and four-lane sections
- Medians in some locations
- Shared use path (SUPs) connecting recreational areas
- Multiple options for improving access to existing and future land uses

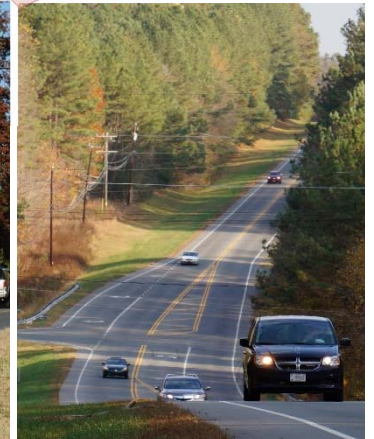
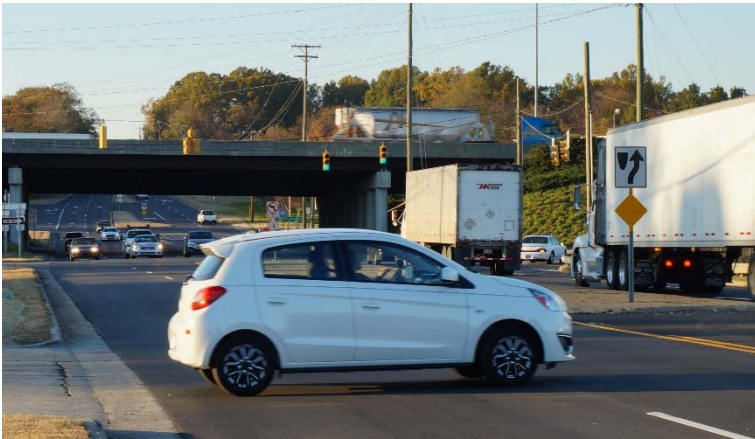
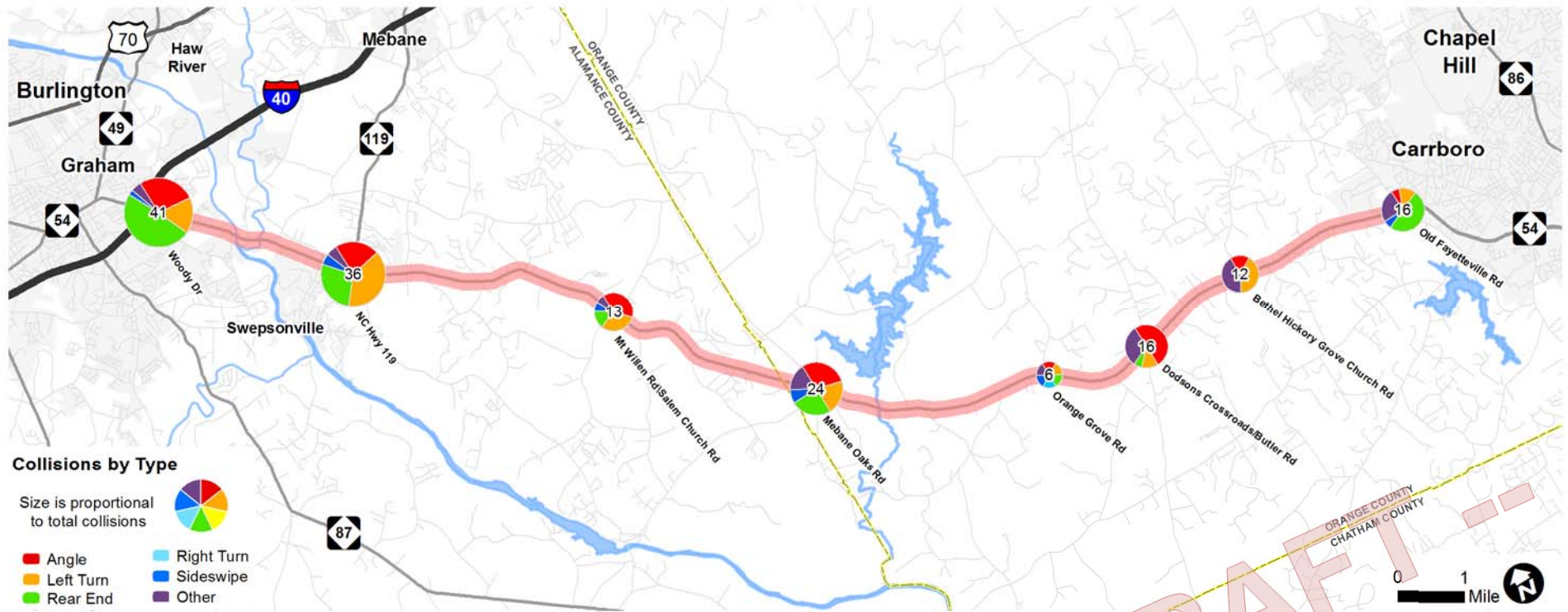
Potential roadway cross sections for consideration



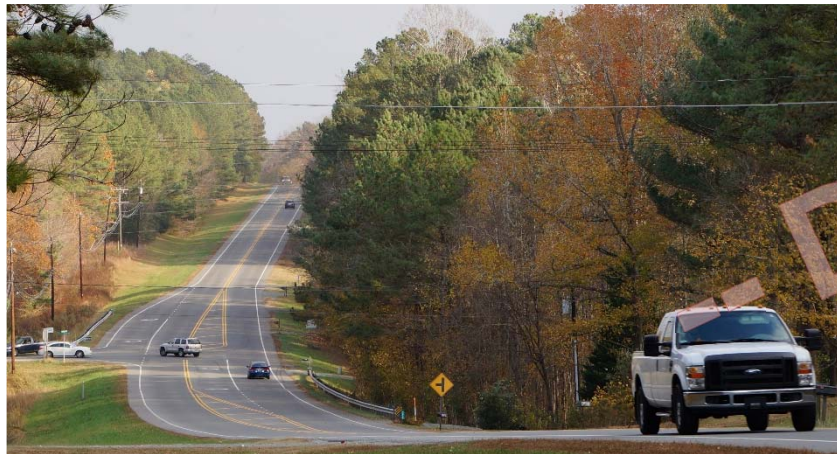
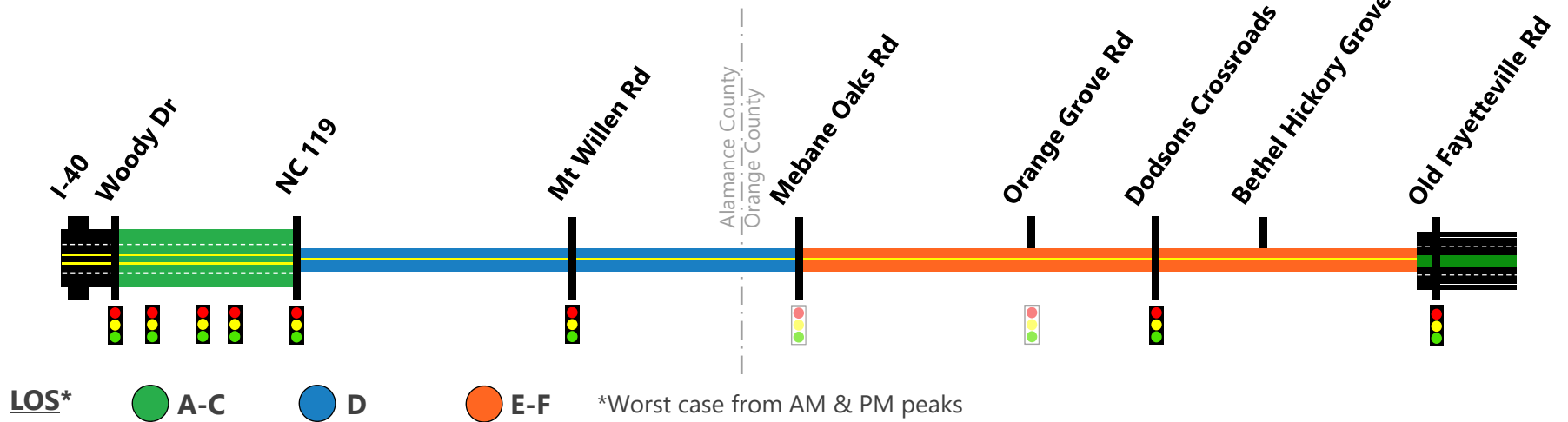
Corridor Conditions



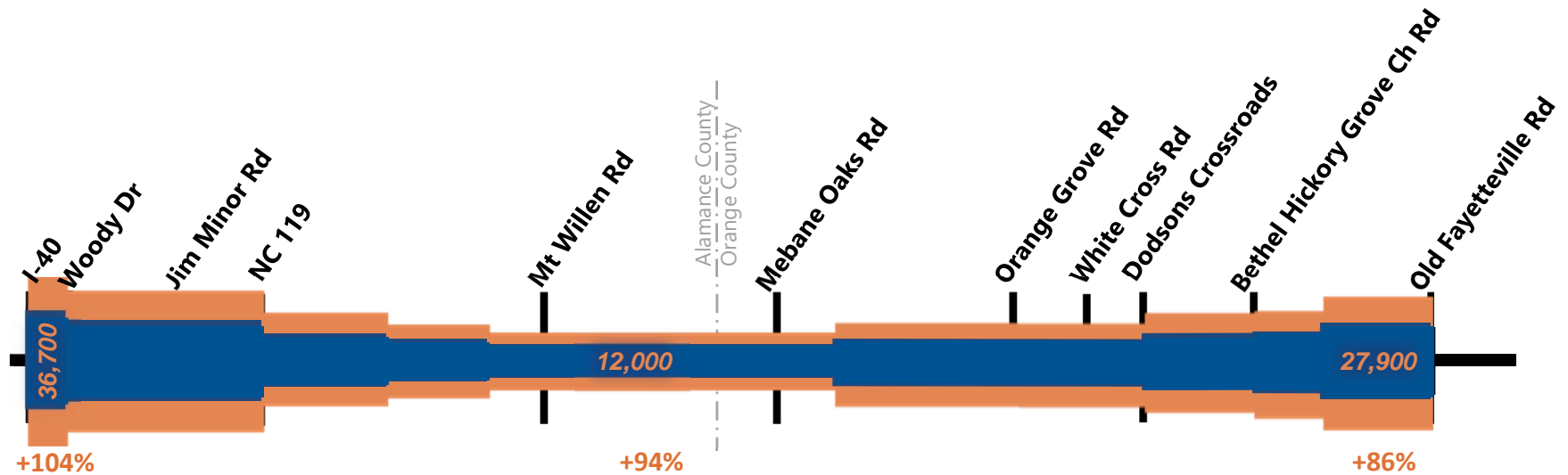
NC 54 West Corridor Crashes



Highway Segment Analysis



NC 54 Traffic Volumes



Average Annual Daily Traffic (AADT) - 2017

Average Annual Daily Traffic (AADT) – 2045

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Potential Solutions



Priorities

- ✓ Safety, especially for bicyclists & pedestrians
 - Both crossing & along NC 54
- ✓ Intersection improvements (short-range)
- ✓ Ultimate cross-sections (long-range)
- ✓ Transit and other options
- ✓ Supportive land uses & policies
- ✓ Environmental protection & mitigation
- ✓ Implementation phasing

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Preliminary Assumptions

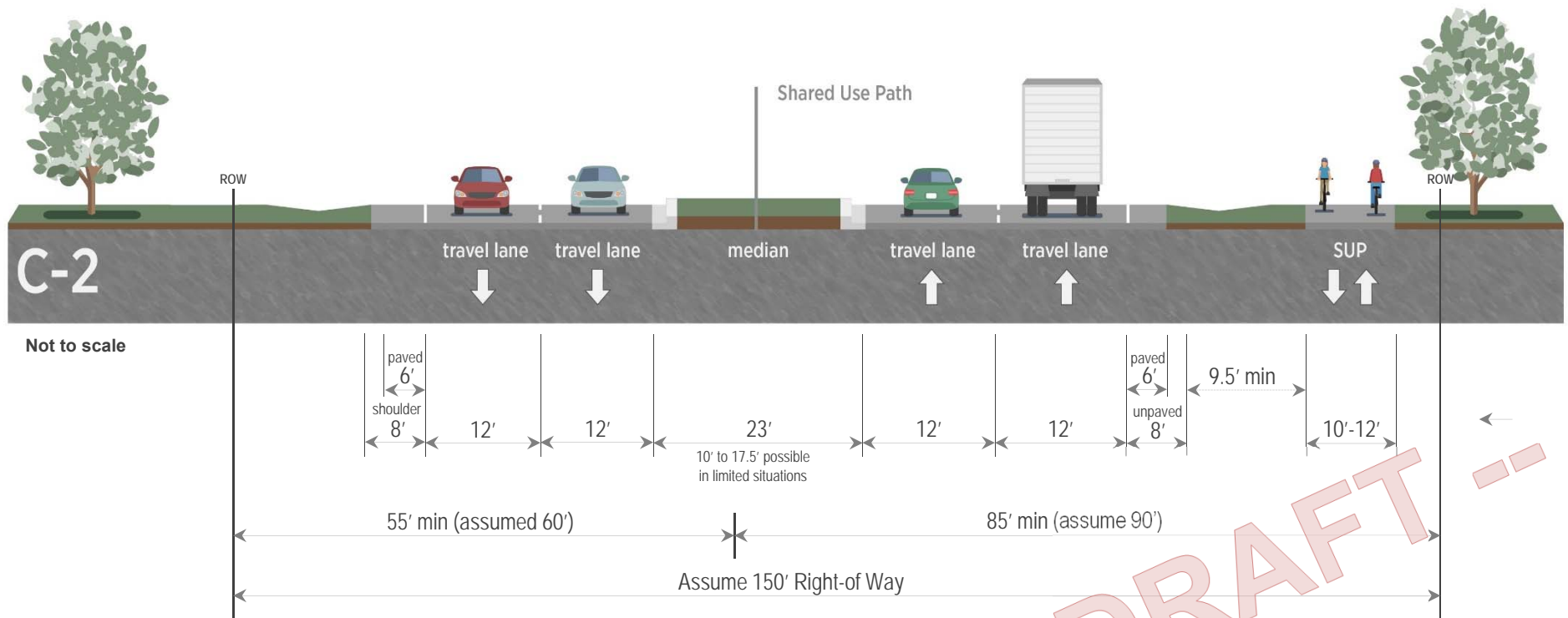
- ✓ No dramatic land use changes
- ✓ 1.5% average annual traffic growth
- ✓ 45 - 55-mph speeds
- ✓ Primarily Shared-Use Path (SUP) east of Long Dairy Road, shown on north side
- ✓ Primarily sidewalks (both sides) west of NC 119

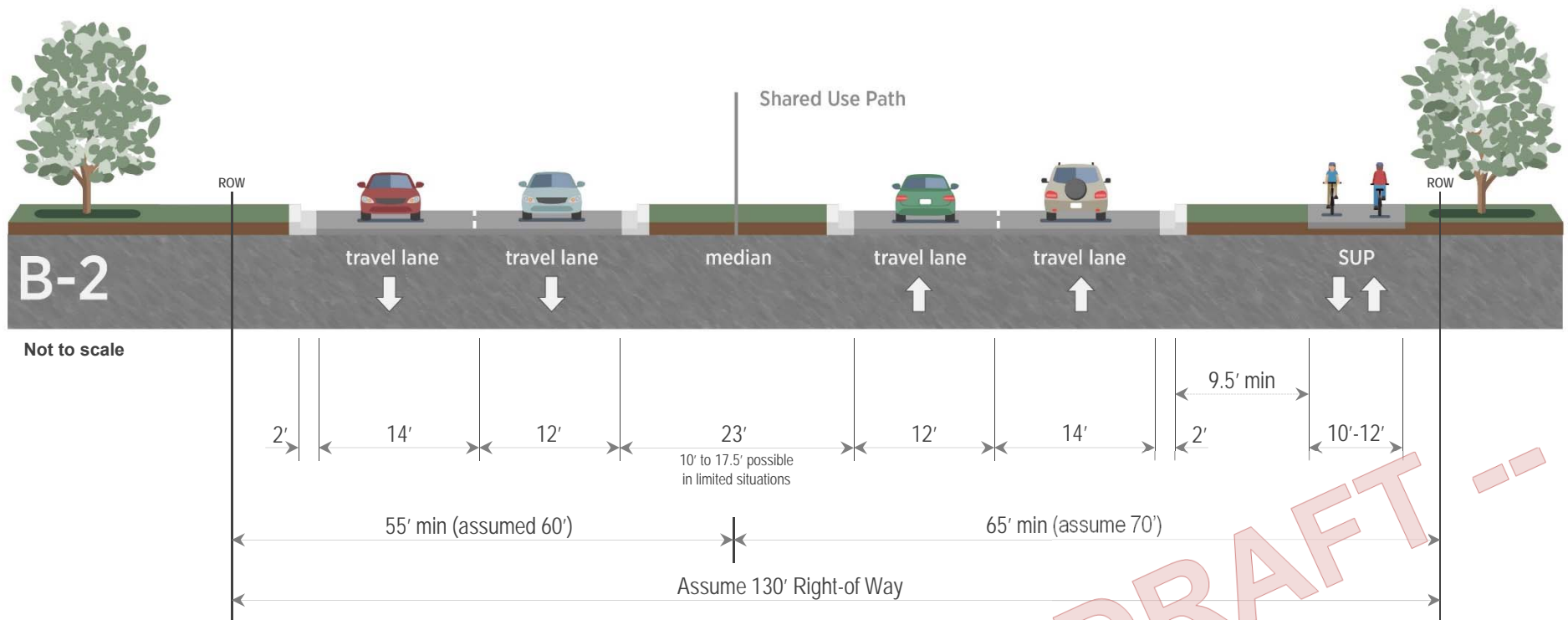
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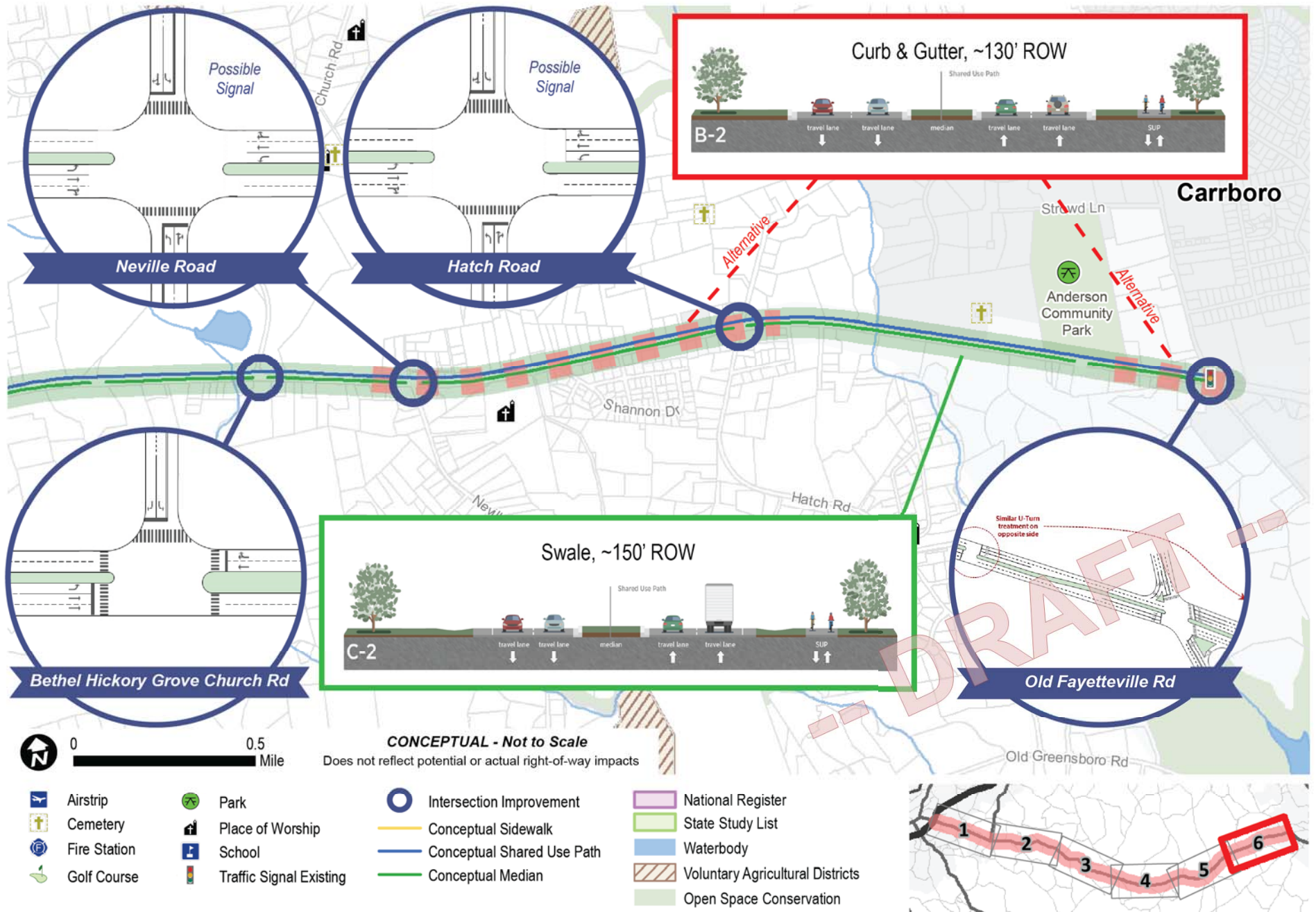
Options & Recommendations

Main Findings

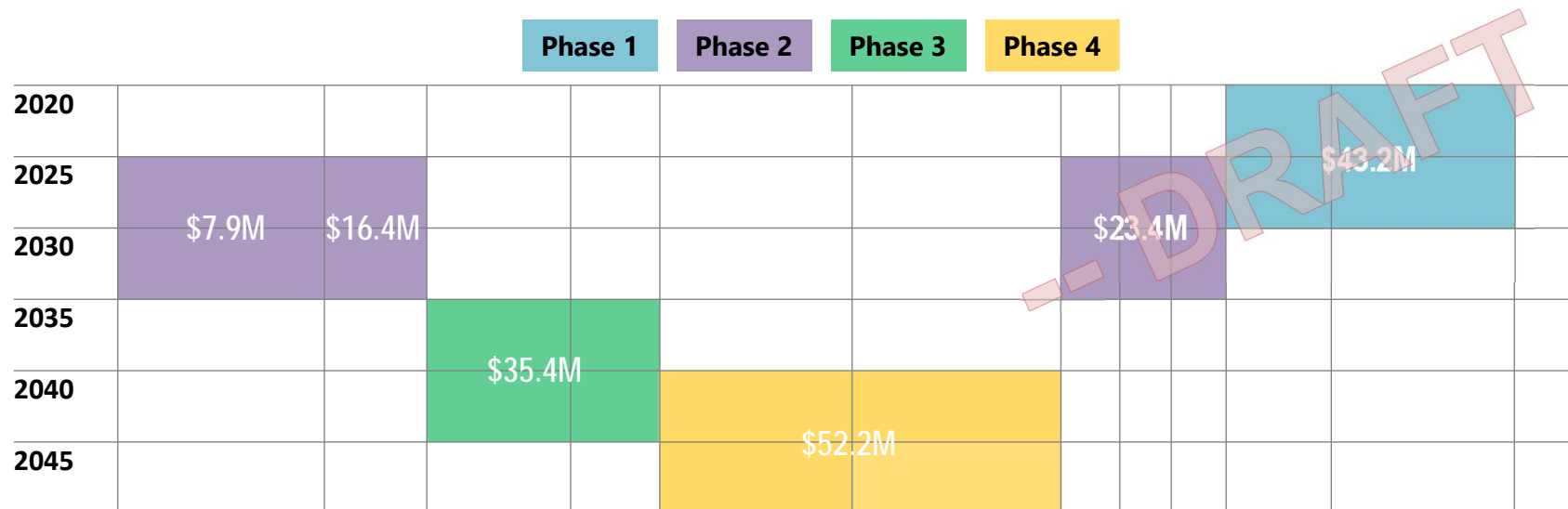
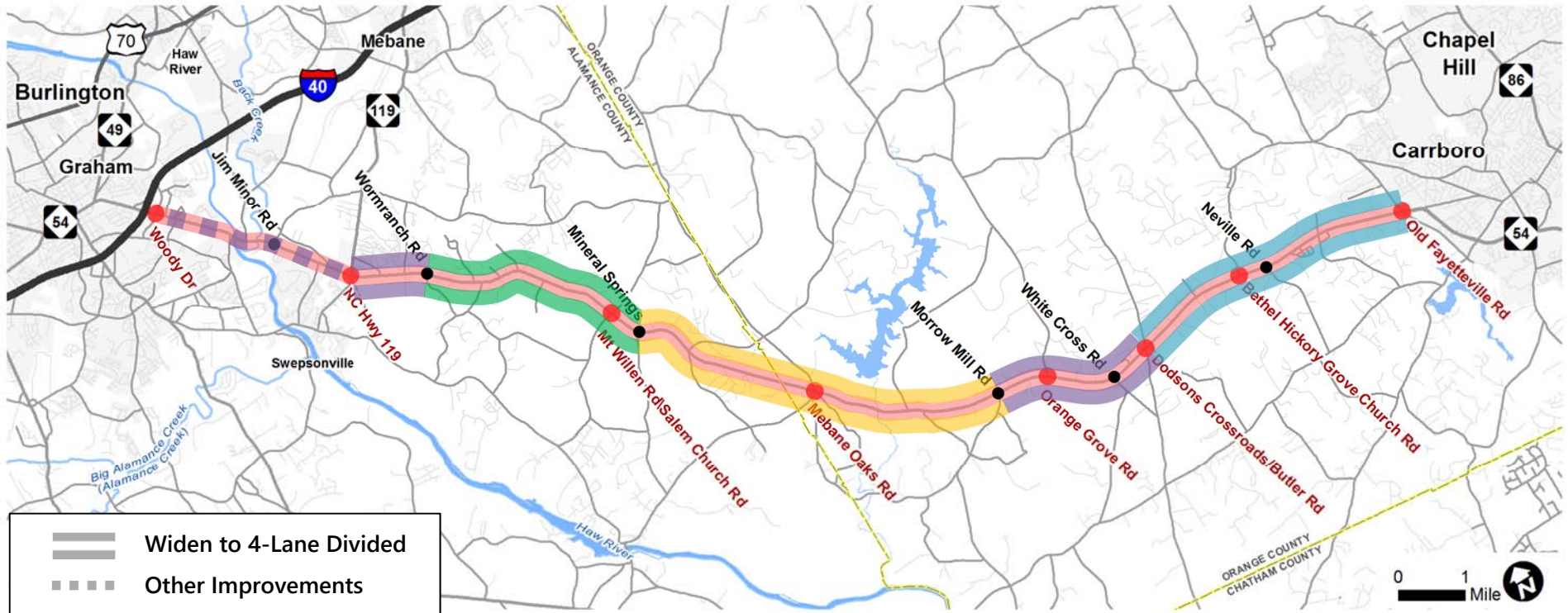
- ✓ 4 lanes eventually needed throughout the corridor
- ✓ Phasing is feasible (ends → middle)
- ✓ Access management will be critical, especially along existing 5-lane section
- ✓ Most likely 23-foot raised grassed median with ditches east of NC 119
 - Potentially narrower median in limited locations
 - Curb-&-gutter appropriate in some locations







Implementation



Supplemental Analysis



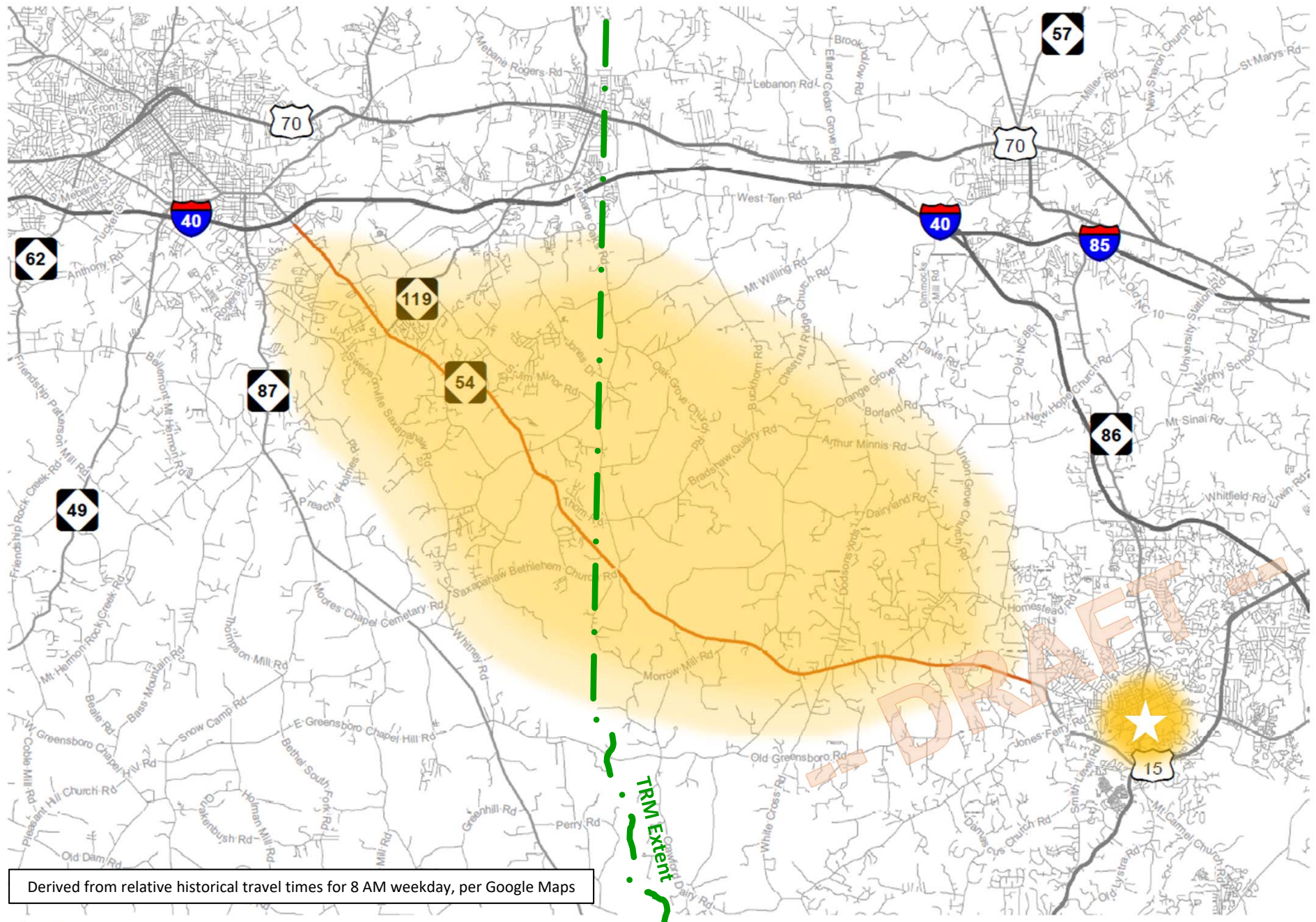


Figure 1: Estimated NC 54 Travelshed for Trips to Chapel Hill



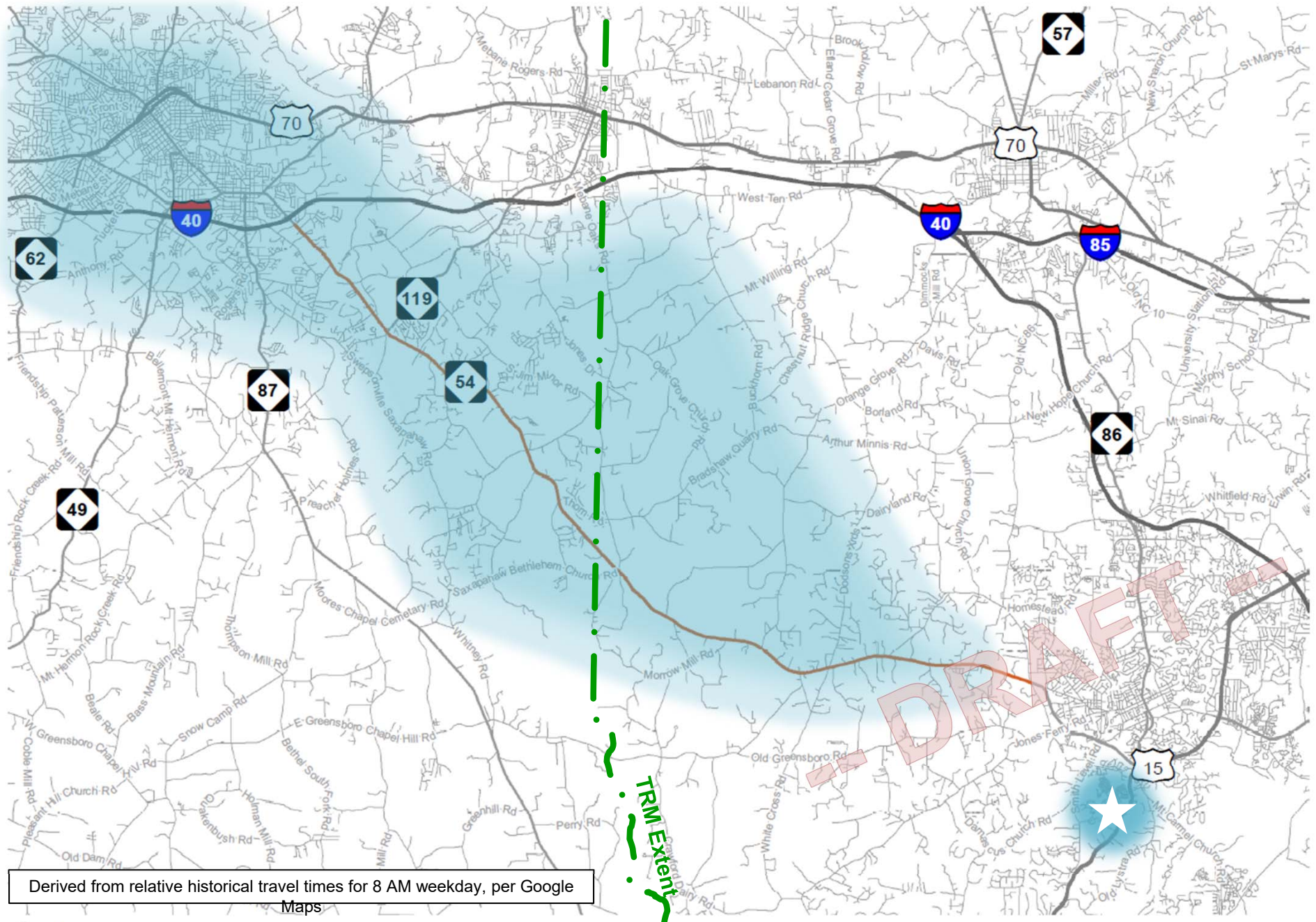


Figure 2: Estimated NC 54 Travelshed for Trips to Southern Village



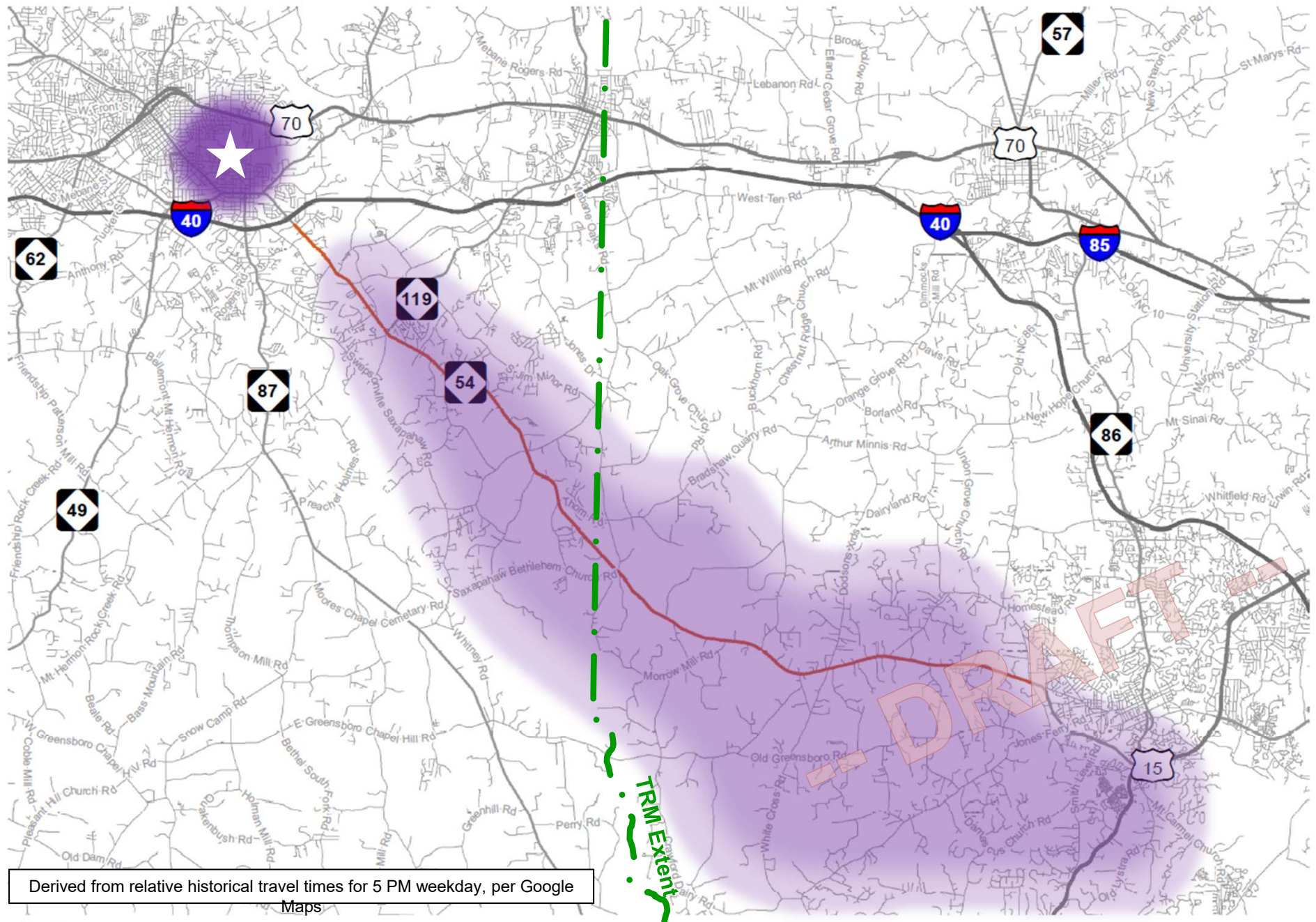


Figure 3: Estimated NC 54 Travelshed for Trips to Burlington



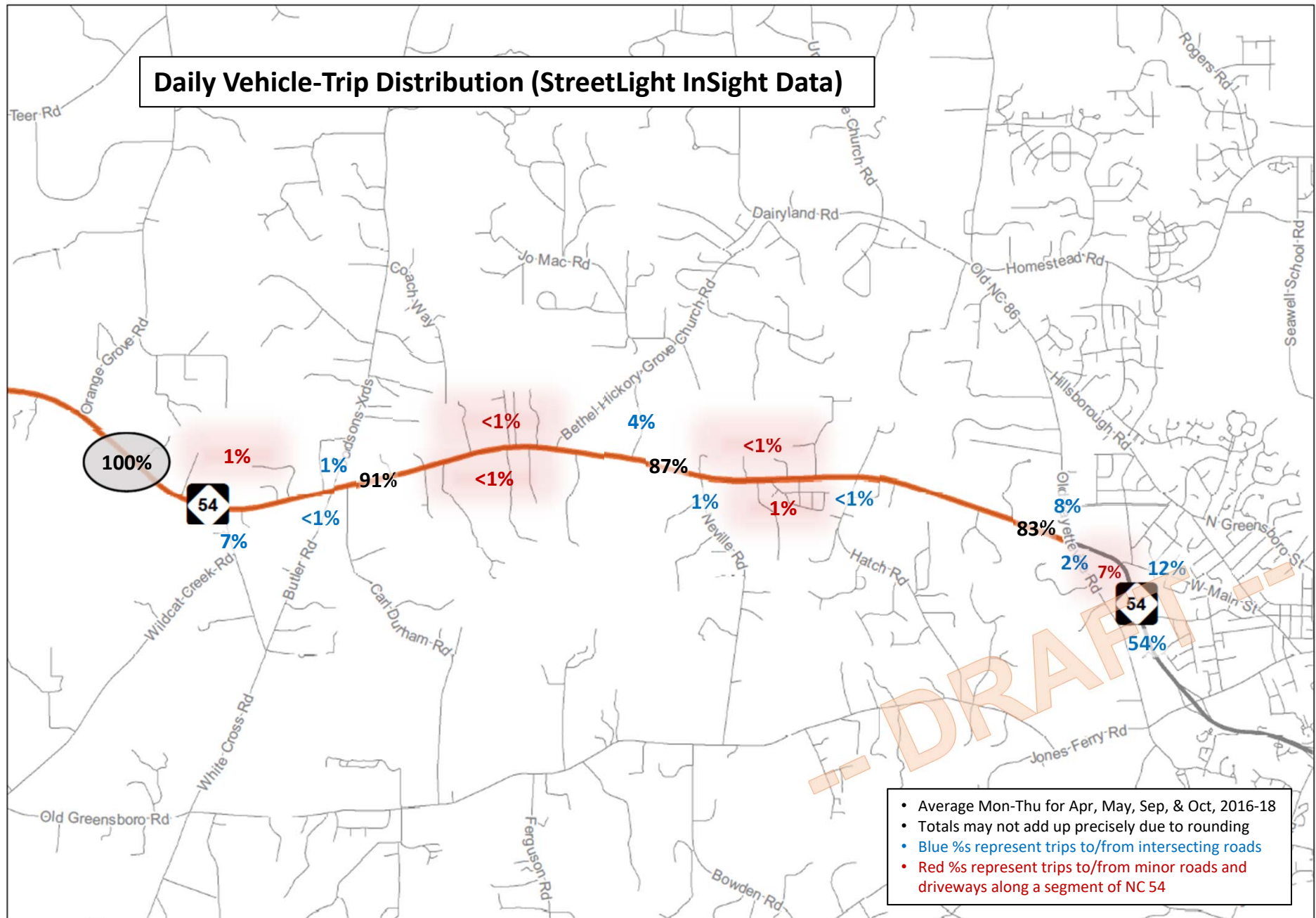


Figure 10b: TRM & PTRM Population Growth (2013 – 2045)

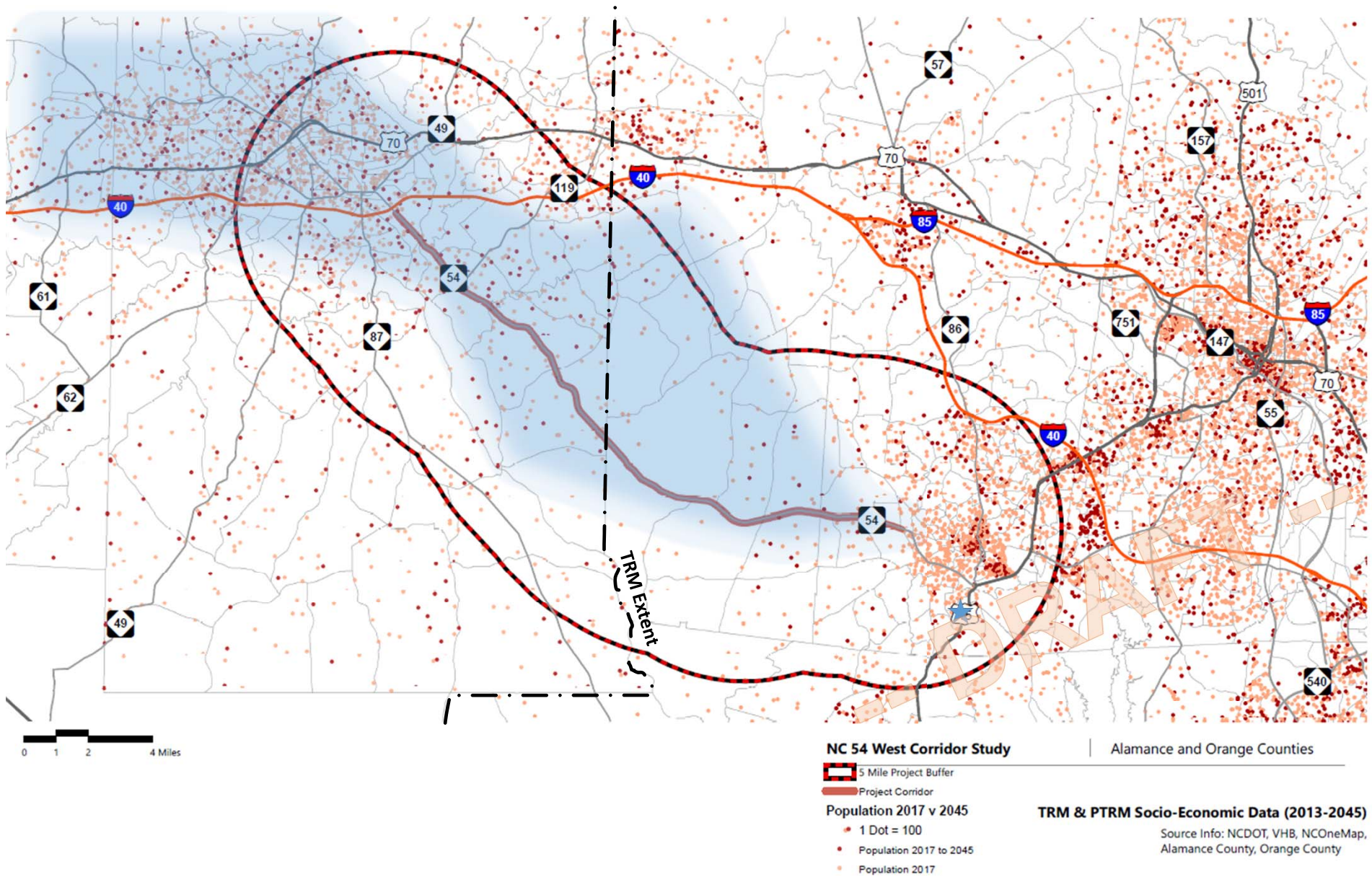


Figure 11b: TRM & PTRM Employment Growth (2013 – 2045)

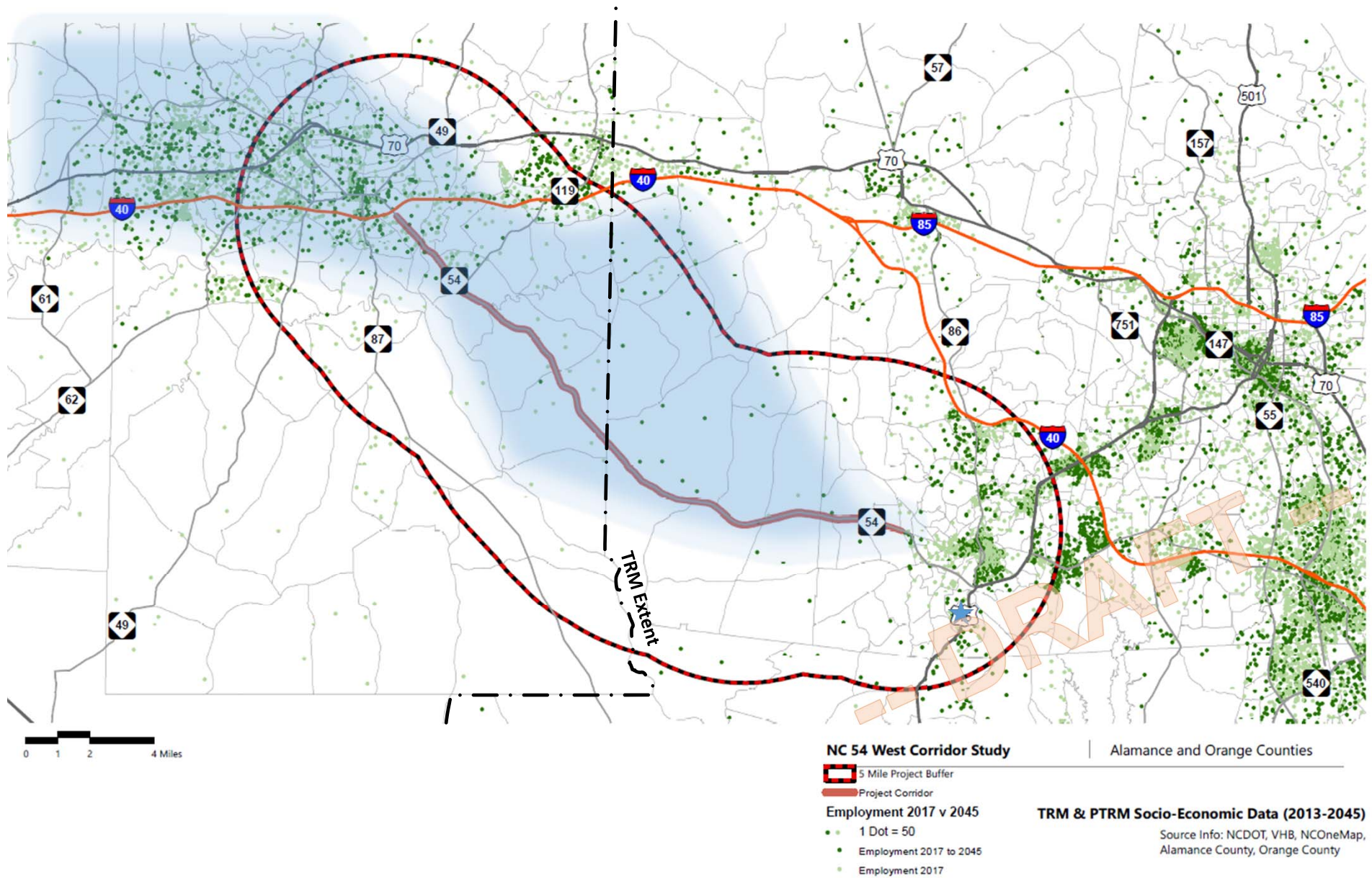




Figure 13: TRM – Daily Traffic Differences between 2045 NC 54 Widened and No-Build Scenarios

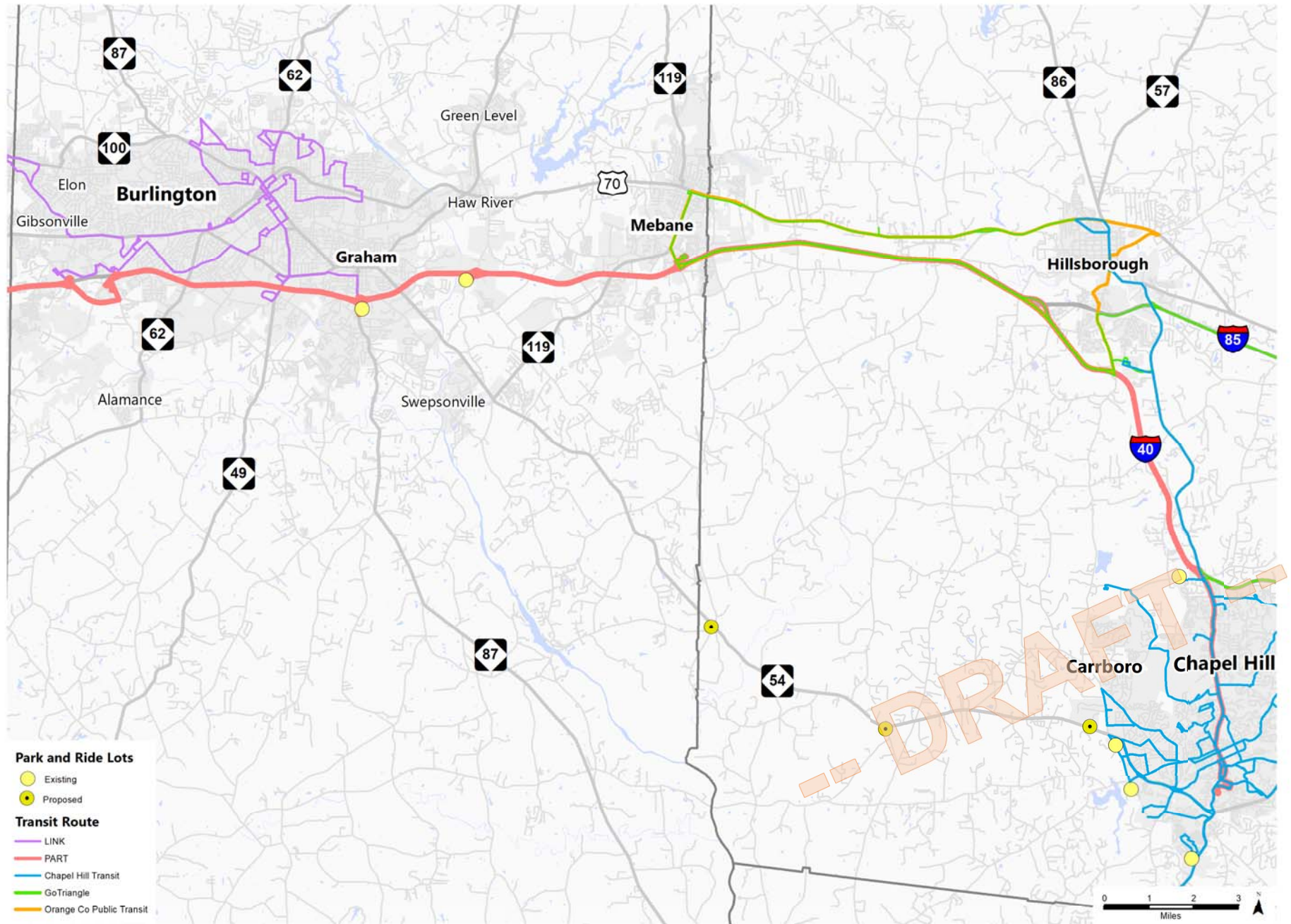
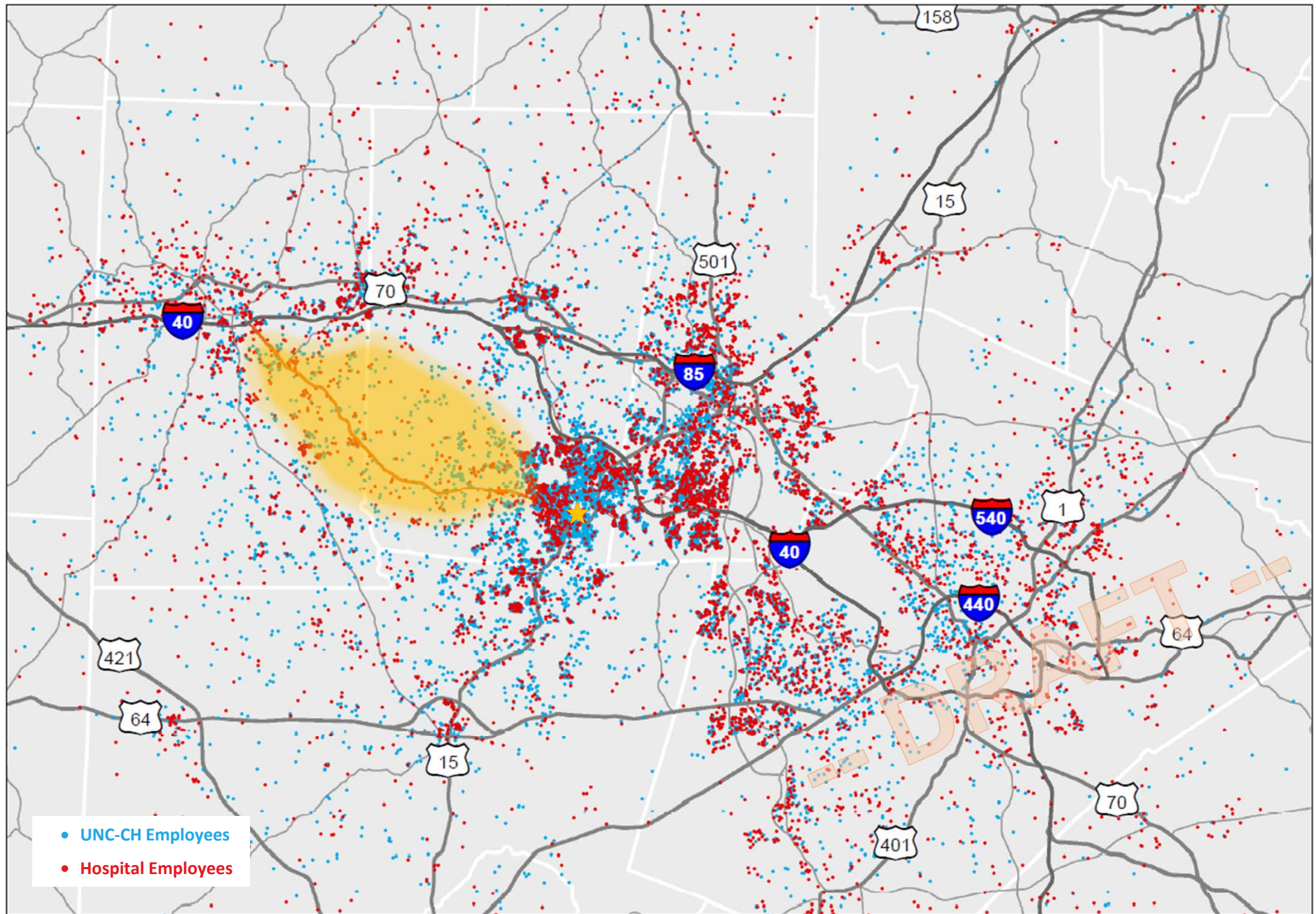


Figure 18: Transit Routes and Park-&-Ride Lots



Source: UNC-CH Development Plan, 2017 TIA Update



Figure 19: Regional Distribution of UNC-CH and Hospital Employee Residences (2017)

CONSULTANT MEMORANDUM

To: Chapel Hill Town Council
 From: Aaron Cain, DCHC MPO Staff
 Re: NC 54 West Corridor Study
 Date: October 30, 2019

Summary: In June 2017, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) conducted a study of NC 54 from Old Fayetteville Road in Carrboro to the I-85 interchange in Graham. After reviewing the initial report in November 2018, the DCHC MPO Board directed staff to conduct further study to address concerns from Board members. That second phase has been completed and the entire study has been released for public comment.

Background: In June 2017 DCHC MPO, in conjunction with the North Carolina Department of Transportation (NCDOT) and the City of Graham, embarked on a study of NC 54 from Old Fayetteville Road in Carrboro to the I-85 interchange in Graham. The initial study report (see Attachment A) recommends a phased widening NC 54 for the length of the corridor to a four-lane divided highway with bicycle and pedestrian accommodations.

Issues: Upon release of the report, concerns were raised by DCHC MPO member governments on a variety of issues, including:

- Correlation between planned development and traffic volumes on NC 54;
- More detailed analysis of origin and destination data, as well as travel demand model results;
- Assess impacts of NC 54 widening on secondary roads, including municipal streets;
- Assess potential for transit alternatives in the corridor; and
- Additional consultation with UNC and UNC Medical Center regarding commuting patterns for employees

Based on these concerns, the DCHC MPO conducted a second phase of the corridor study. The result of the second phase is a memo and set of visuals with additional data and specificity (see Attachments B & C). This second phase of the study supports the original finding to widen NC 54.

Conclusions:

- **UNC/UNC Hospitals:** The second phase of the study delved into the commuting patterns of UNC and UNC Hospitals employees. The study found that while these trips make a significant contribution to traffic on NC 54, they are only part of a wide range of trips between various destinations. As the region grows, the portion of traffic directly attributable to UNC and UNC Hospitals will diminish. Trips generated by new development in eastern Alamance and northern Chatham Counties will comprise a substantial portion of traffic growth along the NC 54 corridor, along with overall growth in Orange County.
- **Transit:** Currently, neither adequate resources nor demand are available to support new fixed-route transit service along the corridor serving unincorporated Orange County. Nor does it appear that enough ridership could be captured to eliminate the need for widening, especially on a 2-lane rural road with limited passing and frequent conflicts and delays.
- **UNC Transportation Demand Management:** The University and Medical Center are trying to reduce parking demand and encourage alternatives to driving alone. However, most of this

potential mode shift will be found in denser, high-volume corridors already served by transit and/or close enough for walking and biking to be viable options. Focusing investment on improvements in these locations seems more productive than initiating new service in a longer corridor with dispersed development.

- **Park-and-Rides:** Commuters appear to prefer park-and-ride lots at Southern Village and Eubanks over lots at Jones Ferry or Carrboro Plaza, due to more direct and frequent service. This suggests that the cost of longer routes to more remote western lots may not be as productive as enhancing services closer in, especially given BRT plans.
- **Secondary Roads:** As growing congestion increases travel times and unpredictability along NC 54, more trips will shift to secondary roads in Orange County, particularly Old NC 86/Hillsborough Road, and Bradshaw Quarry/Arthur Minnis/New Hope Church Roads. Widening attracts an estimated 400 -700 of these daily trips back to a safer, more reliable and efficient NC 54.
- **Traffic Patterns:** The bulk of future traffic travelling east on a widened NC 54 will continue via the NC 54 bypass in Carrboro towards Chapel Hill, consistent with existing traffic patterns. The widening does appear likely to shift several hundred vehicles/day entering central Chapel Hill from Hillsborough Road and MLK, Jr Drive onto the NC 54 Bypass and South Columbia Street. There is also a shift of about 500 trips from I-40 to the NC 54 Bypass.



To: DCHC MPO

Date: October 1, 2019

Memorandum

Project #: 38587.01

From: Don Bryson

Re: NC 54 Supplement

INTRODUCTION

In response to the findings of the *NC 54 West Corridor Study*, the analyses summarized in this memorandum were requested to better understand and explain traffic patterns associated with the portion of NC 54 between I-40 in Graham and Old Fayetteville Road in Carrboro. Although the focus of the additional analyses is the eastern (Orange County) end of the corridor, the study area was expanded to provide more regional context, and to more directly address West Main Street and the NC 54 Bypass to the east.

The analyses in this memorandum address specific questions, supplementing the *NC 54 Corridor Study*. The *NC 54 Corridor Study* provides more detailed documentation of underlying assumptions, traffic data, analytical methodology, and findings related to existing conditions, demand forecasts, and evaluation of alternatives.

Some of the major issues addressed in this memorandum include:

- Origins and destinations of traffic using this portion of NC 54
- Traffic forecasts
- Traffic impacts of the proposed widening on other roads
- Transit options, including:
 - Park-and-ride lots
 - Potential options for UNC-CH and hospital employees

CORRIDOR TRIP ORIGINS AND DESTINATIONS

According to the latest data (2017) available from the NCDOT traffic count program, average annual daily traffic (AADT) on NC 54 ranged from a high of 23,000 veh/day at the western end of the study area (just east of I-40 in Graham) to a low of 6,400 veh/day near the county line (just west of Mebane Oaks Road/ Saxapahaw Road). From that point eastward AADTs increase to a high of 15,000 just west of Old Fayetteville Road, the eastern end of the study. This pattern indicates that only a portion of the NC 54 traffic at Old Fayetteville Road consists of “through” trips (*defined as vehicles travelling the entire length of the corridor from I-40 to Old Fayetteville Road*). Even if all 6,400 veh/day at the county line were through trips, only 43% of the traffic approaching Old Fayetteville Road could be defined as trips traveling the entire length of the corridor. Analysis of travel patterns suggests a much lower percentage; many of these 6,400 trips having origins or destinations along the corridor or intersecting roadways such as NC 119, Mebane Oaks Road, Orange Grove Road, and Bethel Hickory Grove Church Road. NC 54 collects and connects traffic between these dispersed trips ends.

The following sections summarize analyses performed to help identify sources of traffic on this portion of NC 54.

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NC 54 Travelsheds

Figure 1 represents the approximate extent of the “travelshed” for trips to/from the center of Chapel Hill via the NC 54 West corridor. Trips beginning/ending within the shaded area are more likely to use NC 54 than alternate routes (especially I-40) for trips to/from downtown Chapel Hill, based on historically-determined relative travel times for routes provided by Google Maps. For example, a traveler starting near the northern edge of the shaded area could drive to downtown Chapel Hill via NC 54 or I-40 in about the same time. Figure 2 demonstrates the impact of shifting the destination slightly south, to Southern Village. The added time required to drive all the way through Chapel Hill results in NC 54 being a shorter route for trips from the northwest (Burlington/Graham). There is a dividing line for somewhere around the NC 54 Bypass. Figure 3 is a comparable representation for trips to Burlington/Graham. Note that the relative volume of trips in each of these cases varies, and will change over time.

The key to defining these travelsheds is the difference in relative travel times among alternative routes. Increasing congestion along I-40 or NC 86 would be expected to shift this boundary northward and eastward, while more congestion along NC 54 would constrict the shaded area. Conversely, improvements that reduce relative travel times would expand a road’s travelshed.

Observations

Comparing the travelsheds for the two major locations considered reveals several interesting observations:

- For central Chapel Hill trips, while the travelshed spreads farther north and east, it does not extend beyond the ends of the corridor.
- A minor shift south to Southern Village yields a travelshed that extends west and north of the Graham end of the corridor. This helps demonstrate the complex combination of origins and destinations served by the NC 54 west corridor. Although Chapel Hill is a major destination for trips using the NC 54 Study Area Corridor, there are dozens of significant trip-end pairs using portions of the corridor, and the relative volumes of these trips can shift over time in response to local and regional growth and development, congestion, and roadway improvements.
- For the centralized Burlington/Graham location, while the travelshed is narrower on the northern side, it extends well beyond the eastern end of the corridor, widening greatly to the south to include portions of northern Chatham County. This travelshed also applies to destinations north and west of the indicated location. Growth outside the corridor is a more significant factor in traffic increases in this travel market than for the downtown Chapel Hill travel market.
- Trips between western Orange County and points east of Chapel Hill (such as Durham and RTP) use this portion of NC 54 and the Bypass; however, I-40 is a more attractive option for trips originating farther west, or even a slight distance north of NC 54 through the study area.

Although this analysis does provide some insights about who is using this portion of NC 54, it has limitations. It does not reflect route selections of actual travelers, only the estimated minimum travel-time routes based on historical averages. These travel times are derived from samplings of signals from location-based services, which are subject to

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variation. Furthermore, travelers do not always base their route choices on minimum travel times, even if they have accurate real-time information and reliable short-range predictions (which is not typically the case). Some drivers prefer to avoid freeways; others are less comfortable on rural two-lane roads that may require passing. If travel-time reliability is critical, routes with longer (but more consistent and predictable) travel times may be preferred to the risk of a long delay. Also, this analysis considers only three very specific—though important—locations. There are countless other potential locations that would generate different travelsheds.

StreetLight Data

To better understand the origin/destination patterns of traffic on NC 54 west of Carrboro, an analysis was performed using a StreetLight dataset provided by DCHC. This dataset is comprised of anonymized location information obtained from personal electronic devices during weekdays (Monday through Thursday) in April, May, September, and October of 2016-18. The results summarized here are based on a sample of approximately 8,000 devices, representing about 29,000 individual trips. The StreetLight Index sample represents about 23% of the averaged 2016-2018 AADT on NC 54, based on Index-to-AADT ratios.

The available StreetLight dataset did not include the entire NC 54 West study area (see Figure 4); only the portion of the corridor east of Orange Grove Road could be analyzed. Figure 5 depicts the associated portion of the corridor in more detail.

The goal of this analysis was to determine the major origins and destinations of traffic using this segment of NC 54. In particular, what portion of traffic is passing through the corridor, which intersecting roads contribute the most traffic, and what traffic is using the NC 54 Bypass versus West Main Street? This analysis can help quantify and evaluate potential markets for alternative travel options, as well as validating forecast assumptions and confirming the Triangle Regional Model's accuracy in representing traffic patterns.

It must be emphasized that in the following analyses, percentage drops in traffic refer only to the distribution of trips passing the defined reference point (indicated by the "100%" label). This does not indicate a reduction in total traffic (AADT) on NC 54. The exercise traces the destinations of vehicles captured at the reference point as we move east or west along the corridor away from the reference point. It indicates where these vehicles leave NC 54 and what portion remain on NC 54 at the end of the analyzed segment. This is not an analysis of traffic passing through the entire length of the corridor, nor of AADTs.

Eastward Trip Distribution

Figure 6 depicts the eastward distribution of daily vehicle-trips on NC 54 to/from a point just east of Orange Grove Road. **Note that the "100%" label in the figure represents only traffic passing that point on NC 54, in both directions.** This analysis traces the destinations of these trips along the corridor. For simplicity and clarity, we will discuss eastbound trips; westbound trips are the mirror image of these. The diagram indicates that 83% of these trips are still on NC 54 just west of Old Fayetteville Road. This 17% drop in volume works out to nearly 2,000 veh/day out of the original 2017 AADT of 11,000 veh/day east of Orange Grove Road. Most of the trips that have

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left the corridor by this point used White Cross Road (7%) and Bethel-Hickory Grove Church Road (4%). The remaining 6% departed via Dodsons Crossroads, Butler Road, Neville Road, Hatch Road, and various smaller roads and driveways. (Due to rounding, percentages may not add up precisely.)

Ten percent of traffic drops off at Old Fayetteville Road (8% northbound and 2% southbound), leaving 73% of the original traffic on NC 54. Another 7% of trips are destined for development in the immediate vicinity of Carrboro Plaza. The remaining 66% divides between West Main Street (12%) and NC 54 Bypass (54%). This represents an 82%/18% (or 4.5 to 1) split of this traffic between NC 54 Bypass and West Main Street.

For comparison, the analysis was repeated for only the period between 6:00 and 10:00 AM, which includes the critical AM peak. These results are summarized in Figure 7. The most significant differences are that a higher proportion of traffic is still on NC 54 just west of Old Fayetteville Road (91% versus 83%), and that most of this increase continues onto NC 54 Bypass (63% of origin traffic, as opposed to 54% on a daily basis). This results in an increased share relative to West Main Street (85%/15%, or 5.7 to 1). These differences are consistent with a higher proportion of commuter traffic to UNC in the morning peak.

Westward Trip Distribution

Similar analyses were performed to estimate the westward distribution of NC 54 traffic to/from West Main Street, and to/from NC 54 Bypass. **Note that the “100%” label in these figures represents only traffic passing those points (on West Main Street or NC 54 Bypass), in both directions.** For simplicity and clarity, we will discuss westbound trips; eastbound trips are the mirror image of these. Figure 8 depicts the findings of this analysis for traffic on West Main Street immediately east of NC 54, where the 2017 AADT is 6,400 veh/day. About 44% of this traffic is associated with destinations in the immediate vicinity of Carrboro Plaza. Another 26% heads east on NC 54 Bypass. Old Fayetteville Road attracts 6% to the north, and 2% to the south, leaving 22% of the original traffic on NC 54 immediately west of Old Fayetteville Road. Another 9% disperses before Dodsons Crossroads, mainly via Neville Road (2%) and Bethel-Hickory Grove Church Road (2%). Another 2% each turn off on Dodsons' Crossroads and White Cross Road, with 10% of the traffic from West Main Street remaining on NC 54 just east of Orange Grove Road. This translates to a drop of nearly 800 vehicles between Old Fayetteville and Orange Grove Roads.

Figure 9 summarizes the results of a similar analysis for NC 54 Bypass south of West Main Street, where the 2017 AADT is 25,000 veh/day. Ten percent of this traffic diverts east onto West Main Street, and another 30% heads for destinations in the vicinity of Carrboro Plaza. A substantial 21% heads north via Old Fayetteville Road, with 1% going south, leaving 38% of the original traffic on NC 54 to the west. Intervening roads and driveways attract another 7% between Old Fayetteville Road and Dodsons Crossroads. White Cross Road (2.5%) and Dodsons Crossroads (1.5%) account for most of the remaining reduction, leaving 27% of the original NC 54 Bypass traffic on NC 54 just east of Orange Grove Road. This represents a decrease of nearly 2,800 vehicles between Old Fayetteville and Orange Grove Roads.

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Observations

- About 17% of daily traffic on NC 54 just east of Orange Grove Road enters/exits NC 54 between this location and just west of Old Fayetteville Road.
- During the AM peak, only 9% of traffic on NC 54 just east of Orange Grove Road enters/exits NC 54 between this location and just west of Old Fayetteville Road. This is consistent with a higher proportion of longer commuter trips.
- For West Main Street daily traffic, about 12% of traffic enters/exits NC 54 between this just west of Old Fayetteville Road and just east of Orange Grove Road. For NC 54 Bypass traffic, this figure is about 11%.
- Trips using West Main Street tend to be more local than trips using NC 54 Bypass.

TRAVEL DEMAND MODELS

The NC 54 West corridor study area spans two regional travel demand models. The portion west of the Alamance County line is represented in the Piedmont Triad Regional Model (PTRM), while the Orange County portion to the east is part of the Triangle Regional model (TRM v6).

Growth Forecasts

Traffic growth in both models is derived from forecasts of population and employment growth and characteristics, geographically distributed by traffic analysis zone. Figures 10a-10c and 11a-11c depict TRM and PTRM assumptions about the distribution and growth of population and employment relative to the NC 54 West study area and the three travelsheds presented previously.

Because population and employment data available for the two models have different base and design years, values were extrapolated to obtain consistent values for 2017 and 2045. Also, dot-density plots were used to more effectively represent the density, magnitude, and distribution of population and employment among traffic analysis zones (TAZs). Note that each dot represents a number of data points (100 persons; 50 jobs). Dots are randomly located within each TAZ, and do not represent specific locations.

The socio-economic forecasts in both models were approved and adopted by relevant MPOs and RPOs for use in transportation planning. Consultation with Alamance and Orange County planning staff did not identify any problems with the growth assumed in either the TRM and PTRM.

Observations

- Development remains sparse along the middle segment of the corridor, due in large part to environmental constraints.
- Relative growth is greatest in the western portion of the corridor, both in Alamance County and Mebane, especially along and west of NC 119. Development includes residential, industrial, and commercial, as well as newly-approved high school at the corner of NC 54 and NC 119.

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- Growth in the east is concentrated in Chapel Hill, primarily in nodes along NC 86 and US 15/501. Particularly relevant to this study is the Lloyd Farm development in the northeast quadrant of the NC 54/Old Fayetteville Road intersection.

TRM Comparison to StreetLight InSight Analysis

A select-link analysis was performed using the Triangle Regional model (TRM v6) to provide a comparison against the StreetLight analysis described previously for the eastward distribution of trips to/from a point on NC 54 just east of Orange Grove Road. Because of minor anomalies in the Base Year network loading at the western end of the corridor, some manual adjustments were necessary, and comparative runs for 2045 Build and No-Build scenarios were also conducted. The results are summarized in Figure 12. The major differences between the TRM the StreetLight trip distributions occur at the eastern end of the corridor. Just east of Old Fayetteville Road, both analyses estimate between 82% and 83% of eastbound trips from just east of Orange Grove Road are still on NC 54. But the TRM distributes 5% fewer trips north on Old Fayetteville Road, and loses none at Carrboro Plaza. This leaves 77% of the original trips, as opposed to 66% according to StreetLight. More importantly, TRM assigns a far higher proportion of these trips to West Main Street. TRM has 25% of the initial traffic turning on West Main Street (versus 12% according to StreetLight), and 52% continuing down NC 54 Bypass (versus 54%). This works out to a 68%/32% (or 2.1 to 1) split between n NC 54 Bypass and West Main Street. The Streetlight analysis yielded a split of 82%/18% (or 4.5 to 1).

This difference is probably attributable to the fact that regional travel demand models like TRM tend to underestimate intersection delay as congestion increases, especially through denser downtown areas. It also appears that trips to Carrboro Plaza and up Old Fayetteville Road (including McDougal Middle School) are either under-represented or inaccurately routed.

TRM Comparison of Build (Widen NC 54) and No-Build Scenarios

To estimate the traffic impacts of the proposed widening of NC 54 on traffic patterns, two 2045 TRM networks were compared. Both have identical socio-economic data and include all transportation improvement projects assumed in the latest DCHC Metropolitan Transportation Plan (MTP). The only difference is that the Widen NC 54 (Build) Scenario, a 45-mph 4-lane divided cross-section is assumed for NC 54 between I-40 in Graham and Old Fayetteville Road in Carrboro. The No-Build Scenario assumes the existing cross-section is maintained.

After trips were distributed and assigned to the two networks, daily volumes in the No-Build network were subtracted from the corresponding link volumes in the Build (widen NC 54) network. Results are summarized in Figure 13. Where traffic volumes are higher in the Build scenario (due to diversion from other routes), links are shaded red and given bandwidths corresponding to the magnitude of the increase. Where traffic volumes are lower in the Build scenario, links are shaded blue and assigned bandwidths corresponding to the magnitude of the decrease. Changes in daily traffic volumes are indicated on representative links. Changes of less than 100 vehicles/day are not represented. Volumes for West Main Street and NC 54 Bypass were adjusted to compensate for

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the model's over-assignment of traffic to West Main Street (discussed above). An 80%/20% (4:1) split between NC 54 Bypass and West Main Street was assumed.

A comparison of the daily volumes from the 2045 Build and No-Build scenarios west of Old Fayetteville Road is shown in Figure 14 to illustrate the shifts in network traffic assignments associated with the widening, according to the TRM. Historical volumes and 1% and 1.5% annual volume growth rates are displayed, and the typical capacities of a 2-lane roadway and a 4-lane divided roadway are indicated to provide context for the road's current and anticipated performance.

Observations

Volume Increases

- As traffic volumes increase on NC 54, longer segments exceed capacity for longer time periods. Travel times increase, while also becoming less reliable due to crashes, weather events, and other incidents. In response, some traffic shifts to alternate routes. When NC 54 is widened, congestion and resulting delays and variations are reduced, and these trips return to NC 54, which should also reduce crashes.
- The most significant volume shifts are on NC 54. The 2,000 veh/day added between Dodson's Crossroads and Old Fayetteville Road represent about a 10% increase over the No-Build scenario. The resulting volume is well within the capacity of the proposed 4-lane divided cross section. Assuming 10% of traffic occurs in the peak hour, with a 60/40 directional split, this translates into about 200 additional vehicles in the peak hour, with 120 vehicles (two/minute) added in the peak direction.
- Traffic shifts back onto NC 54 decrease to the west, both on an absolute and a percentage basis. To the east, about 200 vehicles/day are added to West Main Street, and 1000 to the NC 54 Bypass. About one-third of these are added to South Columbia Street traffic, half continue on the Bypass, and the remainder are oriented southward.
- Orange Grove Road and Mebane Oaks Road experience smaller increases from traffic that would have headed north to I-40 or used rural roads (such as Arthur-Minnis and Bradshaw Quarry) for east-west trips. Some of these trips appear to be shifted from Old NC 86/Hillsborough Road, Union Grove Church Road, and even M.L.K. Jr Boulevard. Minor traffic increases occur on segments of Eubanks, Bethel-Hickory Grove Church, Butler, and White Cross Roads.
- Both the Build and No-Build scenarios exceed the capacity of the 2-lane existing roadway across a range of growth rate estimates.

Volume Reductions

- Overall, traffic reductions resulting from the proposed NC 54 widening are more dispersed than the traffic increases. There is a noticeable reduction in east-west traffic along Arthur-Minnis, Bradshaw Quarry, and New Hope Church Roads. North-south traffic on Old NC 86/Hillsborough Road and Old Fayetteville Road also decreases. The most significant decrease is 800 vehicles/day along the segment of Old NC 86 between Dairyland/Homestead Roads and Old Fayetteville Road. Minor reductions occur on portions of Old

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Greensboro, Dairyland, Albert, and Union Grove Church Roads, as well as M.L.K. Jr Boulevard. Reductions to I-40 traffic, although larger in absolute terms, represent less than 1% of average daily traffic.

Other

- Some feedback questioned whether volumes on rural roads such as Arthur-Minnis and Bradshaw Quarry would actually increase in response to increased congestion on NC 54, given the nature of these roads. While there is no way to be absolutely certain, these are the findings based on the Triangle Regional Model, developed and approved by NCDOT and local agencies for use in transportation planning. These findings appear reasonable in light of relative travel times and distances. However, if future traffic does not divert to these roads, most of it would remain on NC 54, with a portion shifting to I-40. In that case, traffic volumes on NC 54 would be even higher in the No-Build scenario than in our analysis, while volumes in the Build scenario would be the same. The end result would be a smaller difference in volumes between the Build and No-Build scenarios.

HISTORICAL TRENDS

Historical trend analysis is not especially useful in forecasting traffic volumes along this segment of NC 54. Attempts were made to correlate changes in annual average daily traffic (AADT) along the Orange County portion of NC 54 to population changes in the vicinity of the corridor. The only consistent population estimates available are for counties, municipalities, and townships from 2009 through 2017.

Figure 15 shows the jurisdictions used for population estimates. These areas are generally too large for the purposes of this type of analysis, and neither the estimates nor the AADTs appear to be precise enough. Lagged correlations did not perform significantly better. In aggregate, however, populations and AADTs were generally consistent, with population growing by 16% and AADTs by 15% between 2009 and 2017 (see Figure 16). Based on TRM and PTRM forecasts (and consistent with NC OSBM forecasts), populations in these jurisdictions are estimated to increase by 42% between 2017 and 2045. This study forecasts a corresponding 40% increase in traffic on the Orange County portion of the NC 54 West study corridor (see Figure 17).

Observations

- Although population and traffic volume trends could not be strongly correlated on an annual or time-series basis, overall growth rate trends are reasonably consistent.

TRANSIT

There is currently no fixed-route transit service along NC 54 west of Old Fayetteville Road. To gain a better understanding of historical transit service, future transit plans, and anticipated effects of emerging transportation technologies, interviews were conducted with four transit agencies in the region, with emphasis on fixed-route service, versus paratransit:

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- Piedmont Authority for Regional Transportation (PART)
- Link Transit (Burlington/Alamance County)
- Chapel Hill Transit (CHT)
- GoTriangle

Because of the significant role UNC-CH and UNC Hospitals play in local and regional transit (as well as traffic and parking), representatives from these institutions were also consulted. Figure 18 depicts transit routes by agency in the region, as well as locations of relevant existing and proposed park-and-ride lots.

PART

The Piedmont Authority for Regional Transportation (PART), offers service on the Alamance Burlington Express (Route 4) between Alamance County and UNC Hospitals. Route 4 is one of PART's most popular routes due in part to UNC GoPass holders commuting to campus. This route used to run along NC 54 until late 2013, but the routing switched to I-40 due to congestion along NC 54 impacting travel-time reliability and the addition of the Mebane Park & Ride Lot. One of the determinants PART uses in its route selection is congestion along the proposed corridor. Congestion along a route can affect travel time reliability and schedule adherence. This is especially critical when connecting to other transit routes; Route 4 provides a transfer to GoTriangle's ODX route. Another reason for PART's decision to use I-40 is to serve Alamance Community College and Mebane Cone Health.

Route 4 continues to grow in ridership, with standing room only during some peak periods runs. Every two years, PART undertakes a system wide analysis and examines its routes and potential adjustments. According to the FY 2020-2029 STIP, PART will be receiving funds to increase Route 4 frequency.

LINK

While Link Transit does not provide transit service to UNC, it does operate fixed-route service in the northern portion of the study area. The Orange Route services Graham and crosses the north-western portion of the corridor on I-40. The two stops in the corridor's vicinity are a park-and-ride lot (located at Hwy 87 and Crescent Square Drive) and Alamance Community College. The Orange Route has been one of Link Transit's most productive routes with the top five stops for the system occurring in Graham. Link Transit would like to expand service further into Graham and Mebane, but needs additional funding or partnerships to implement expanded service. The northern portion of the NC 54 corridor has potential to support fixed-route transit with continued increases in residential density and employment centers, like the Honda Manufacturing plant.

Chapel Hill Transit and UNC

The NC 54 West corridor serves east-west travel to and from UNC Chapel Hill and UNC Hospitals. Figures 19 and 20 show residence locations for UNC-CH and UNC Hospital employees, based on the *UNC-CH Development Plan, 2017 TIA Update*. (Locations are not precise, but representational.) Figure 21 (also from the *UNC-CH Development Plan, 2017 TIA Update*) indicates that just under 2,000 employees (or 12.4% of total employment) are in the sector assigned to the NC 54 West corridor. This number is a rough estimate, however. The travelshed analysis described

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above suggest that many of these employees actually use I-40, and that some use NC 87. Between 750 and 1450 employee residences are estimated to fall within the travelshed depicted in Figure 1, with most the uncertainty concentrated in the easternmost end of the travelshed. The potential market for a UNC-oriented transit service along the NC 54 west corridor falls somewhere in this range.

Park-and-ride lots serving UNC Chapel Hill have long helped reduce demand for on-campus parking, as well as providing an alternative to reduce personal vehicle use. To help support their fare-free transit system, Chapel Hill Transit began charging for the use of their park-and-ride lots in 2013. Chapel Hill Transit Park-and-Ride Permits are available at a daily rate of \$2, a monthly rate of \$21, or an annual rate of \$250. Chapel Hill Transit operates four park-and-ride locations serving commuters coming from the western portion of the region to campus. Table 1 (below) details the Chapel Hill Transit Park-and-Ride lots, which are also depicted in Figure 18.

While parking demand has fallen for the westernmost park-and-ride lots (Jones Ferry and Carrboro Plaza), demand has risen for the northern park-and-ride along NC 86 (Eubanks Road) and the southern park-and-ride lot along US 15-501 (Southern Village). While the percent of commuters within each respective corridor is similar, utilization is not. One key reason appears to be the enhanced service level provided by the NS route compared to those routes serving the Jones Ferry and Carrboro Plaza. The NS Route operates all day with headways as little as ten minutes during the peak. This level of service frees commuters from having to plan their journey around a bus schedule. Commuters have the flexibility to arrive at a park-and-ride at a time of their choosing, knowing the next bus will be coming shortly. This pattern suggests commuters coming from the west pass by the Carrboro Plaza and Jones Ferry Park-and-Ride lots in favor of the Southern Village Park-and-Ride (and to a lesser extent, the Eubanks Park-and-Ride) to take advantage of enhanced transit service.

Table 1: Chapel Hill Transit Park and Ride (data from UNC Chapel Hill Development Plan – TIA Update)

Park-and-Ride Lot	Routes Served	Number of Spaces	Fall 2013 Utilization	Fall 2015 Utilization	Fall 2017 Utilization	% of Total Commuters in Corridor
Eubanks Road	NS, CRX (GoTriangle)	400	185	188	216	12.1%
Jones Ferry	CM, CW and JFX	443	132	102	86	11.4%
Carrboro Plaza	CPX and CW	145	52	30	24	
Southern Village	NS and V	400	272	260	325	11.7%

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The Town of Chapel Hill is in the process of designing the North-South Bus Rapid Transit. This system will run between the Eubanks Road Park-and-Ride and the Southern Village Park-and-Ride, providing frequent all-day service to downtown Chapel Hill and UNC Hospitals. Bus rapid transit (BRT) elements such as dedicated lanes, traffic signal priority, and high capacity transit vehicles, will further increase level of service and convenience for those choosing to park-and-ride from Southern Village or Eubanks to ride the North-South BRT. These enhancements will increase the appeal for those previously using Carrboro Park-and-Ride or the Jones Ferry Park-and-Ride to reroute their trip to one of the BRT stations for the premium transit service provided by BRT.

The *Draft Chapel Hill Transit: Short Range Transit Plan* provides short-term recommendations to improve bus routing and frequency on key routes, while remaining cost neutral. The Plan also lays out a set of unfunded improvements. Several desirable service upgrades were identified that could not be achieved within the existing budget. One such improvement was the West NC 54 Route, which would provide new weekday peak-only service from White Cross along the NC 54 corridor to UNC Chapel Hill. This route adds approximately ten route-miles per trip, and is proposed to run at 70-minute headways during peak periods only, Monday through Friday, at an additional annual operating cost of \$154,000.

One alternative suggested for a park-and-ride at White Cross could be the Henry Anderson III Community Park in Carrboro. However, a park-and-ride lot does not appear to be compatible with park operations, given current parking demands.

Emerging Technologies

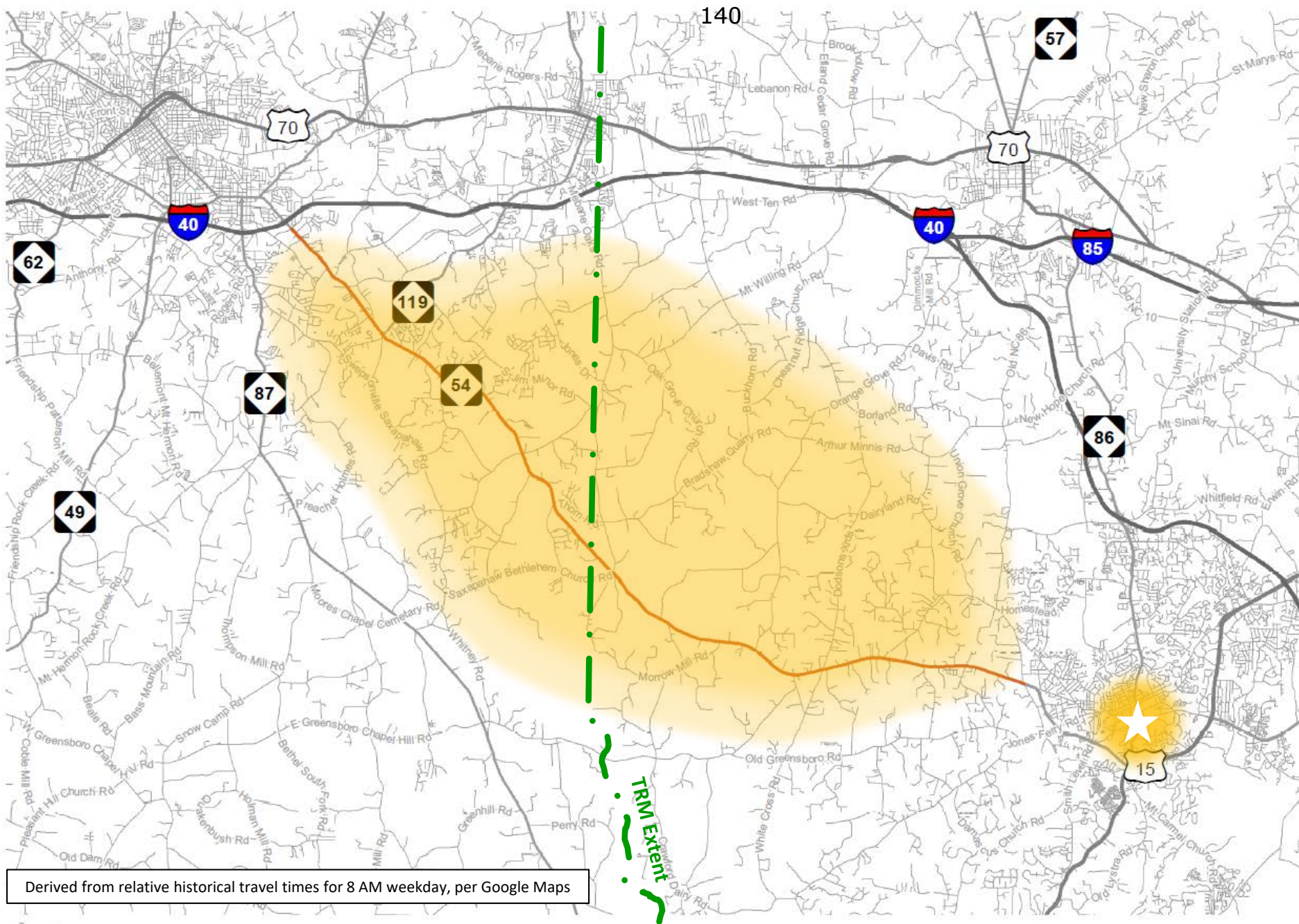
Emerging technologies continue to redefine transit and the micro-mobility industry while providing alternatives to traditional fixed route transit service. Transit companies in the region continue to explore the possibilities of on-demand service and its potential to best meet the agencies goals at a reduced cost compared to fixed route service. Beginning in August, GoTriangle is partnering with Uber and Lyft to subsidize Ride Sharing trips up to ten dollars if it connects with one of the GoTriangle bus routes within the Research Triangle Park. GoDurham's long term transit vision also includes "on-demand zones" where GoDurham will subsidize ride sharing trips connecting to their transit service. The on-demand type trips are viewed as being most effective where traditional fixed route service may not be efficient as well as when the on-demand trip connects with high frequency transit. PART has also tested on-demand shuttles around Piedmont Triad International Airport but reverted to fixed route shuttles when on-demand ridership did not meet expectations. On-demand style shuttles are best used when looking to replace a costly, low-ridership, inefficient route to soften the financial burden while still providing service coverage to an area.

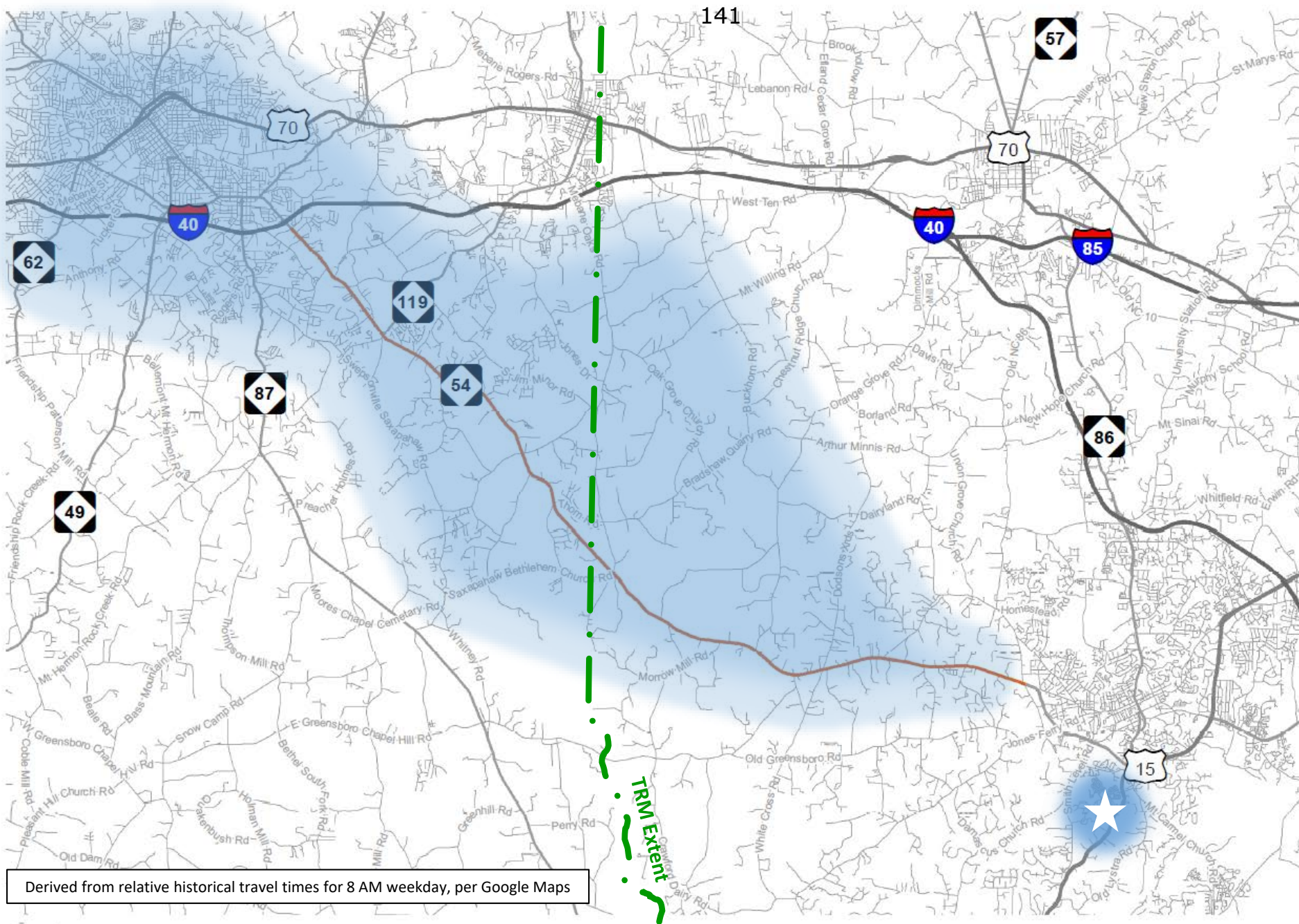
Transit agencies continue to face a constrained funding environment and must make tough decisions on trade-offs. Extending transit service along NC 54 would provide additional coverage to an area previously unserved and thus would create the possibility for new trips. However, given limited resources, extending service further west from Carrboro limits other opportunities, such as providing more frequent service on core routes with higher ridership.

Ref: 38587.01
 October 1, 2019
 Page 12

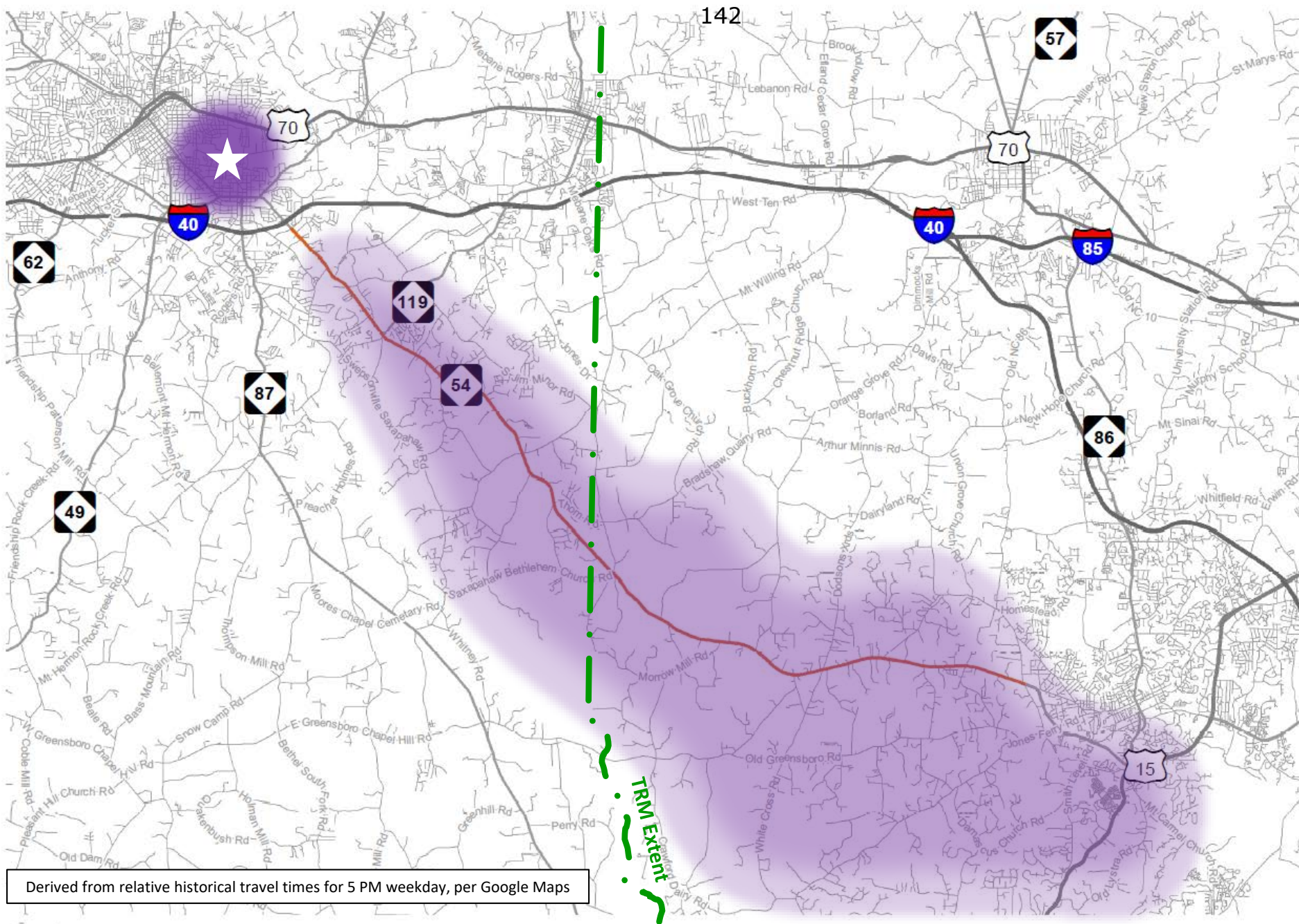
Observations

- As indicated in Table 1, the current supply of park-and-ride spaces serving traffic from the west (including the NC 54 West corridor) is underutilized.
- Convenience and frequency of service seem to be significant factors in attracting park-and-ride patrons, favoring park-and-ride lots along the planned BRT route. This limits traffic reduction benefits along NC 54 west.
- UNC and Chapel Hill Transit support park-and-ride and other transit options in the NC 54 west corridor. However, low ridership potential and long routes limit the cost-effectiveness of this service relative to other transit investments.
- Focusing on improvements to higher-demand transit corridors—including BRT—could be a more productive and cost-effective overall strategy than shifting limited resources to the NC 54 West corridor, given its lower densities, smaller market, and longer route lengths.
- UNC-CH and UNC Hospital are not planning substantial increases in parking capacity. Travel demand management (TDM) policies are being implemented to encourage and support a mode shift away from single-occupant vehicles and towards transit, biking, walking, and ridesharing. These efforts will be most productive—and cost-effective—in denser corridors with efficient transit service and/or shorter trip distances. Limited impacts can be expected in the NC 54 west corridor, given the relatively lower concentration of trip ends and longer travel distances. Ridesharing and park-and-ride appear to be the most promising options in this corridor.
- As an important public institution serving the State of North Carolina (and beyond), UNC Hospital must be accessible to a broad range of patients, visitors, and others. A balance of convenient access by both transit and automobile must be maintained.
- Although UNC-CH and UNC Hospital are significant contributors to traffic using the NC 54 West corridor, these trips are only part of the volumes on NC 54. As the region grows, these trips will represent a shrinking share of NC 54 West traffic. The biggest sources of new traffic on NC 54 West appear to be growth in Alamance and Chatham Counties, along with overall growth in Orange County.





 **Figure 2: Estimated NC 54 Travelshed for Trips to Southern Village** 



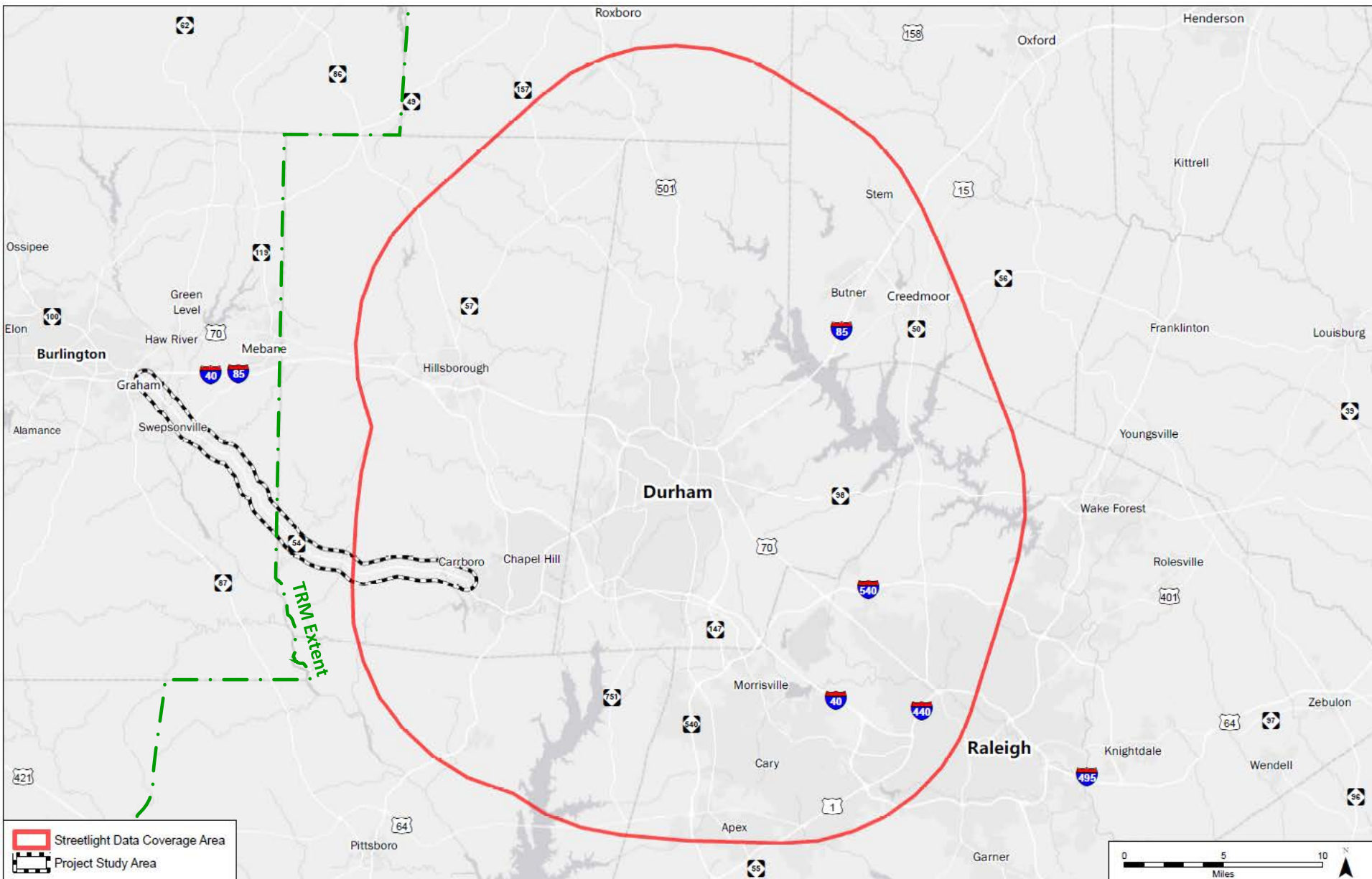
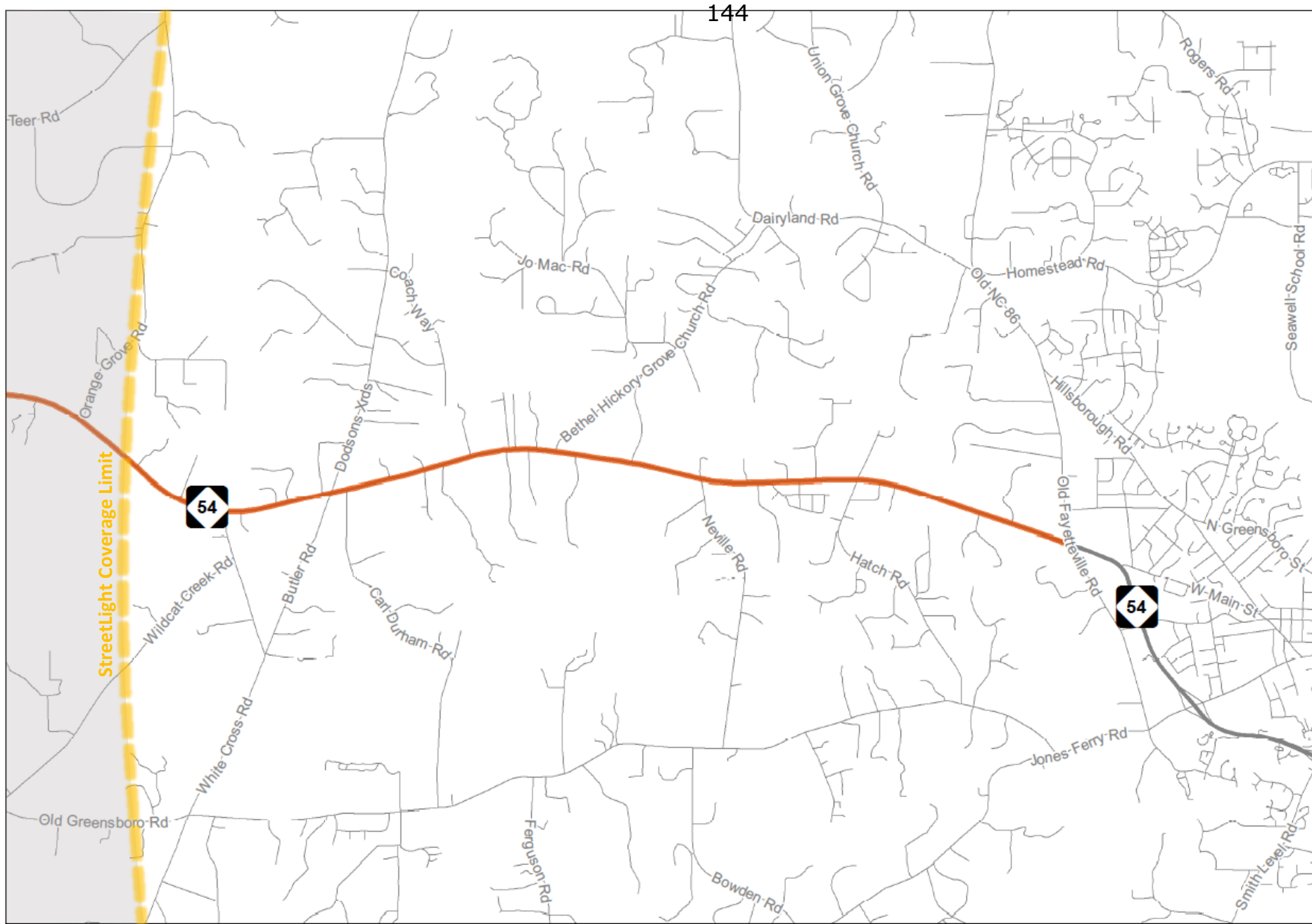
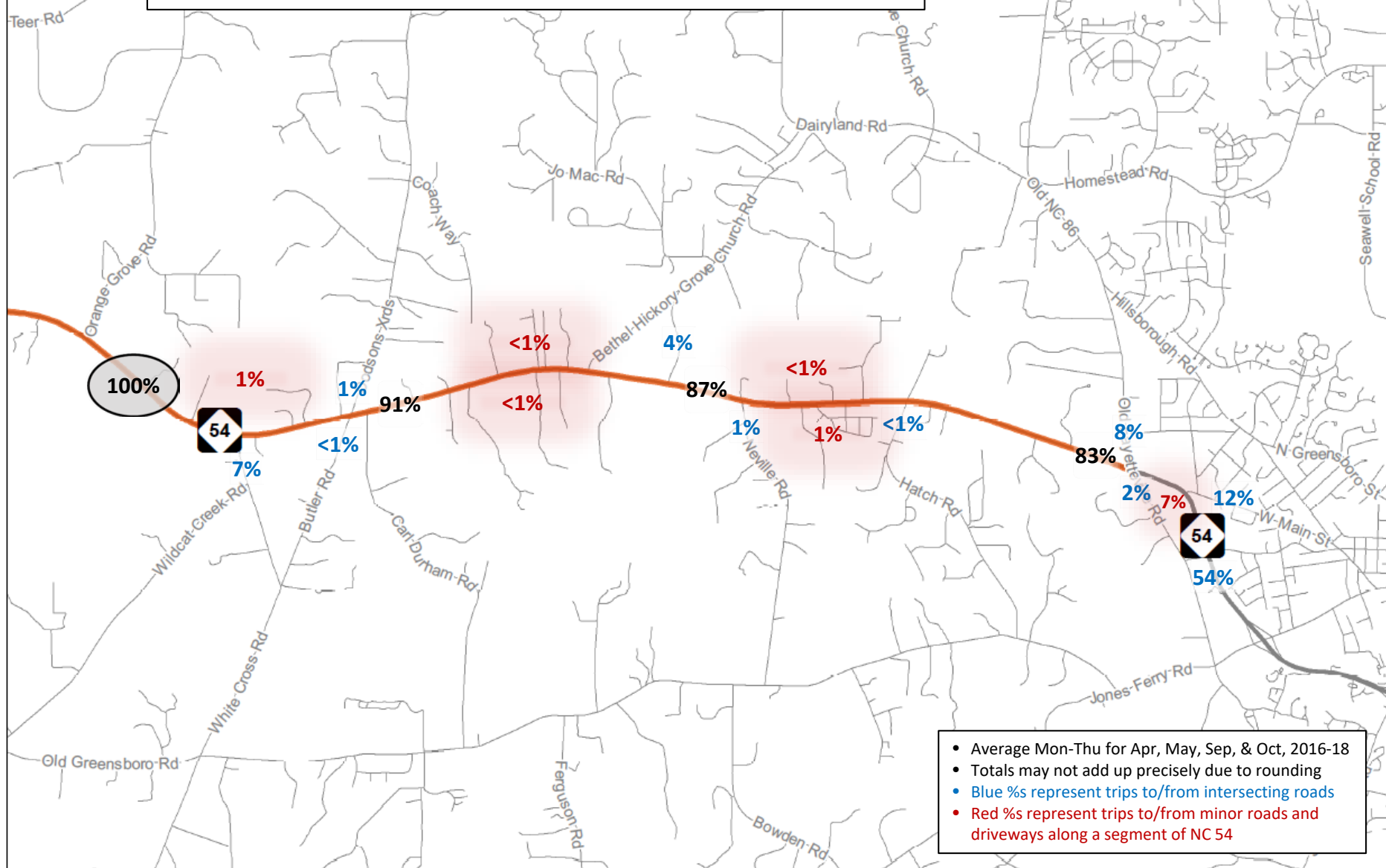


Figure 4: StreetLight InSight Dataset Coverage



Daily Vehicle-Trip Distribution (StreetLight InSight Data)



- Average Mon-Thu for Apr, May, Sep, & Oct, 2016-18
- Totals may not add up precisely due to rounding
- Blue %s represent trips to/from intersecting roads
- Red %s represent trips to/from minor roads and driveways along a segment of NC 54

Figure 6: Origin-Destination Analysis – NC 54 East of Orange Grove Road

AM Peak Vehicle-Trip Distribution (StreetLight InSight Data)

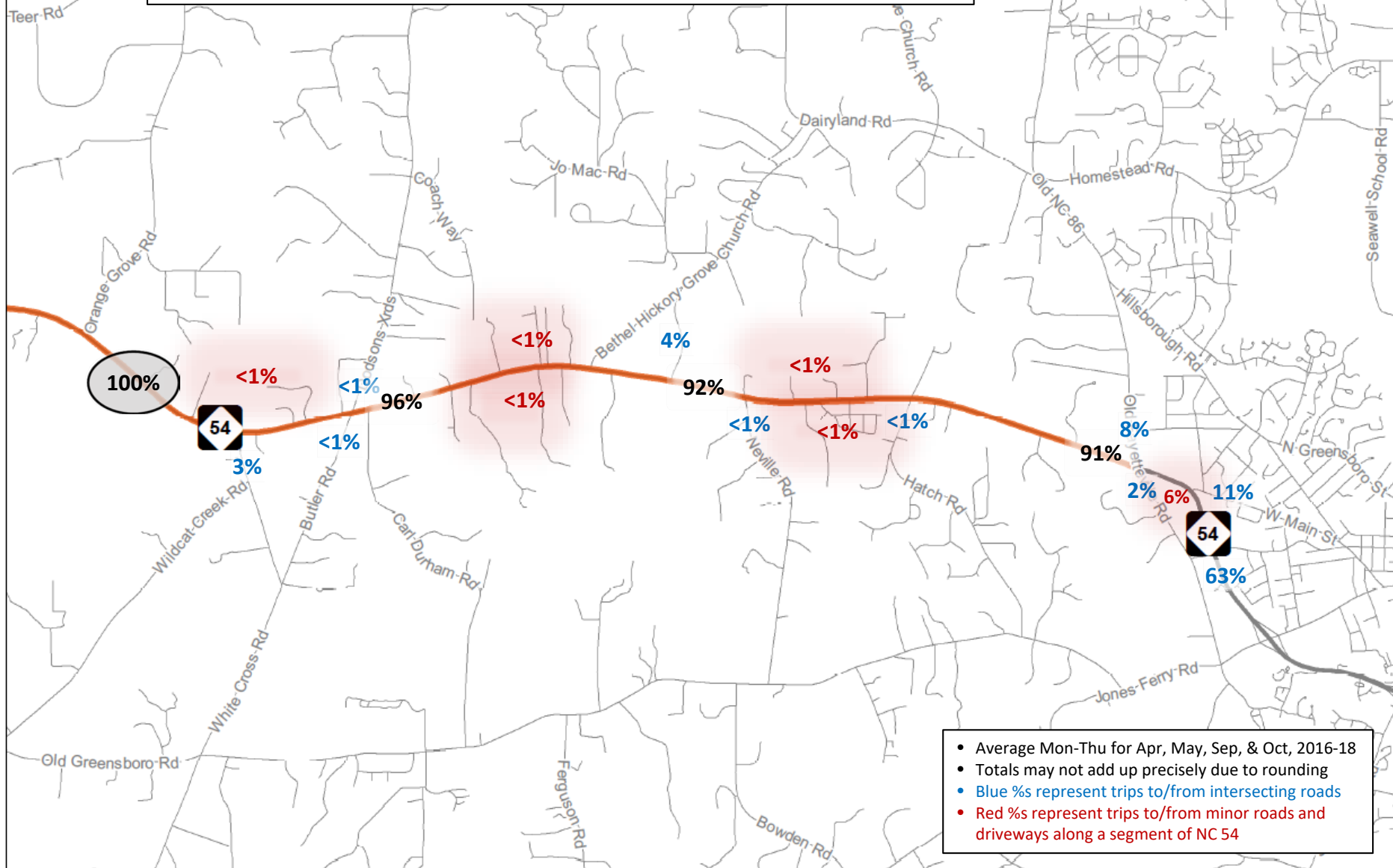
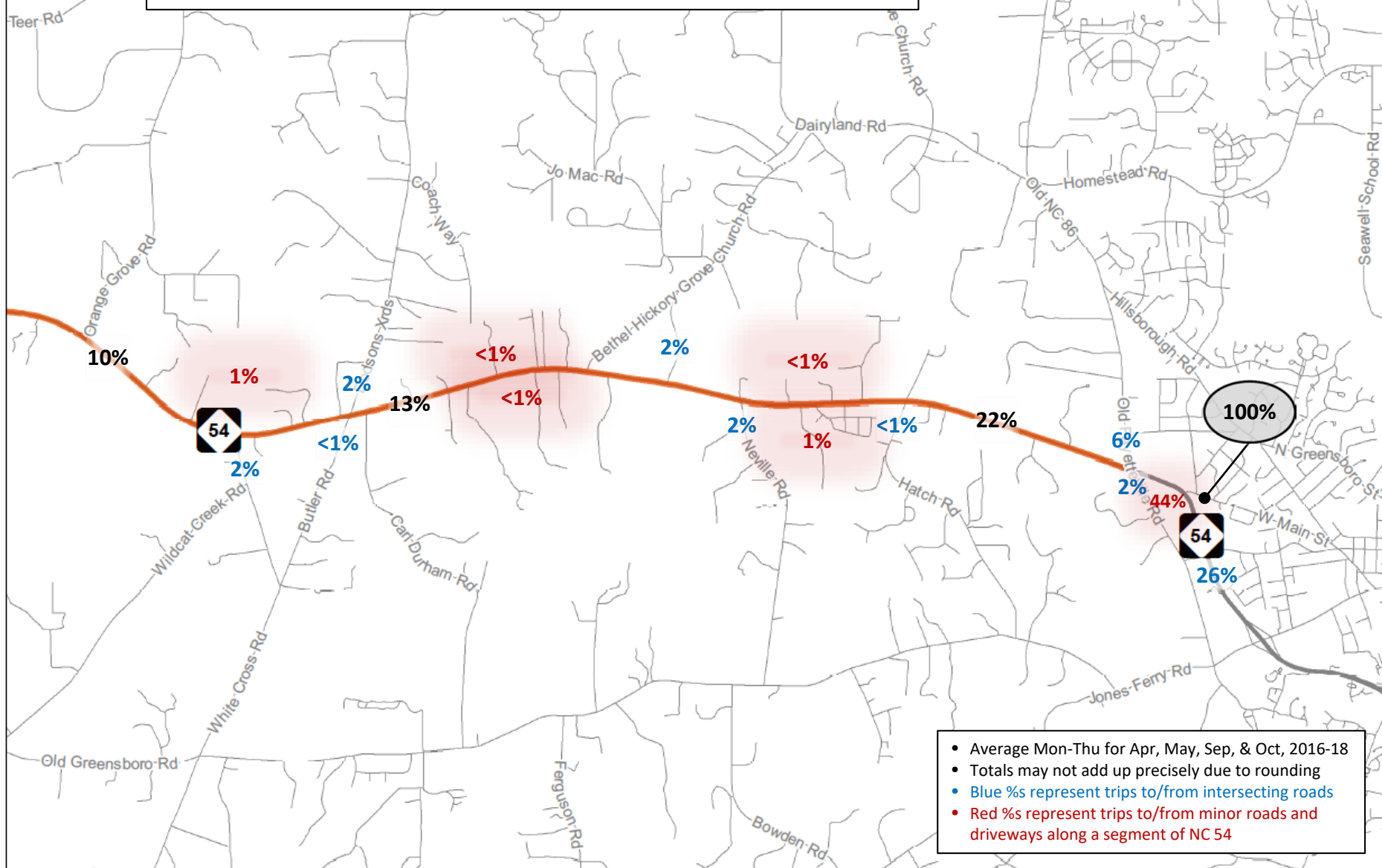


Figure 7: Origin-Destination Analysis – NC 54 East of Orange Grove Road

Daily Vehicle-Trip Distribution (StreetLight InSight Data)



Daily Vehicle-Trip Distribution (StreetLight InSight Data)

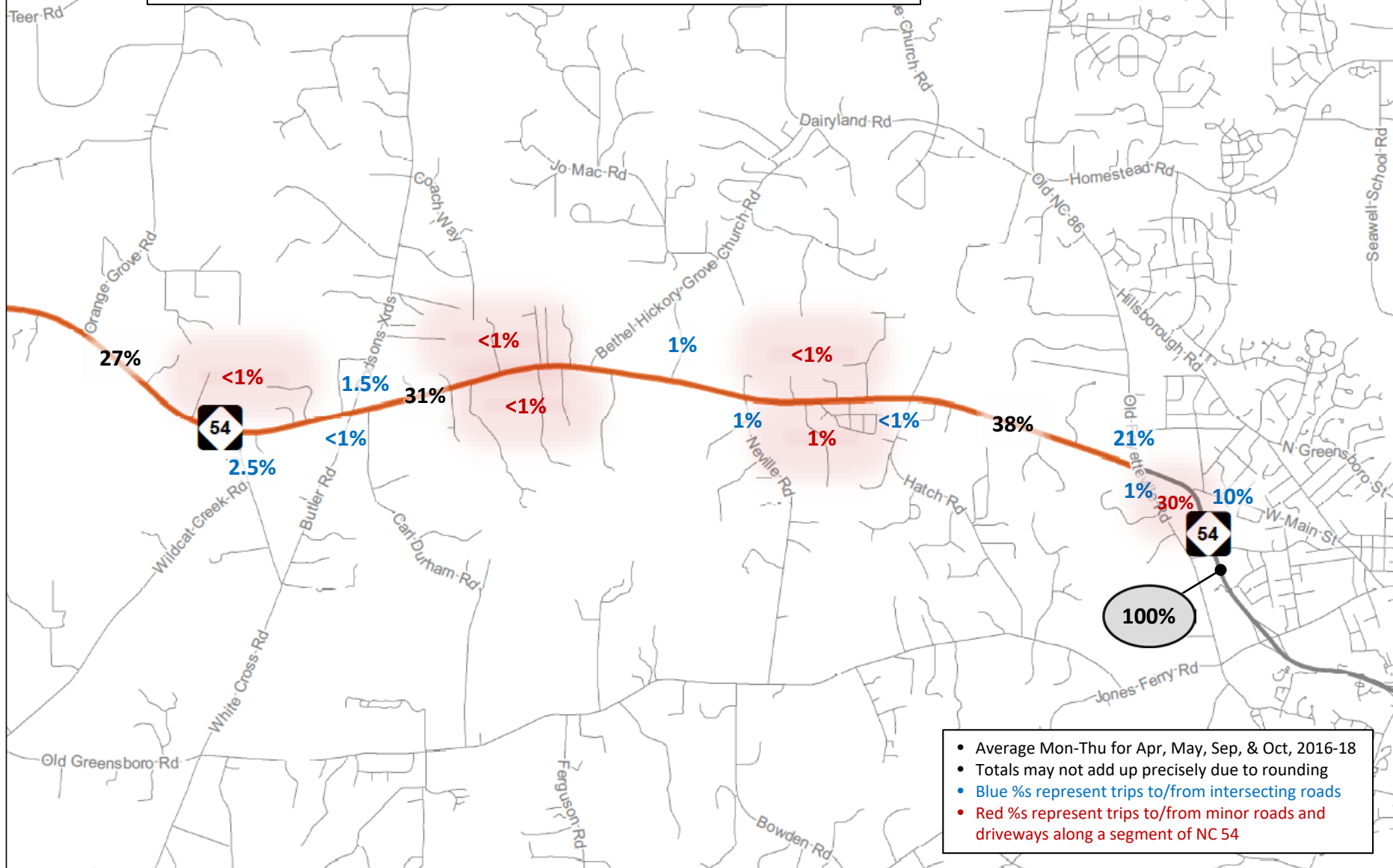


Figure 10a: TRM & PTRM Population Growth (2013 – 2045)

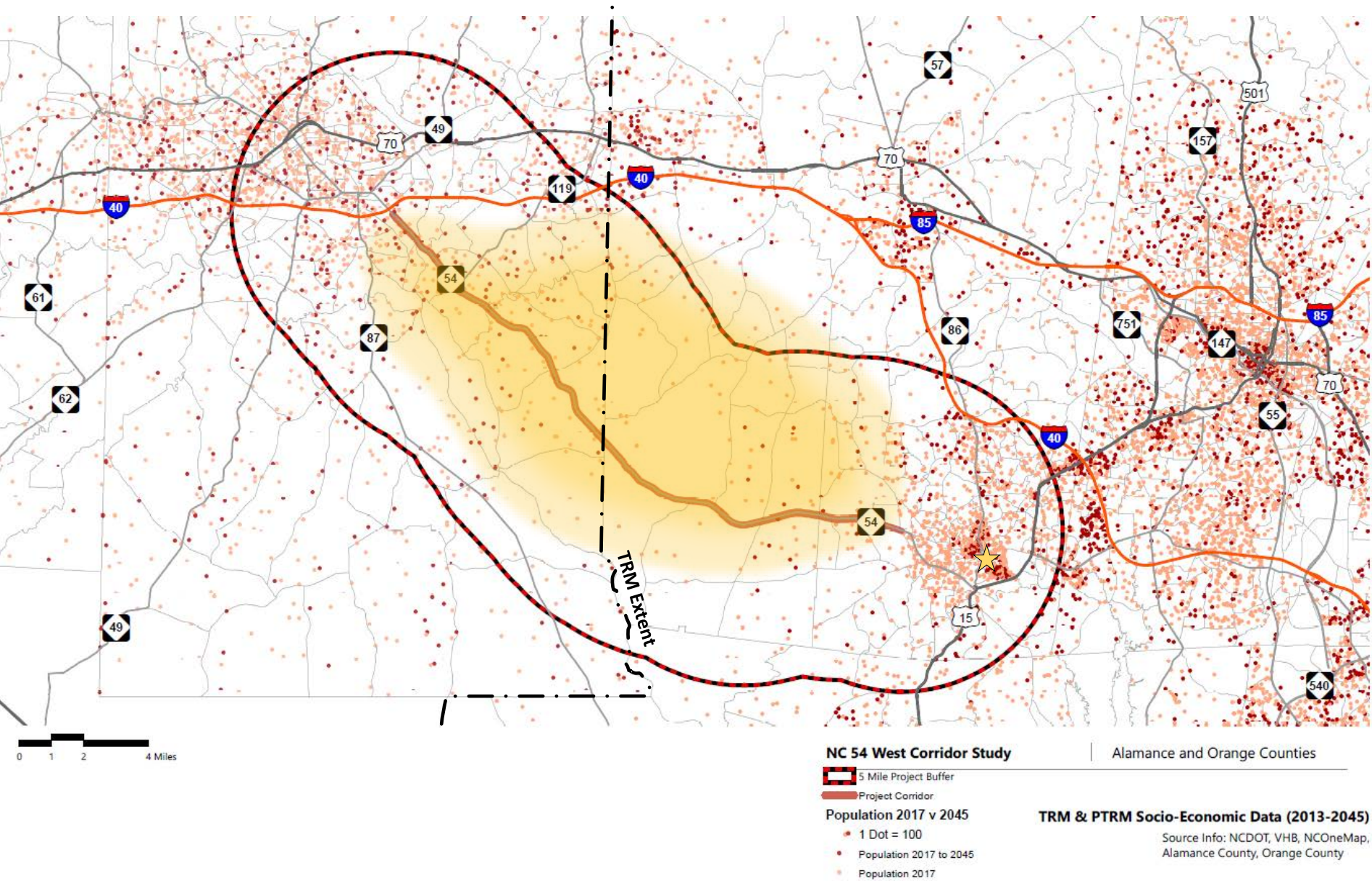


Figure 10b: TRM & PTRM Population Growth (2013 – 2045)

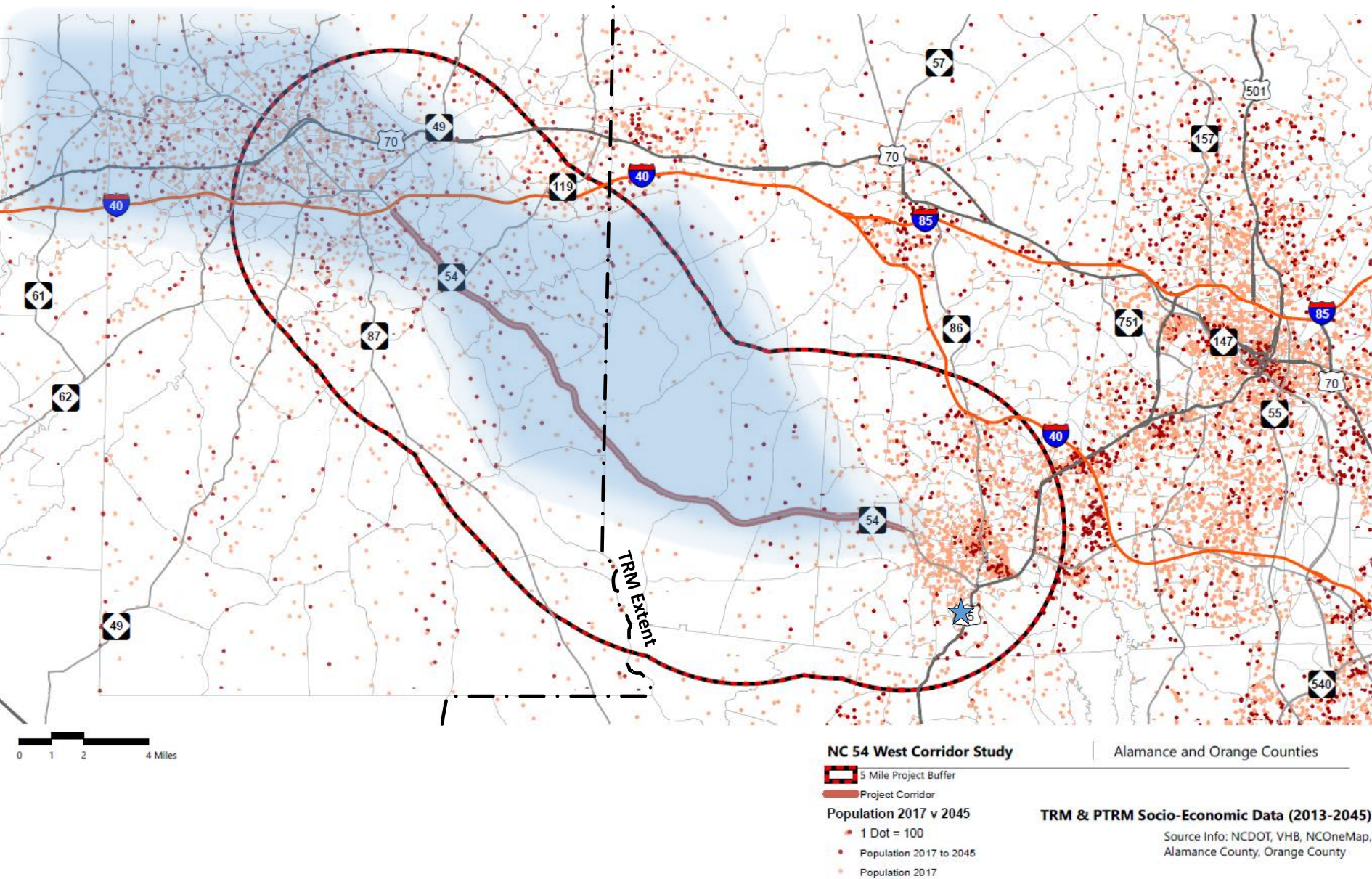


Figure 10c: TRM & PTRM Population Growth (2013 – 2045)

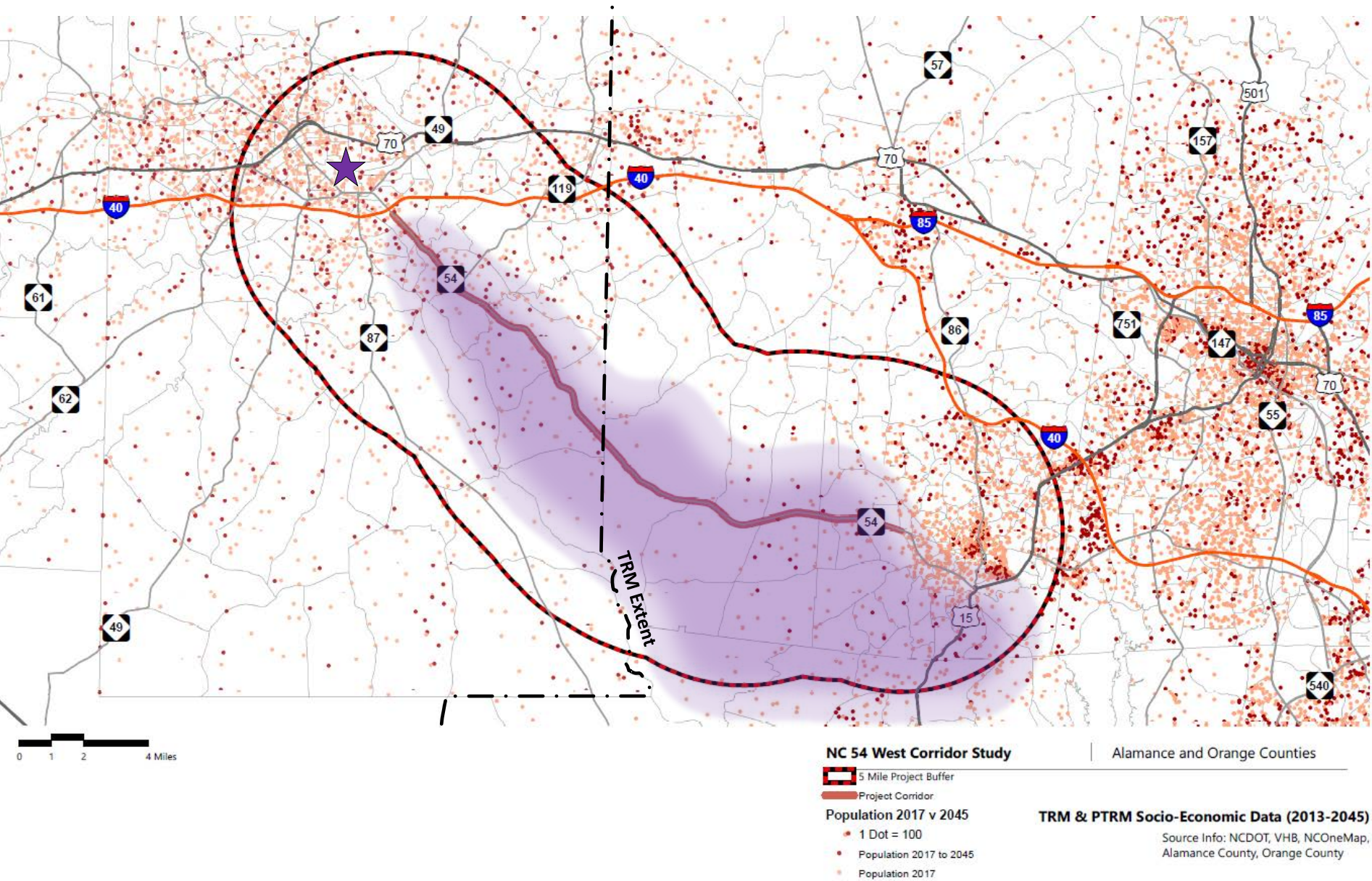


Figure 11a: TRM & PTRM Employment Growth (2013 – 2045)

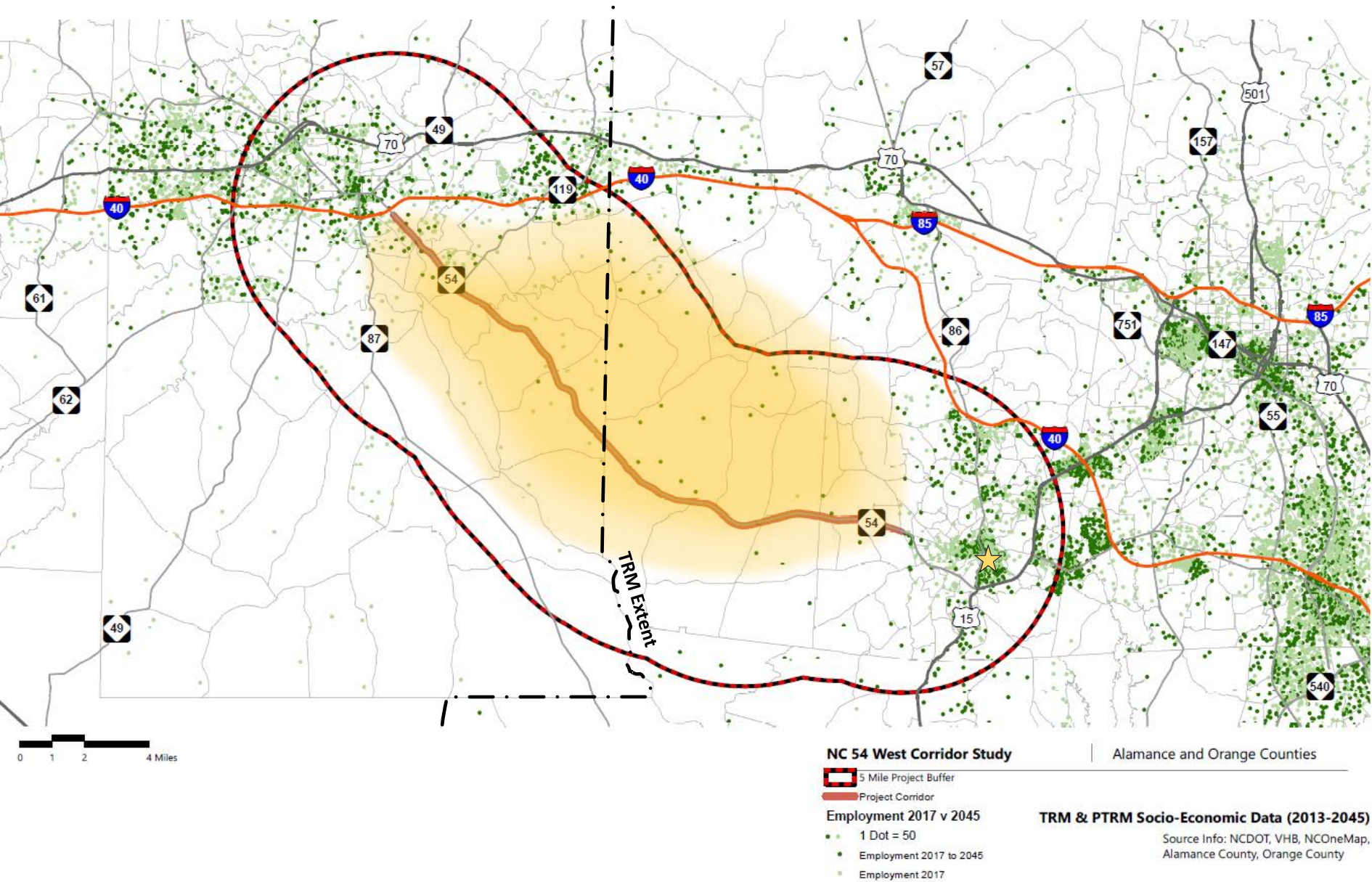


Figure 11b: TRM & PTRM Employment Growth (2013 – 2045)

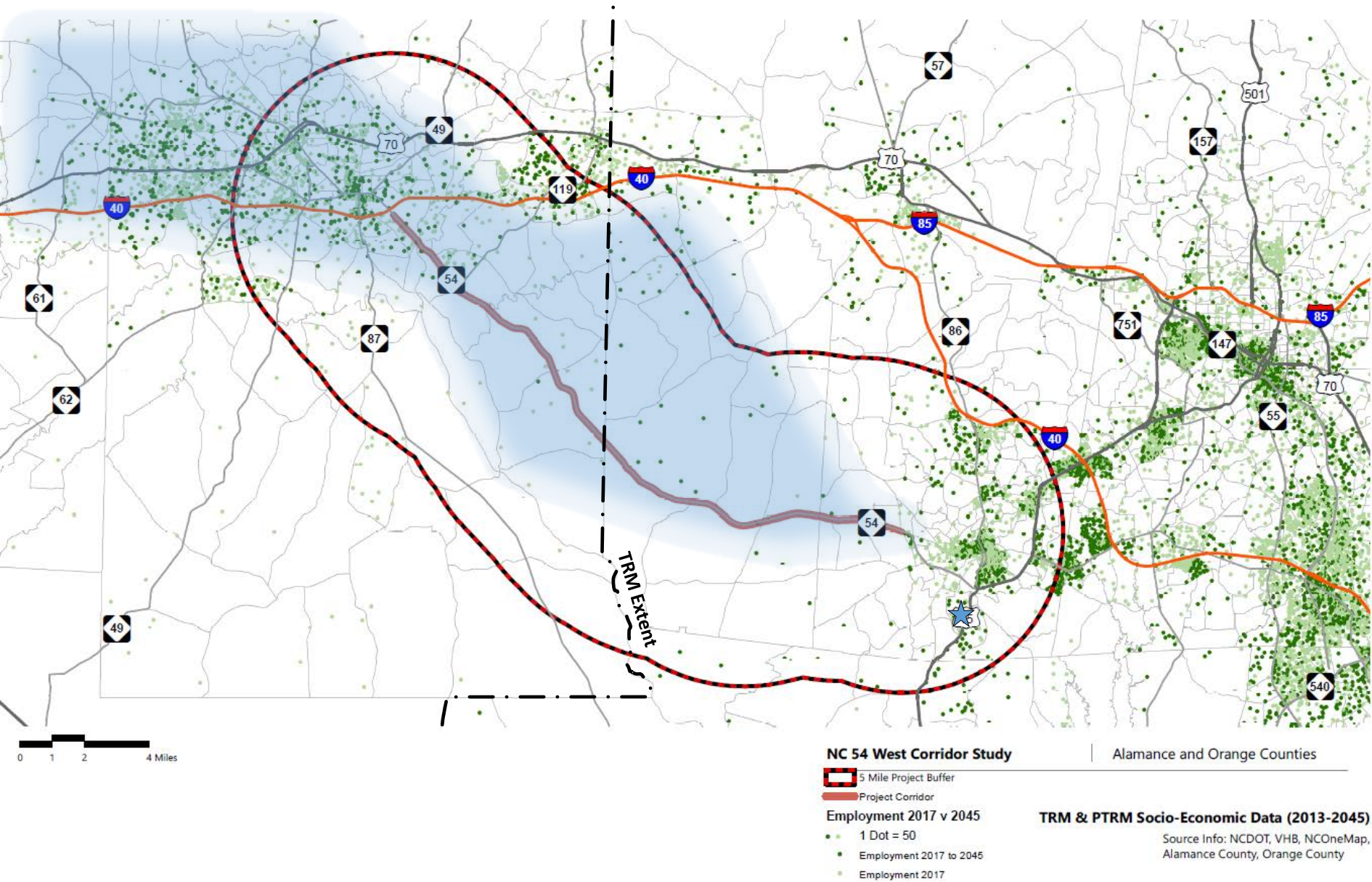
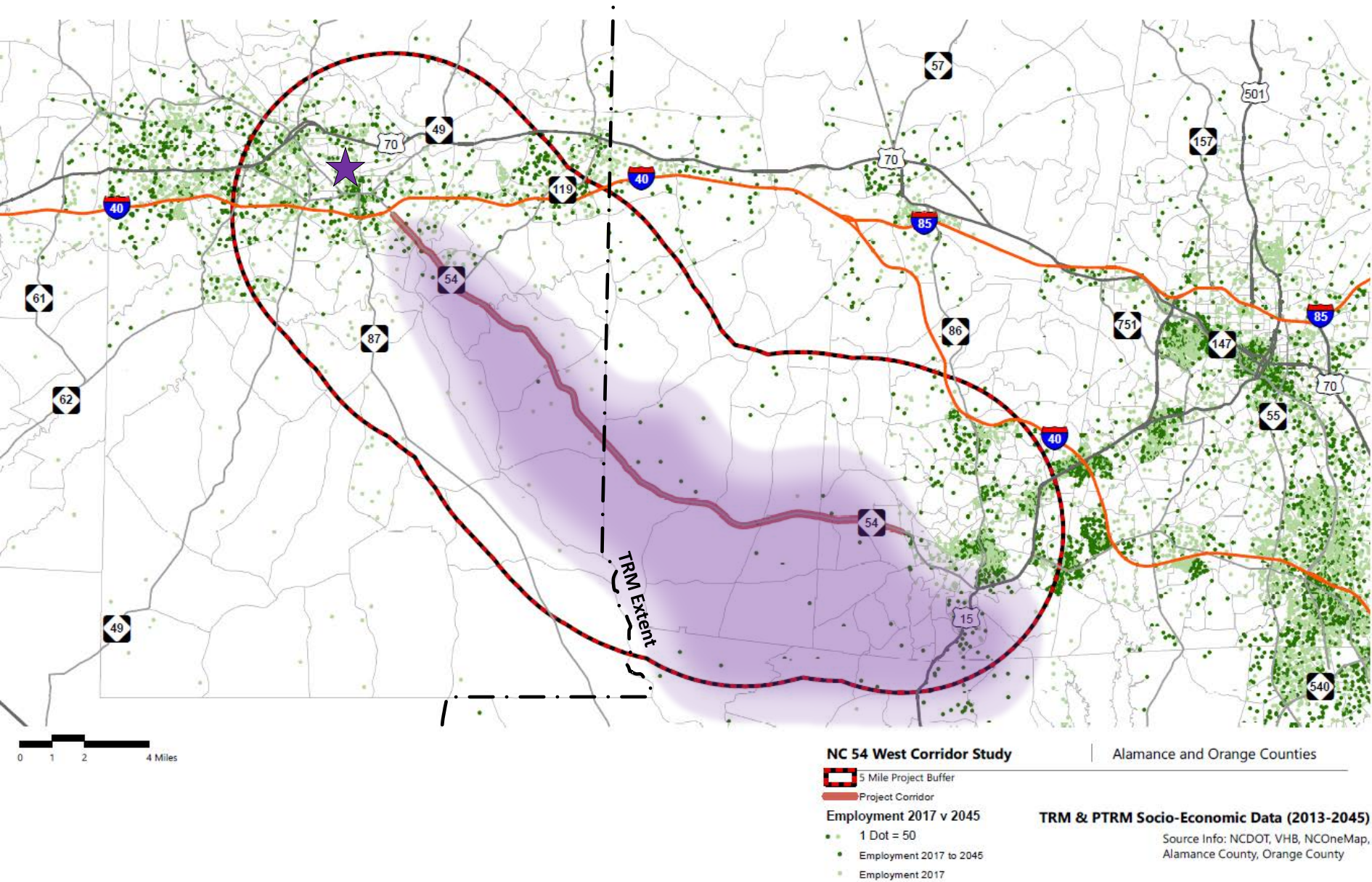


Figure 11c: TRM & PTRM Employment Growth (2013 – 2045)



Daily Vehicle-Trip Distribution (TRM)

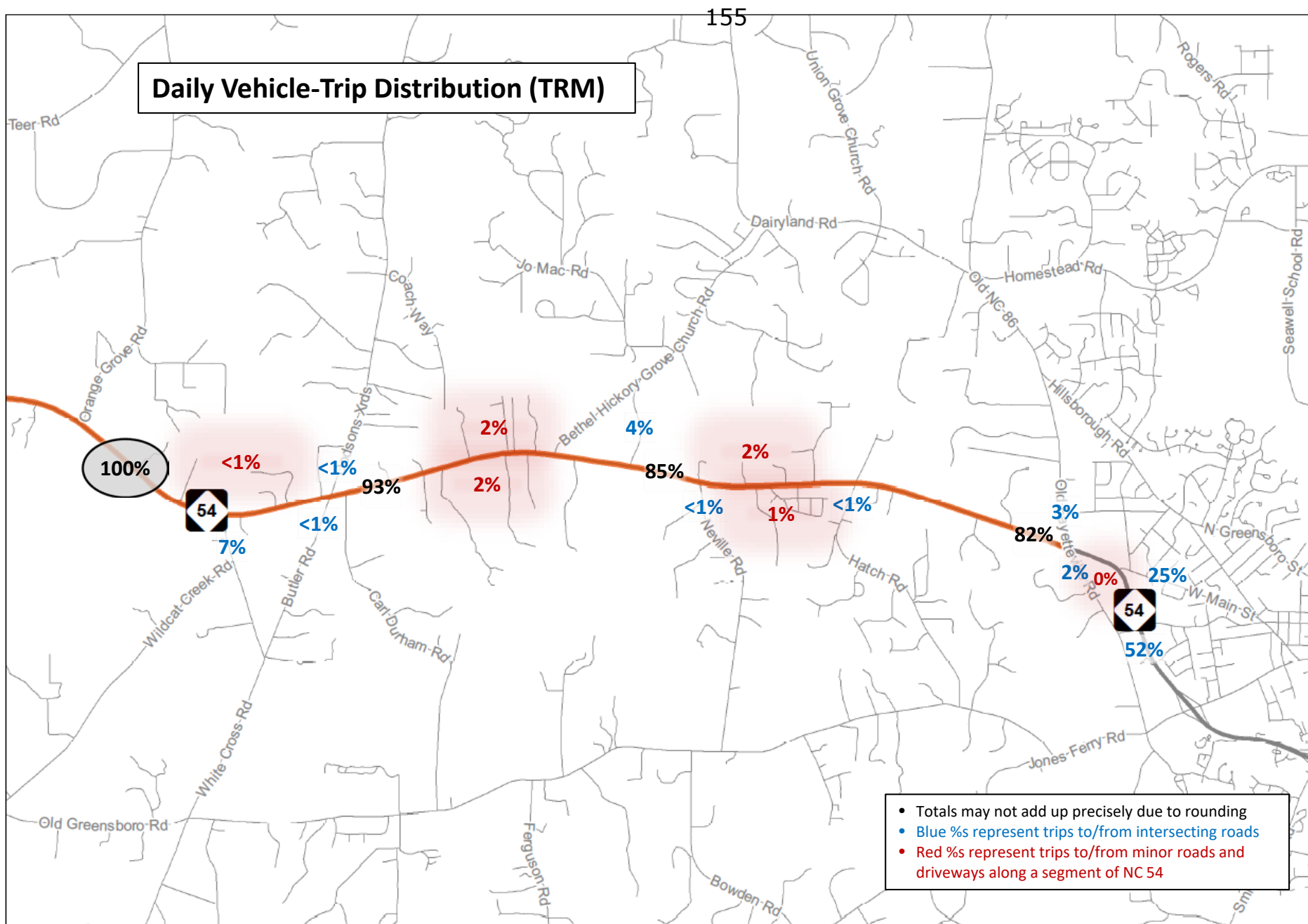


Figure 12: TRM Select Link Analysis – NC 54 East of Orange Grove Road



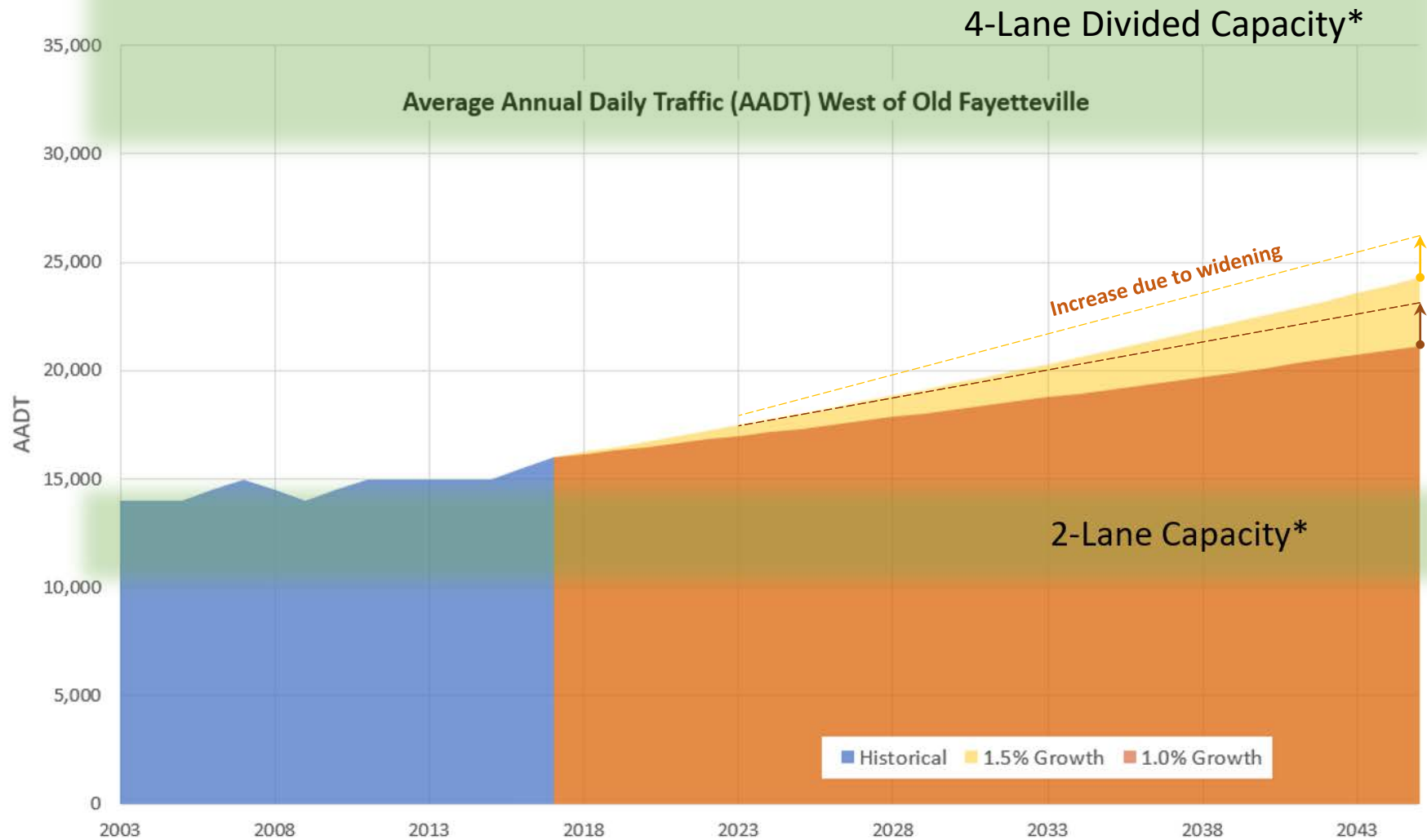
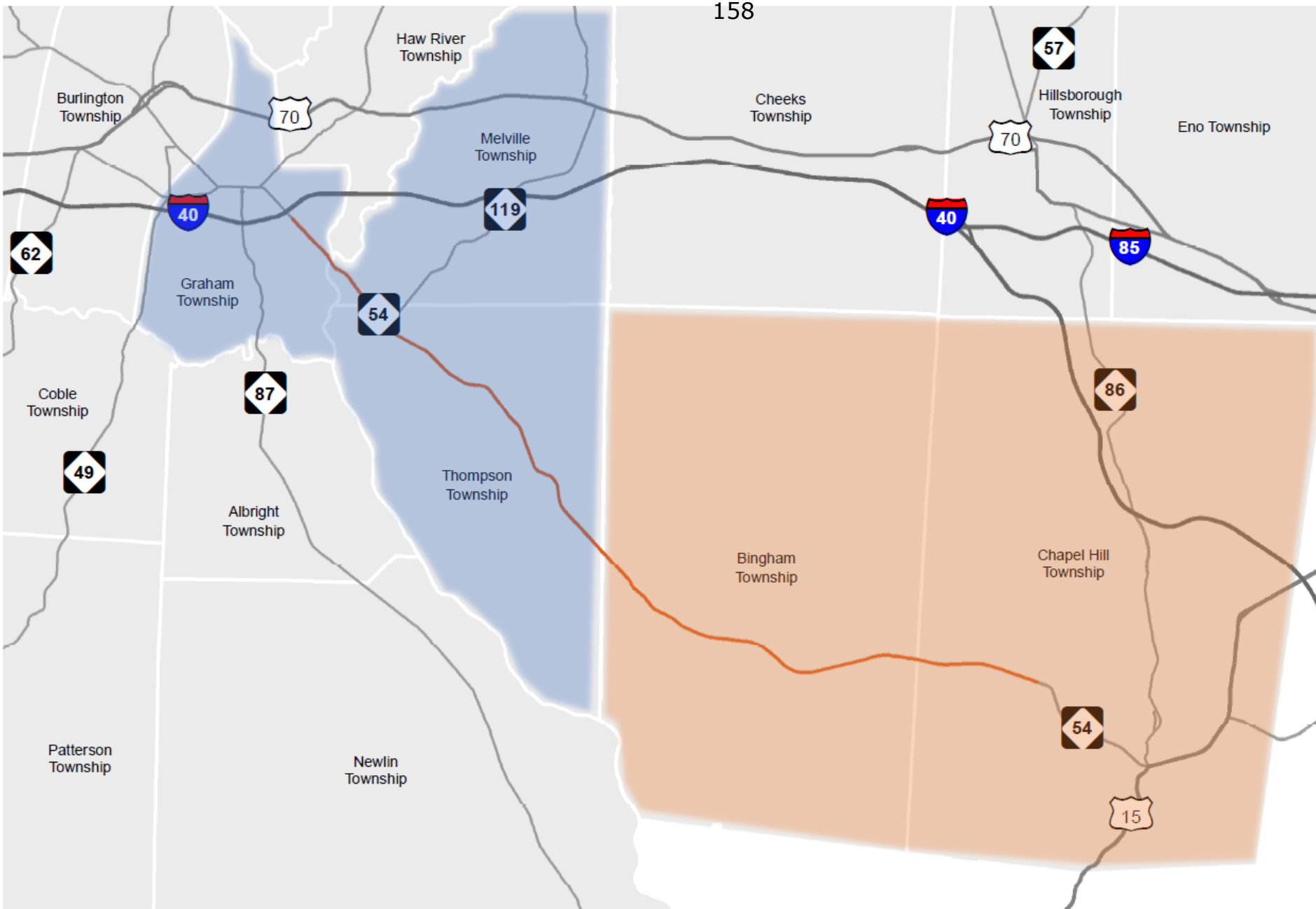


Figure 14: Relative Impacts of Traffic Shifts due to NC 54 Widening



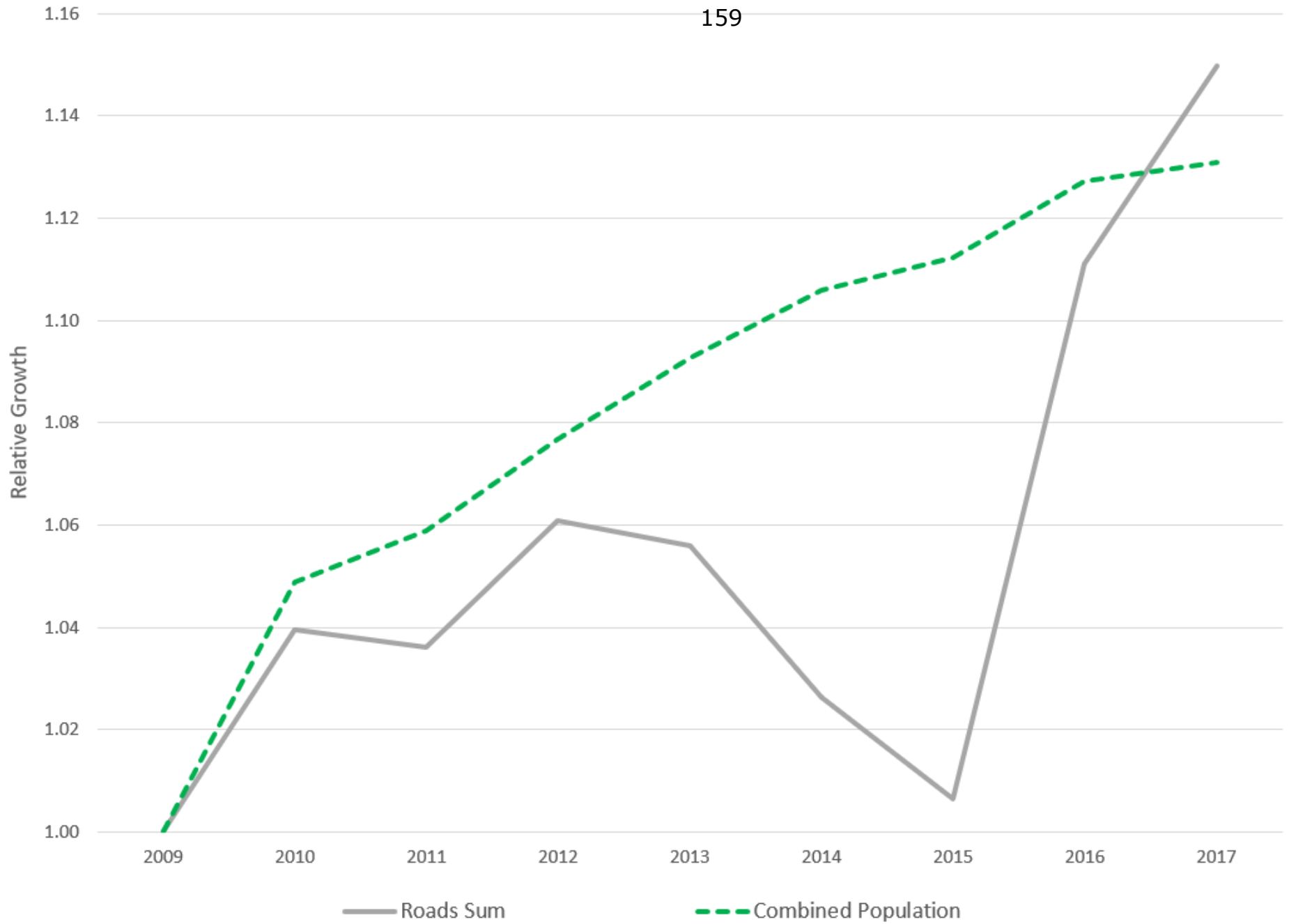


Figure 16: Comparison of Historical Population and AADT Aggregations

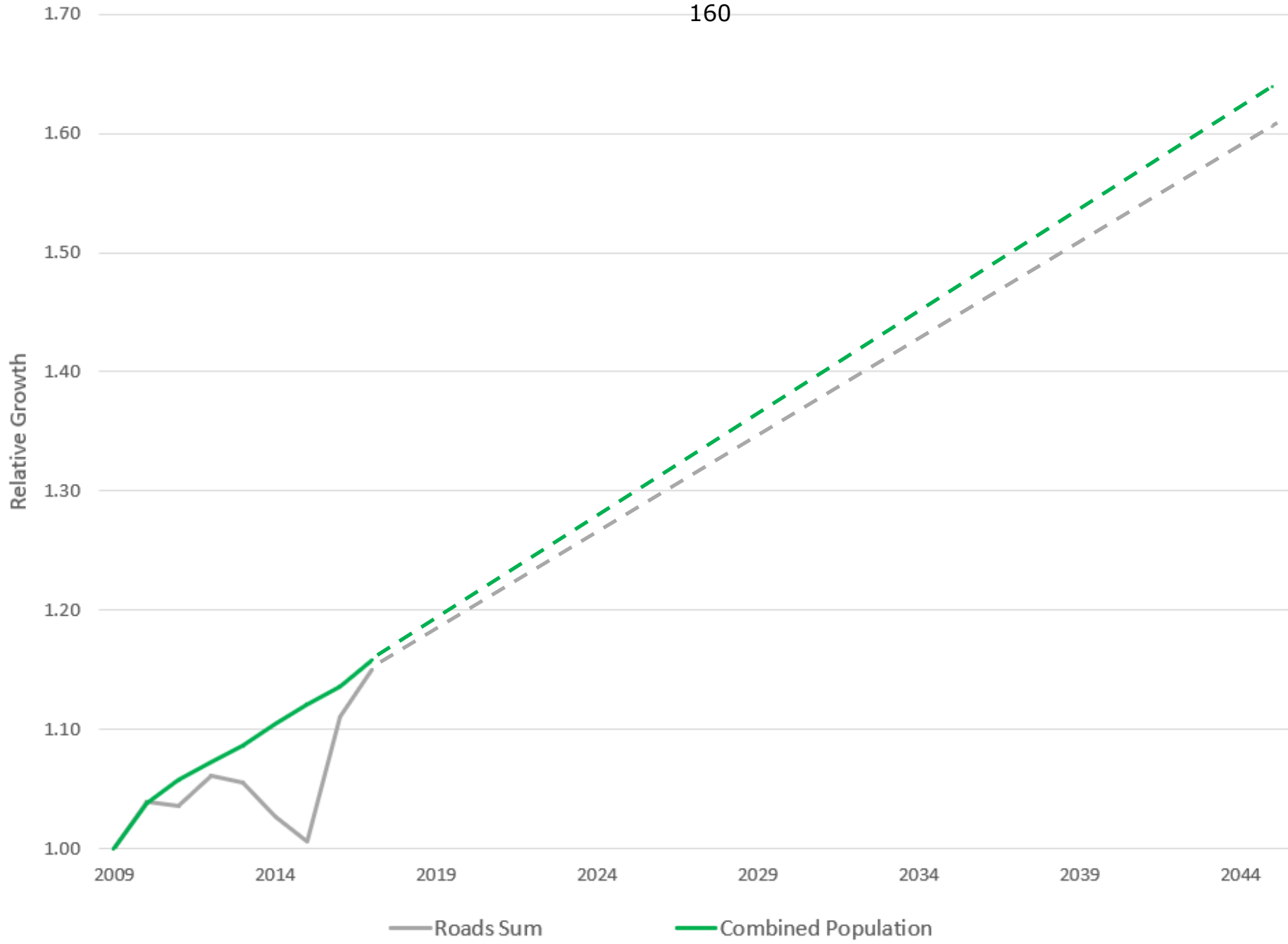


Figure 17: Comparison of Aggregated Population and AADT Forecasts

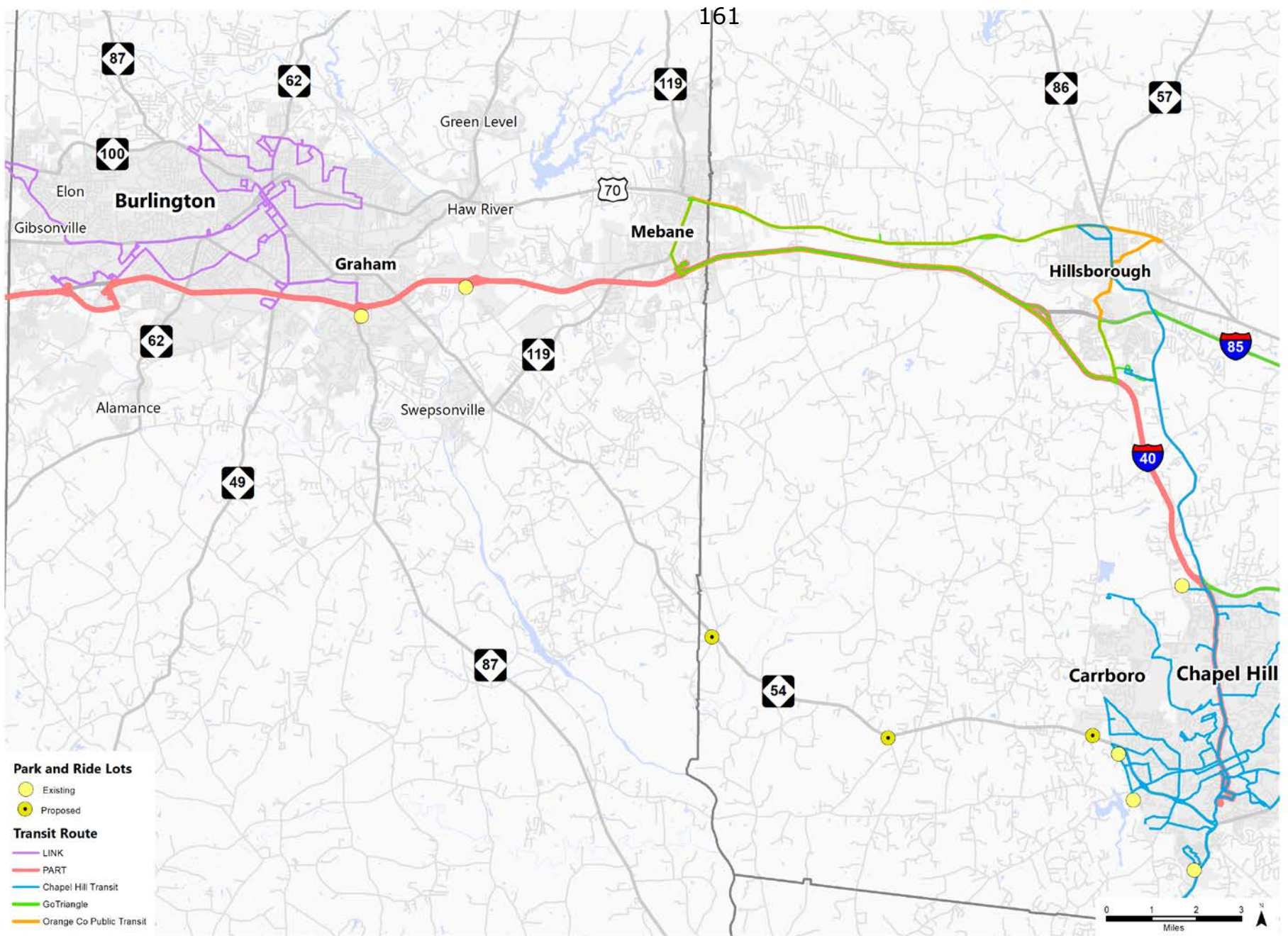
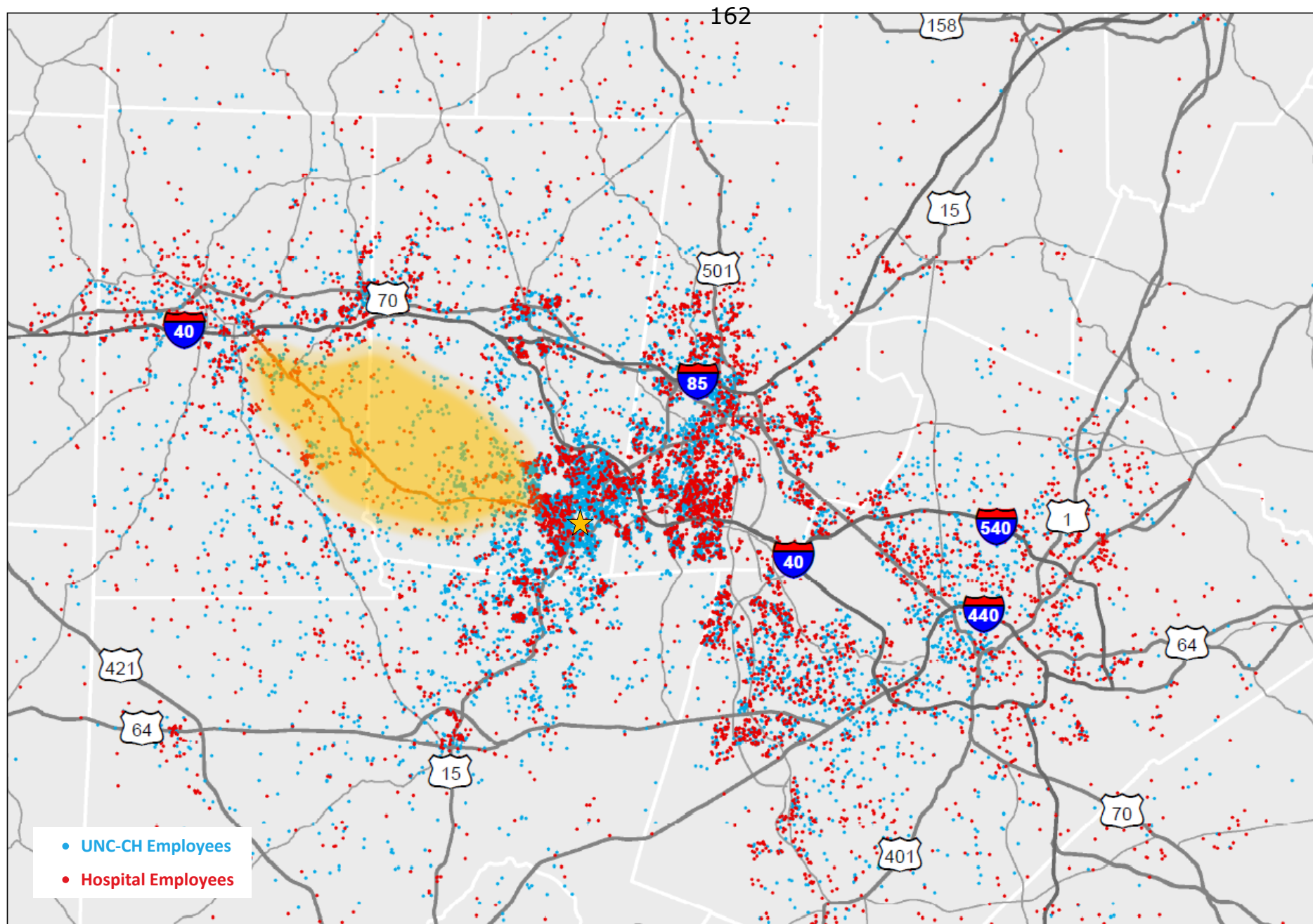
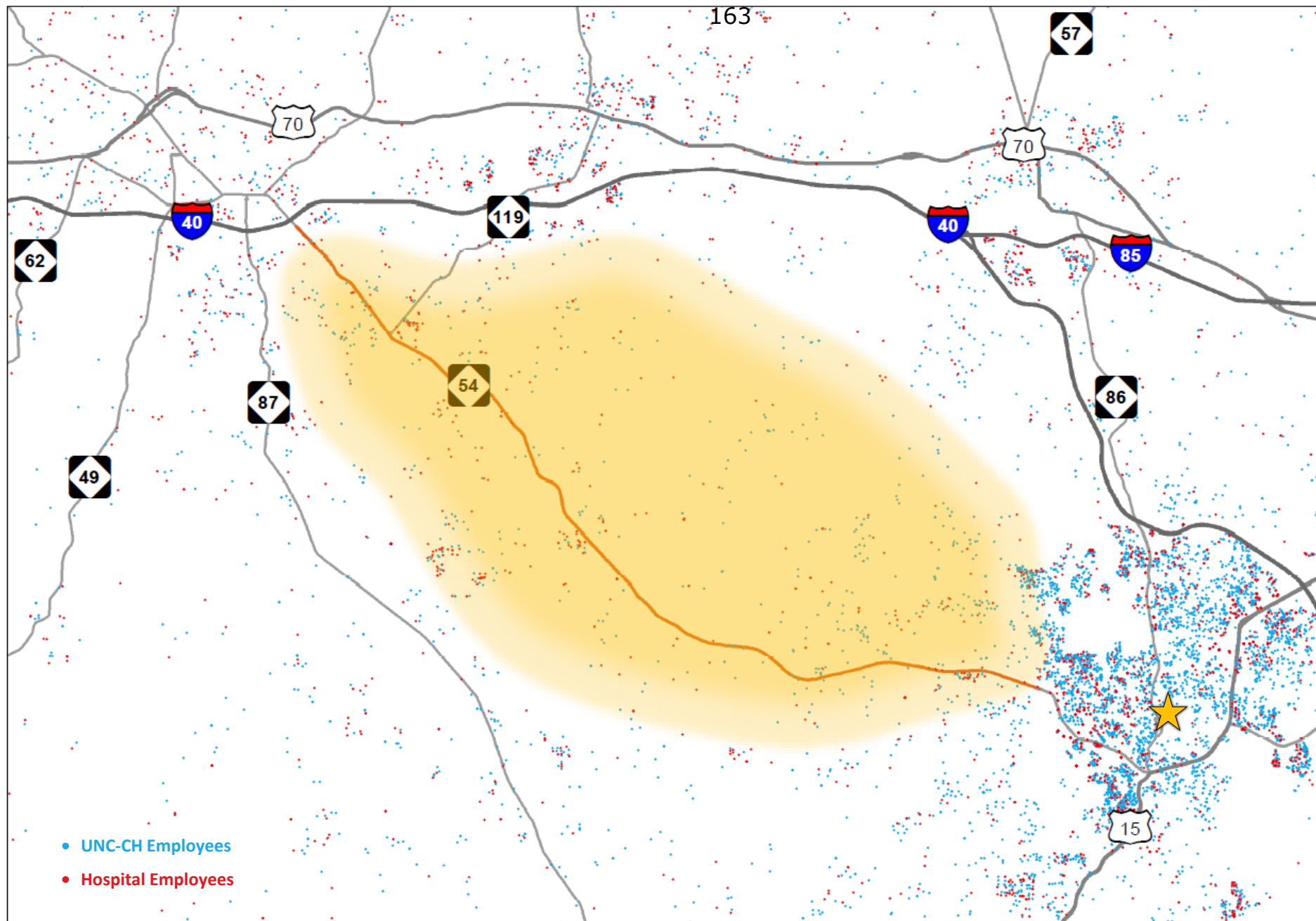


Figure 18: Transit Routes and Park-&-Ride Lots



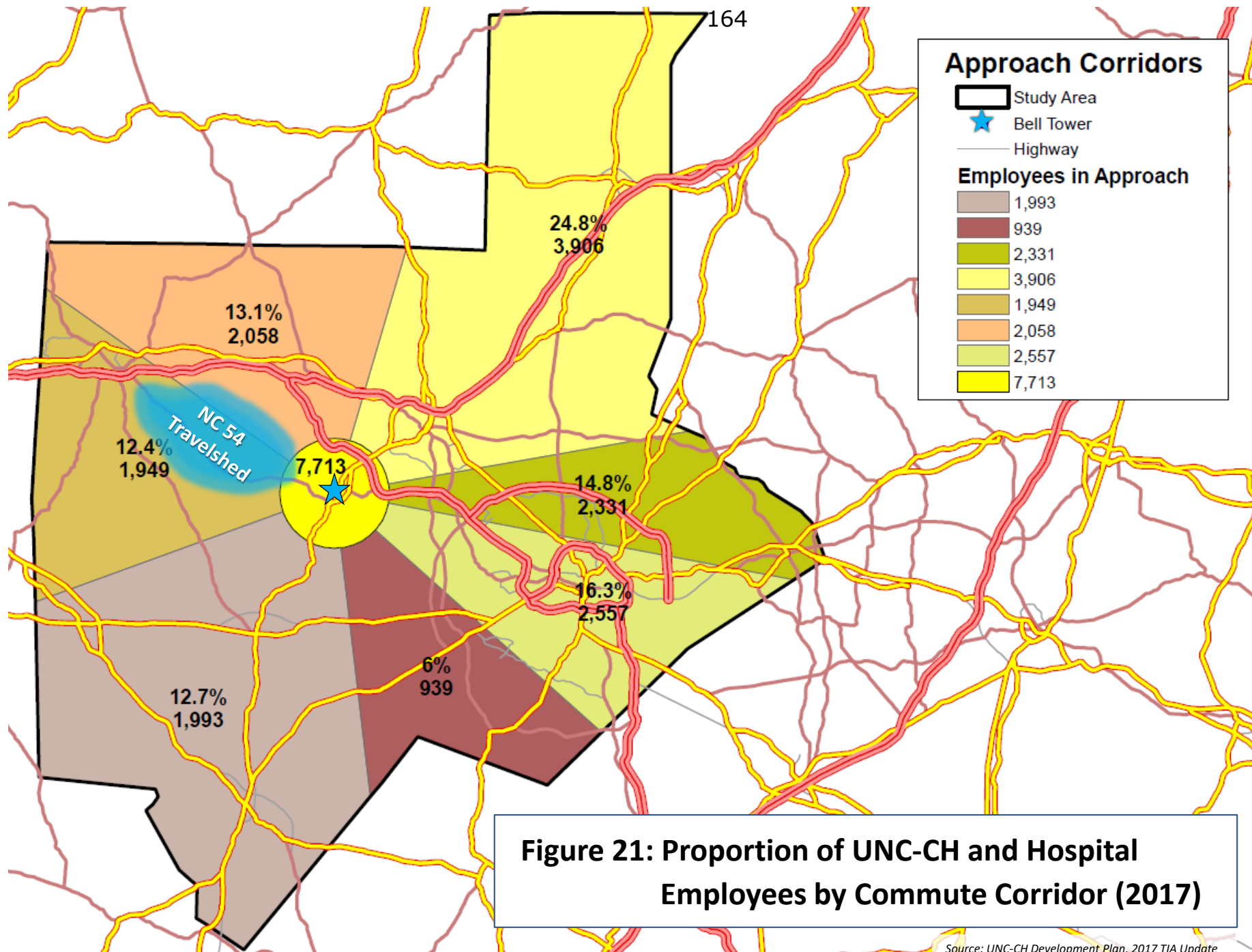
Source: UNC-CH Development Plan, 2017 TIA Update

Figure 19: Regional Distribution of UNC-CH and Hospital Employee Residences (2017)



Source: UNC-CH Development Plan, 2017 TIA Update

Figure 20: Study Area Distribution of UNC-CH and Hospital Employee Residences (2017)





TOWN OF CHAPEL HILL

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

Item Overview

Item #: 12., **File #:** [19-0886], **Version:** 1

Meeting Date: 10/30/2019

Open the Public Hearing: Land Use Management Ordinance Text Amendment - Proposed Changes to Sections 3.6.2 and 8.4 Related to Historic District Commission Procedures.

See the 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: Becky McDonnell, Planner II

- a. Introduction and preliminary recommendation
- b. Recommendation of the Planning Commission
- c. Comments from the public
- d. Comments and questions from the Mayor and Town Council
- e. Motion to recess the Public Hearing to November 20, 2019
- f. Referral to the Manager and Attorney.

RECOMMENDATION: That the Council open the Public Hearing, receive public comment, and continue the Public Hearing to November 20, 2019.



OPEN THE PUBLIC HEARING: LAND USE MANAGEMENT ORDINANCE TEXT
AMENDMENTS - SECTIONS 3.6.2 AND 8.4 HISTORIC DISTRICT COMMISSION
PROCEDURES

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT

Judy Johnson, Interim Director

Becky McDonnell, Planner II

AMENDMENT REQUEST		DATE	APPLICANT
Amend the Historic District Commission (HDC) sections of the Land Use Management Ordinance (LUMO) to improve HDC procedures and provide clarity to decisions of the HDC.		October 30, 2019	Planning Department
STAFF RECOMMENDATION			
That the Council open the public hearing regarding the Land Use Management Ordinance text amendment, receive public comment, and continue the public hearing to November 20, 2019.			
PROCESS		DECISION POINTS & BACKGROUND	
The Council must consider whether one or more of the three findings for enactment of the Land Use Management Ordinance Text Amendment applies:		<ul style="list-style-type: none">• On October 5, 2017 the Council Committee on Boards and Commissions considered a number of changes to the LUMO related to the HDC.• In 2019, the HDC and Town Staff proposed additional amendments.• Staff presented an analysis of all recommendations at the September 23, 2019 Council Committee on Boards and Commissions meeting, and the Committee recommended moving forward with six text amendments.• The Historic District Commission and the Planning Commission both recommended that the Council adopt the proposed amendments.	
<ol style="list-style-type: none">1. To correct a manifest error in the chapter; or2. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or3. To achieve the purposes of the Comprehensive Plan.			
TEXT AMENDMENT OVERVIEW			
These text amendments are in response to a recommendation from the Council Committee on Boards and Commissions to improve HDC procedures and provide clarity to decisions of the HDC. To move forward with the items below, the Council Committee took into consideration the recommendations from the 2017 Council Committee, a memorandum to the Town Council from the HDC, staff analysis, public comment, and previous research conducted by the HDC and staff. These proposed text amendments would modify the HDC sections of the Land Use Management Ordinance, as follows:			
<ol style="list-style-type: none">1. Reduce time for action on Certificates of Appropriateness (COAs) (3.6.2(d)(4))2. Clarify language for resubmittals of previously denied applications (3.6.2(d)(7))3. Provide an expiration for COAs (3.6.2(d)(8))4. Require findings of fact to reference evidence and clarify the congruity standard (3.6.2(e)(3))5. Clarify HDC voting procedures (8.4.9)6. Require updated inventories (8.4.10)			
Specific language for each of the above amendments can be found in the attached summary.			
ATTACHMENTS	<ol style="list-style-type: none">1. Text Amendment Summary2. Draft Staff Presentation3. Resolution of Consistency4. Ordinance A (Enactment of Land Use Management Text Amendment Proposal)5. Resolution B (Deny Land Use Management Text Amendment Proposal)6. Advisory Board Recommendations		



PROPOSED CHANGES: TEXT AMENDMENTS TO LAND USE MANAGEMENT
ORDINANCE REGARDING HISTORIC DISTRICT COMMISSION PROCEDURES

The following is a summary of the proposed text amendments to improve Historic District Commission procedures and provide clarity for decision-making.

1. Reduce Time for Action on Certificates of Appropriateness (COAs) by revising Section 3.6.2(d)(4) Procedures for approval of certificates of appropriateness:

The amendment requires that the HDC take action on an application within ninety (90) days, with opportunity for time extensions.

2. Clarify language for resubmittal of COA applications by revising Section 3.6.2(d)(7) Procedures for approval of certificates of appropriateness:

This amendment provides language for the town manager to accept a resubmitted application should he/she find that there has been a substantial change to the proposal with respect to the reasons for its denial.

3. Add a provision for expiration of a COA by amending Section 3.6.2(d)(8) Procedures for approval of certificates of appropriateness:

The current ordinance does not specify an expiration date for Certificates of Appropriateness (COA). This amendment specifies that the COA is valid for 365 days and provides standards for granting extensions, consistent with other development application approvals.

4. Clarify review criteria and congruity standard by revising Section 3.6.2(e)(3) Review criteria:

This amendment details review criteria and congruity standards for the Commission to reference in hearings.

5. Clarify voting procedures by revising Section 8.4.9 Quorum and voting:

This amendment clarifies the minimum number of votes required to approve or deny an application for consistency with General Statutes.

6. Require updated inventories by revising Section 8.4.10 Historical and Architectural Significance Maps:

This amendment requires the commission to maintain a historic resource inventory current to within twenty years. The inventory shall be made available to the public.



Text Amendment Historic District Commission Procedures

October 30, 2019

DRAFT

RECOMMENDATION



Staff recommends:

Open the public hearing, receive comments, and continue the public hearing to the November 20, 2019 meeting

DRAFT

Text Amendment Process



Text Amendment Background

Total of 15 items proposed

- 6 recommended by Council Committee on Boards & Commissions (2017)
- 8 additional items recommended by Historic District Commission (2019)
- 1 proposed by Town Staff (2019)

September 23, 2019: Council Committee on Boards & Commissions recommended moving forward with seven text amendments

DRAFT

What's in your packet?

- HDC Recommendation
- Planning Commission Recommendation
- Resolution of Consistency
- Ordinance A (Approval)
- Resolution B (Denial)



Reduce Time for Action on COAs

Section 3.6.2(d)(4) Procedures for approval of certificates of appropriateness

“(4) Action on the application. Within ~~one hundred eighty (180)~~ ninety (90) days of the acceptance filing of an application, or within such further time consented to by written notice from the applicant, the town manager or the commission shall approve the application, approve the application with conditions, or deny the application. The time period for action by the Commission shall be stayed during periods of appeal to the Board of Adjustment by any party. Under no circumstances shall the time period for which the Commission may take action be extended beyond 180 days from the date an application is filed. An application is considered filed when it has been submitted, deemed complete by the town manager, and the requisite application fee has been received by the Town...”

Clarify Language for Resubmittals

Section 3.6.2(d)(7) Procedures for approval of certificates of appropriateness

“(7) Submittal of new application. If the commission denies an application for a certificate of appropriateness, a new application affecting the same property may be ~~submitted~~ accepted by the town manager only if ~~substantive~~ substantial change, with respect to the reasons for its denial, is made in plans for the proposed construction, reconstruction, alteration, restoration, or moving.”



DRAFT

COA Expiration

Section 3.6.2(d)(8) Procedures for approval of certificates of appropriateness

“(8) A certificate of appropriateness shall be valid for 365 calendar days from date of issuance, or, in the case of a certificate for demolition, from the effective date. If the authorized work has not commenced within that period, has not been extended by the Commission, or has been discontinued for more than 365 calendar days from the date of issuance, such certificate of appropriateness shall expire and the applicant shall be required to reapply and obtain a new certificate of appropriateness before commencing further work.

All certificates of appropriateness issued prior to November 20, 2019 for which work has not commenced or which have not been extended by the Commission shall be valid until November 20, 2020.

The town manager may grant a single extension of the time limit for up to twelve (12) months if he/she determines that:

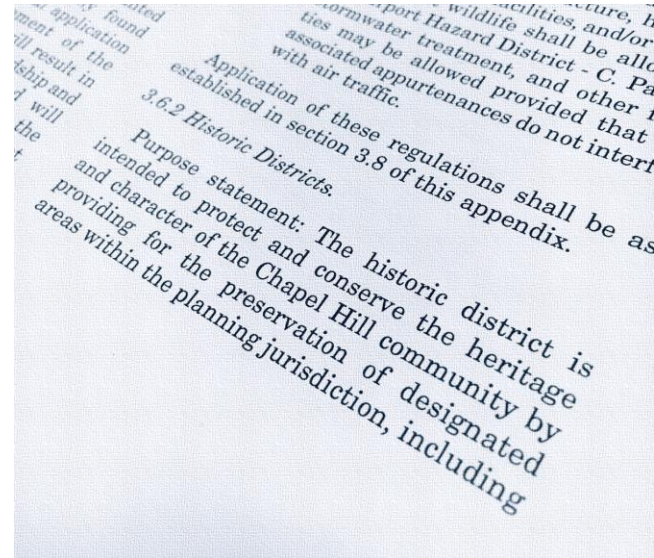
- A. The certificate holder submitted the request within sixty (60) days of the expiration date;
- B. The certificate holder has proceeded with due diligence and good faith; and
- C. Conditions have not changed so substantially as to warrant Commission reconsideration of the approved project.”

DRAFT

Clarify Review Criteria and Congruity Standard

Section 3.6.2(e)(3) Review criteria

“(3) The commission, using the criteria below, shall make findings of fact indicating ~~the extent to which~~ whether the application is or is not congruous with the historic aspects of the historic district. The commission, in its written decision, shall reference testimony or documents in the record of the hearing as appropriate and necessary in order to inform all parties of the basis of these findings of fact.”



DRAFT

Amend Voting Procedures

Section 8.4.9 Quorum and voting

“A quorum of the commission, necessary to take any official action, shall consist of six (6) members. The concurring vote of ~~five (5) members~~ a majority of the membership of the commission shall be necessary to take any official action to approve or deny an application or permit. Vacant positions on the board and members who are disqualified from voting shall not be considered members of the board for the calculation of the requisite majority.”



Require Updated Inventories

Section 8.4.10 Historical and Architectural Significance Maps

“The commission shall prepare, maintain, and consult maps, and make available to the public inventories, including photographs and assessments, showing the historic and architectural significance of buildings, structures, sites, areas, objects, and cultural landscapes within the historic districts. Such maps inventories of historic resources shall be used as a guide for the designation of historic districts. The Commission shall take steps as necessary to ensure that the inventory reflects information current to within twenty (20) updated at least every five (5) years.”

DRAFT

RECOMMENDATION

Staff recommends:

- Open the public hearing, receive comments, and continue the public hearing to the November 20, 2019 meeting

DRAFT

RESOLUTION OF CONSISTENCY

(Enacting the Land Use Management Ordinance Text Amendment proposal)

A RESOLUTION REGARDING AMENDING SECTIONS 3.6.2 AND 8.4 OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE RELATED TO HISTORIC DISTRICT COMMISSION PROCEDURES AND CONSISTENCY WITH THE CHAPEL HILL 2020 COMPREHENSIVE PLAN (2019-__-__/R-#)

WHEREAS, the Historic District Commission reviewed the draft text amendments to amend the Land Use Management Ordinance on October 15, 2019 and recommended that the Council enact the text amendments at its meeting on November 20, 2019; and

WHEREAS, the Planning Commission reviewed the draft text amendments to amend the Land Use Management Ordinance on October 15, 2019 and recommended that the Council enact the text amendments at its meeting on November 20, 2019; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to the Land Use Management Ordinance (LUMO) Sections 3.6.2 and 8.4 related to the Historic District Commission, and finds that the amendments, if enacted, are reasonable and in the public's interest and are warranted, to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A community of high civic engagement and participation (A Place For Everyone.5)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Good Places New Spaces.3)
- Adopt an integrated development review process that is fair and transparent and that incorporates the Chapel Hill 2020 environmental goals (Nurturing Our Community.5)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed text amendments to be reasonable and consistent with the Town's Comprehensive Plan.

This the __ day of ___, 2019.

(Enacting the Land Use Management Ordinance Text Amendment proposal)

AN ORDINANCE AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE SECTIONS 3.6.2 AND 8.4 FOR HISTORIC DISTRICT COMMISSION PROCEDURES (2019-__-__/O-#)

WHEREAS, the Council called a Public Hearing to amend subsections of Articles 3.6.2 and 8.4 of the Land Use Management Ordinance as it relates to Historic District Commission procedures for the Council's October 30, 2019 meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Sections 3.6.2 and 8.4 related to Historic District Commission procedures, and finds that the amendment, if enacted, is reasonable and in the public's interest and is warranted, to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A community of high civic engagement and participation (PFE.5)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (GPNS.3)
- Adopt an integrated development review process that is fair and transparent and that incorporates the Chapel Hill 2020 environmental goals (NOC.5)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council amends the Town Code of Ordinances, Appendix A, Land Use Management Ordinance as follows:

Section 1 – Paragraph 4 of Article 3. Section 3.6.2(d) Procedures for approval of certificates of appropriateness is hereby amended to read as follows:

“(4) Action on the application. Within ~~one hundred eighty (180)~~ ninety (90) days of the ~~acceptance~~ filing of an application, or within such further time consented to by written notice from the applicant, the town manager or the commission shall approve the application, approve the application with conditions, or deny the application. The time period for action by the Commission shall be stayed during periods of appeal to the Board of Adjustment by any party. Under no circumstances shall the time period for which the Commission may take action be extended beyond 180 days from the date an application is filed. An application is considered filed when it has been submitted, deemed complete by the town manager, and the requisite application fee has been received by the Town. Failure to take final action on an application within the prescribed time limit, or extensions thereof, shall result in approval of the application as submitted. The town manager or the commission may impose such reasonable conditions on the approval of an application as will ensure that the spirit and intent of this article are achieved. An application for a certificate of appropriateness authorizing the demolition of a building or structure within the historic district may not be denied. However, the effective date of such a certificate may be delayed for up to three hundred sixty-five (365) days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period the commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the building. If the commission finds that the building has no particular significance or value toward maintaining the character of the historic district, it shall waive

all or part of such period and authorize earlier demolition or removal. In every case, the record of the commission's action shall include the reasons for its action."

Section 2 – Paragraph 7 of Article 3. Section 3.6.2(d) Procedures for approval of certificates of appropriateness is hereby amended to read as follows:

"(7) Submittal of new application. If the commission denies an application for a certificate of appropriateness, a new application affecting the same property may be ~~submitted~~ accepted by the town manager only if substantive substantial change, with respect to the reasons for its denial, is made in plans for the proposed construction, reconstruction, alteration, restoration, or moving."

Section 3 – Paragraph 8 of Article 3. Section 3.6.2(d) Procedures for approval of certificates of appropriateness is hereby amended to read as follows:

"(8) A certificate of appropriateness shall be valid for 365 calendar days from date of issuance, or, in the case of a certificate for demolition, from the effective date. If the authorized work has not commenced within that period, has not been extended by the Commission, or has been discontinued for more than 365 calendar days from the date of issuance, such certificate of appropriateness shall expire and the applicant shall be required to reapply and obtain a new certificate of appropriateness before commencing further work.

All certificates of appropriateness issued prior to November 20, 2019 for which work has not commenced or which have not been extended by the Commission shall be valid until November 20, 2020.

The town manager may grant a single extension of the time limit for up to twelve (12) months if he/she determines that:

- A. The certificate holder submitted the request within sixty (60) days of the expiration date;
- B. The certificate holder has proceeded with due diligence and good faith; and
- C. Conditions have not changed so substantially as to warrant Commission reconsideration of the approved project."

Section 4 – Paragraph 3 of Article 3. Section 3.6.2(e) Review criteria is hereby amended to read as follows:

"(3) The commission, using the criteria below, shall make findings of fact indicating ~~the extent to which whether~~ the application is or is not congruous with the historic aspects of the historic district. The commission, in its written decision, shall reference testimony or documents in the record of the hearing as appropriate and necessary in order to inform all parties of the basis of these findings of fact."

Section 5 – Article 8. Section 8.4.9 Quorum and voting is hereby amended to read as follows:

"A quorum of the commission, necessary to take any official action, shall consist of six (6) members. The concurring vote of five (5) members a majority of the membership of the commission shall be necessary to take any official action to approve or deny an application or permit. Vacant positions on the board and members who are disqualified from voting shall not be considered members of the board for the calculation of the requisite majority.

The concurring majority vote of the quorum shall be necessary to conduct other business, including making a recommendation on an application to be considered by the council."

Section 6 – Article 8. Section 8.4.10 Historical and Architectural Significance Maps is hereby amended to read as follows:

"The commission shall prepare, maintain, ~~and consult maps,~~ and make available to the public inventories, including photographs and assessments, showing the historic and architectural significance of buildings, structures, sites, areas, objects, and cultural landscapes within the historic districts. Such ~~maps~~ inventories of historic resources shall be used as a guide for the designation of historic districts. The Commission shall take steps as necessary to ensure that the inventory reflects information current to within twenty (20) ~~updated at least every five (5)~~ years.

A structure is deemed to have historic and/or architectural significance if it possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and if it:

- (a) Is associated with events that have made a significant contribution to the broad patterns of local, state, or national history; or
- (b) Is associated with the lives of persons significant in the past; or
- (c) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- (d) Has yielded, or may be likely to yield, information important in prehistory or local, State, and national history."

Section 7. This ordinance shall be effective upon enactment.

This the __ day of ____, 2019.

RESOLUTION B

(Denying the Land Use Management Ordinance Text Amendment Proposal)

A RESOLUTION DENYING AMENDING THE LAND USE MANAGEMENT ORDINANCE
SECTIONS 3.6.2 AND 8.4 RELATED TO HISTORIC DISTRICT COMMISSION
PROCEDURES (2019-__-__/R-#)

WHEREAS, the Historic District Commission reviewed the draft text amendments to amend the Land Use Management Ordinance on October 15, 2019 and recommended that the Council enact the text amendments at its meeting on November 20, 2019; and

WHEREAS, the Planning Commission reviewed the draft text amendments to amend the Land Use Management Ordinance on October 15, 2019 and recommended that the Council enact the text amendments at its meeting on November 20, 2019; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposal to amend the Land Use Management Ordinance related to Historic District Commission procedures, and finds that the amendments, if enacted, are unreasonable, not in the public's interest, and inconsistent with the Town's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Land Use Management Text Amendments to be unreasonable, not in the public interest, and inconsistent with the Town's Comprehensive Plan.

This the __ day of ____, 2019.

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION FOR LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENTS FOR SECTION 3.6.2 AND 8.4 HISTORIC DISTRICT COMMISSION PROCEDURES

October 15, 2019

Recommendation: Approval ☐ Approval with Conditions ☒ Denial ☐

Motion: Neal Bench moved and Amy Ryan seconded a motion to recommend that the Council approve the Land Use Management Ordinance Text Amendments for Section 3.6.2 and 8.4, with a condition that staff look into congruity concerns and provide recommendations to improve clarity and eliminate any concerns.

Vote: 7 – 0

Yeas: John Rees (Chair), Neal Bench, Melissa McCullough, Whit Rummel
Amy Ryan, Buffie Webber, Stephen Whitlow

Nays:

Prepared by: Michael Sudol, Planner II

HISTORIC DISTRICT COMMISSION

The commission is authorized and empowered to undertake actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this appendix and in Chapter 160A, Article 19, Part 3C of the N.C. General Statutes, including but not limited to proposing to the council amendments to this chapter or to any other ordinance relating to the historic district, and to propose new ordinances or laws relating to the historic district or to a program for the development of the historical resources of the Chapel Hill community.

RECOMMENDATION

TEXT AMENDMENTS REGARDING HISTORIC DISTRICT COMMISSION PROCEDURES

October 15, 2019

ORDINANCE A

Recommendation: **Approval** ☐ **Approval with Condition** ☒ **Denial** ☐

Sean Murphy moved and Diane Kunz seconded a motion to forward a positive recommendation to the Town Council for Ordinance A, with amendments.

Vote: **6-0**

Ayes: David Schwartz (Chair), Sean Murphy (Vice-Chair), Robert Epting, Diane Kunz, Nancy McCormick, Angela Steifbold

Nays: None

The Historic District Commission requested the proposed amendments be expanded to include explicit reference to the Design Guidelines, remove the word “maps” from the amendment regarding historic inventories, and that staff review the proposed amendments with the State Historic Preservation Office prior to Council review.

Prepared by: Anya Grahn, Planning Department Staff



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 13., **File #:** [19-0887], **Version:** 1

Meeting Date: 10/30/2019

Call a Public Hearing on November 20, 2019 to Consider a Petition for Annexation of Properties at Sunrise Road and Ginger Road.

Staff:

Judy Johnson, Interim Director
Corey Liles, Principal Planner

Department:

Planning

Overview: The Town received a voluntary petition on October 15, 2019 from Habitat for Humanity of Orange County and from Barbara and Donald Levine to annex 33.72 acres of land into the Town of Chapel Hill corporate limits. The Town Clerk reviewed and determined this is a valid petition.



Recommendation(s):

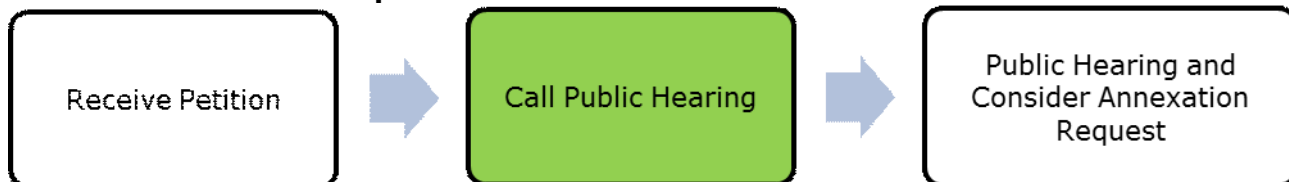
That the Council schedule a public hearing on November 20, 2019 to consider annexation of property at Sunrise Road and Ginger Road.

Additional Information

- North Carolina General Statute 160A-31(c) requires the Town to set a public hearing for annexation upon receiving a valid petition for land contiguous to Town boundaries.
- This is a voluntary petition to annex property that is also going through the development review process. Habitat for Humanity has submitted a Conditional Zoning application for this site known as Weavers Grove Community, which would include 219 dwelling units with various amenities.

Fiscal Impact/Resources: Annexation of this area would include it in the Town's corporate limits. Properties could then receive the full range of services provided by the Town of Chapel Hill. Annexation would also require a one-time payment to offset long-term debt of the volunteer fire department. Staff will provide a fiscal impact assessment at the November 20, 2019 public hearing.

Where is this item in its process?



Attachments:

- Resolution
- Voluntary Annexation Petition Map
- Certificate of Sufficiency

A RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 20, 2019 ON A PETITION TO ANNEX LANDS AT SUNRISE ROAD AND GINGER ROAD PURSUANT TO N.C.G.S. SEC. 160A-31 (2019-10-30/R-9)

WHEREAS, staff has received a petition requesting annexation of an area located northeast of the intersection of Sunrise Road and Ginger Road, contiguous to the corporate boundary of the Town of Chapel Hill and described herein; and

WHEREAS, the area proposed for annexation is further defined by Orange County Parcel Identification Numbers (PINs) 9890-06-0413, 9890-06-3350, 9890-06-6312, 9890-06-5926, and 9890-16-0437, along with the entire right-of-way of Ginger Road and one half of the abutting right-of-way of Sunrise Road; and

WHEREAS, the Town Clerk has investigated the sufficiency of the petition and found it to be valid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council will hold a public hearing on the question of annexation of properties adjacent to the Town of Chapel Hill described herein on Wednesday, November 20, 2019 at Town Hall, Council Chamber, 405 Martin Luther King Jr. Blvd., Chapel Hill at 7:00 p.m.

BE IT FURTHER RESOLVED that notice of said hearing shall be published in accordance with N.C.G.S. Sec. 160A-31(c).

This the 30th day of October, 2019.

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

PRESENTER: Corey Liles, Principal Planner

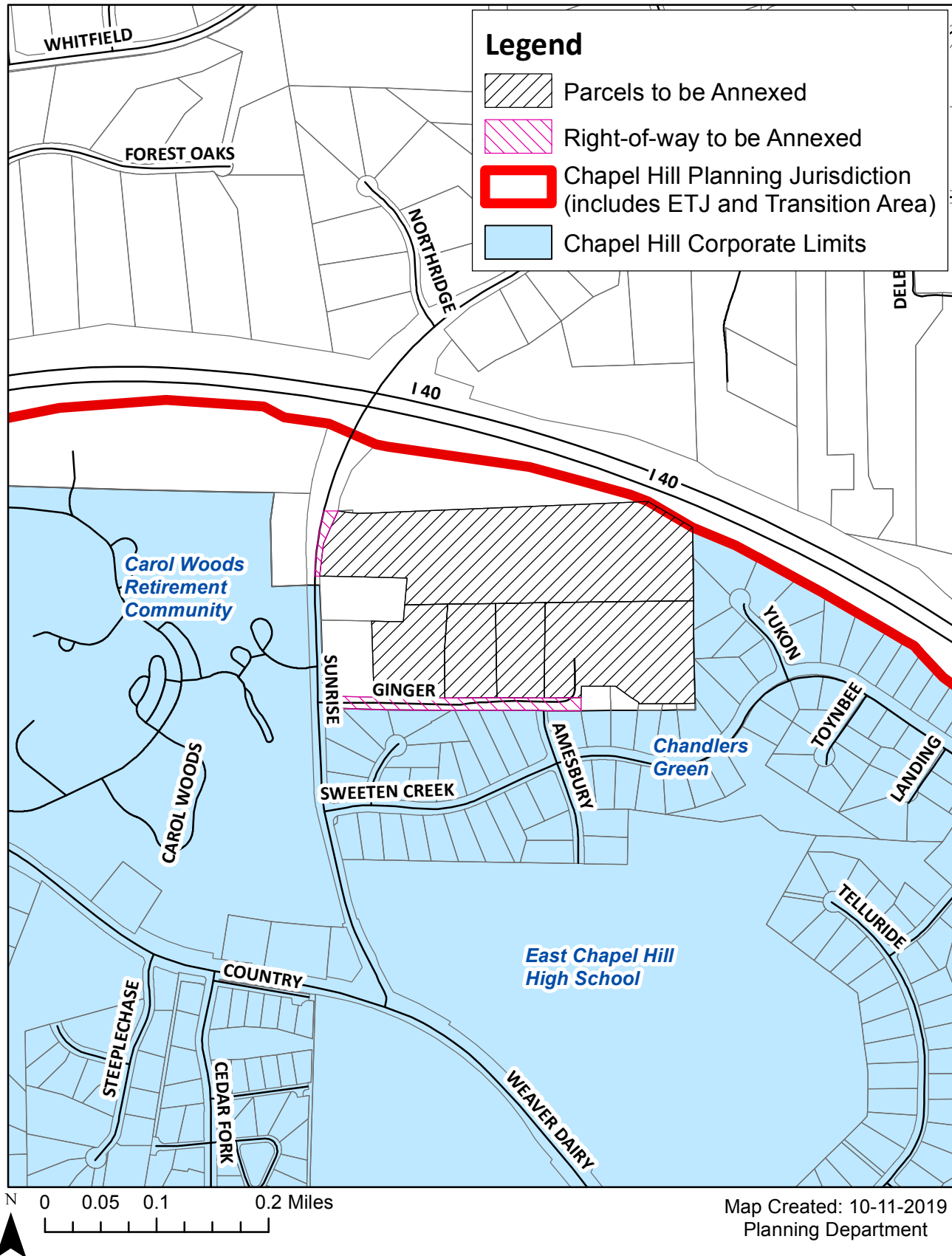
RECOMMENDATION: That the Council schedule a public hearing on November 20, 2019 to consider annexation of property at Sunrise Road and Ginger Road.

Voluntary Annexation Petition Map

Sunrise Rd and Ginger Rd

Orange Co. PIN(s):

9890-06-0413, 9890-06-3350, 9890-06-6312,
9890-06-5926, 9890-16-0437



CERTIFICATE OF SUFFICIENCY

I, Sabrina M. Oliver, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Chapel Hill, on October 15, 2019.



A handwritten signature in blue ink, appearing to read "S. Oliver", is written over a horizontal line.

Sabrina M. Oliver, Town Clerk

PETITION REQUESTING ANNEXATION

October 1, 2019

To the Town Council of the Town of Chapel Hill:

- 1) We, the undersigned owners of real property, respectfully request that the areas described in Paragraph 2 below be annexed into the Town of Chapel Hill.
- 2) The real property to be annexed is contiguous to the Town of Chapel Hill corporate limits and includes all or a portion of the following Orange County, NC land parcels:

PIN(s): 9890-06-0413, 9890-06-3350, 9890-06-6312, 9890-06-5926, 9890-16-0437,
Ginger Road Right-of-Way

Legal Description: See attached Exhibit A, which describes the property proposed to be annexed.

Total acres to be annexed: 33.72 acres, as shown on Exhibit A

- 3) As of the date of this Petition, no zoning vested rights have been established for the property pursuant to G.S. section 160A-385.1 or G.S. section 153A-344.1.

Property Owner Name

Address


Habitat for Humanity, Orange County, N.C., Inc.,
a North Carolina non-profit corporation

88 Vilcom Center Drive, Suite L110
Chapel Hill, NC 27514

By:

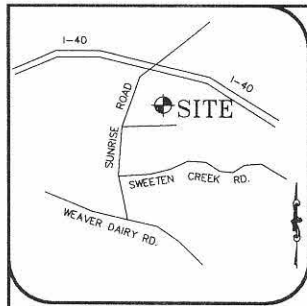
Name: Jennifer Player

Title: Chief Executive Officer


Barbara Levine

120 Stoneridge Drive
Chapel hill, NC 27514


Donald Levine



VICINITY MAP
NOT TO SCALE

- NOTES:**
1. THIS IS A SURVEY OF EXISTING PARCELS. THIS IS A CONTIGUOUS ANNEXATION MAP.
 2. BEARINGS FOR THIS SURVEY ARE BASED ON NC GRID (NAD 83).
 3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 4. ZONING: R-2 (CHAPEL HILL).
 5. SETBACKS PER CHAPEL HILL UDO: STREET: 26', INTERIOR: 11'; SOLAR: 13'.
 6. FLOOD NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED ENTIRELY IN ZONE "X" AS SHOWN ON FEMA FIRM PANELS 3710988000 K DATED NOVEMBER 17, 2017, AND 3710988000 M DATED JANUARY 19, 2019.
 7. REFERENCES: DB 4101, PG 286; DB 4081, PG 332; DB 2508, PG 358; DB 2607, PG 752; DB 2620, PG 160; HM 3, PG 37; PB 47, PG 146; PB 71, PG 75; PB 15, PG 94; PB 37, PG 32; PB 72, PG 150; PB 41, PG 4; PB 56, PG 34; PB 92, PG 4 OF THE ORANGE COUNTY REGISTRY.

CONTIGUOUS ANNEXATION
AREA TO BE ANNEXED
33.72 ACRES

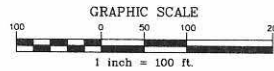
CONTIGUOUS ANNEXATION MAP
NOT FOR
CONVEYANCES OR SALES

SITE DATA TABLE

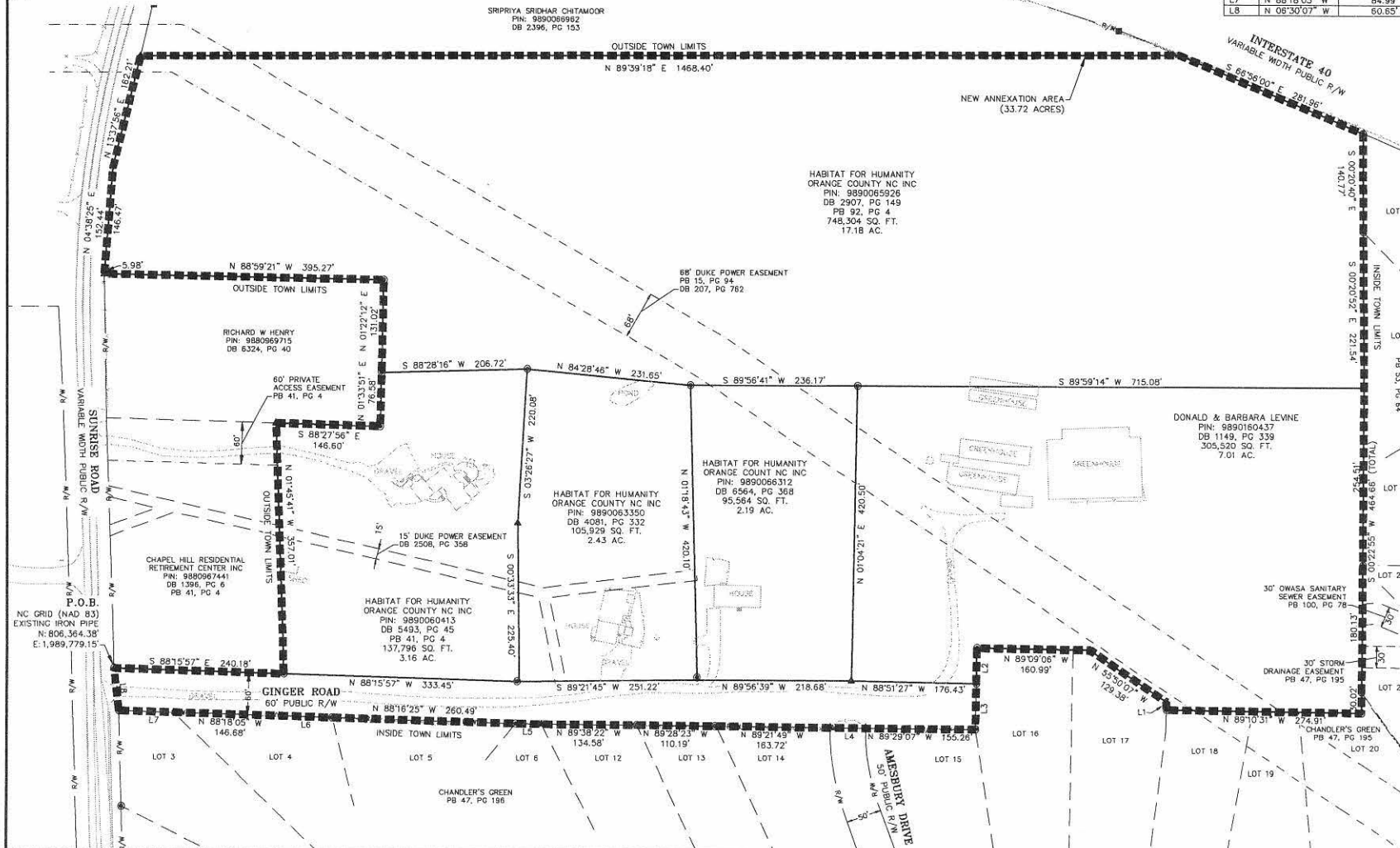
PARCEL NO.	AREA TO BE ANNEXED	
	SQ. FT.	ACRES
PIN: 9890065926	748,304	17.18
PIN: 9890060413	137,796	3.16
PIN: 9890063350	105,929	2.43
PIN: 9890066312	95,564	2.19
PIN: 9890160437	305,520	7.01
GINGER ROAD	78,033	1.75
TOTAL	1,469,146	33.72

LEGEND

- EXISTING IRON PIPE
- ▲ CALCULATED CORNER
- EXISTING CONCRETE MONUMENT
- R/W — RIGHT OF WAY



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 00°49'30" E	11.48'
L2	S 00°49'17" W	49.94'
L3	S 00°48'03" W	69.24'
L4	N 89°29'03" W	50.00'
L5	N 88°42'15" W	36.54'
L6	N 88°11'12" W	69.71'
L7	N 88°18'03" W	84.99'
L8	N 06°30'07" W	60.65'



BALLENTINE ASSOCIATES, P.A.

CHAPEL HILL, NC 27514
(919) 809-0481 FAX (919) 481-4788

CORPORATE
SCALE
(8 1/2" X 11")
Revised 10/11

OWNER INFORMATION:
HABITAT FOR HUMANITY
88 VILCOM CENTER DR
SUITE 1110
CHAPEL HILL, NC 27514

OWNERS REPRESENTATIVE:
SUSAN LEVY
PH: (919) 932-7077
EMAIL: SLevy@orangehabitot.org

DATE	ISSUED
01 OCT 19	REVISED OWNERSHIP PIN: 9890060413

HABITAT FOR HUMANITY ORANGE COUNTY
SUNRISE ROAD AND GINGER ROAD
CHAPEL HILL TWP., ORANGE CO., NORTH CAROLINA

CONTIGUOUS ANNEXATION MAP

JOB NUMBER: 218038.00
DATE: 25 SEPT 19
SCALE: 1"=100'
DRAWN BY: EJS / EMM
REVIEWED BY: EMM

SHEET
1 OF 1

Annexation Parcel (Chapel Hill)

Multiple Parcels (Pin # 9890065926, 9890060413, 9890063350, 9890066312, 9890160437, and Ginger Road)

Chapel Hill Township, Orange County, North Carolina

Being all of Property Pin #s: 9890065926; 9890060413; 9890063350; 9890066312; 9890160437; and Ginger Road (A 60' wide public R/W); and being more particularly described as follows:

BEGINNING at an existing iron pipe having NC Grid Coordinate (NAD 83) of N:806,364.38' E:1,989,779.15' being along the eastern R/W of Sunrise Road (a 60' wide public R/W) and also being the southwest corner of lands owned by Chapel Hill Residential Retirement Center Inc (DB 1396, PG 6); thence South 88°15'57" East a distance of 240.18 feet to a point; thence North 01°45'41" West a distance of 357.01 feet to a point; thence South 88°27'56" East a distance of 146.60 feet to a point; thence North 01°33'51" East a distance of 76.58 feet to a point; thence North 01°22'12" East a distance of 131.02 feet to a point; thence North 88°59'21" West a distance of 395.27 feet to a point; thence North 04°38'25" East a distance of 152.44 feet to a point; thence North 13°37'56" East a distance of 162.21 feet to a point; thence North 89°39'18" East a distance of 1,468.40 feet to a point; thence South 66°56'00" East a distance of 281.96 feet to a point; thence South 00°20'40" East a distance of 140.77 feet to a point; thence South 00°20'52" East a distance of 221.54 feet to a point; thence South 00°22'55" West a distance of 464.66 feet to a point; thence North 89°10'31" West a distance of 274.91 feet to a point; thence North 00°49'30" East a distance of 11.48 feet to a point; thence North 55°50'07" West a distance of 129.38 feet to a point; thence North 89°09'06" West a distance of 160.99 feet to a point; thence South 00°49'17" West a distance of 49.94 feet to a point; thence South 00°48'03" West a distance of 65.24 feet to a point; thence North 89°29'07" West a distance of 155.26 feet to a point; thence North 89°29'03" West a distance of 50.00 feet to a point; thence North 89°21'49" West a distance of 163.72 feet to a point; thence North 89°28'23" West a distance of 110.19 feet to a point; thence North 89°38'22" West a distance of 134.58 feet to a point; thence North 88°42'15" West a distance of 36.54 feet to a point; thence North 88°16'25" West a distance of 260.49 feet to a point; thence North 88°11'12" West a distance of 69.71 feet to a point; thence North 88°18'05" West a distance of 146.68 feet to a point; thence North 88°18'05" West a distance of 84.99 feet to a point; thence North 06°30'07" West a distance of 60.65 feet to a point; to the point of BEGINNING, containing an area of 1,469,146 square feet, or 33.72 acres, more or less.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 14., **File #:** [19-0888], **Version:** 1

Meeting Date: 10/30/2019

Discuss Affordable Housing Preservation Strategy Framework.

Staff:

Loryn B. Clark, Executive Director
Sarah Osmer Viñas, Assistant Director
Nate Broman-Fulks, Affordable Housing Manager
Emily Holt, Affordable Housing Development Officer

Department:

Housing and Community

Overview: This item presents a draft framework to guide the Town's affordable housing preservation efforts going forward. It provides a strategic approach to allow the Town to create proactive solutions for preserving affordable housing in town. The proposed Framework is based on staff research on strategies implemented by communities nationwide and informed by feedback from the Housing Advisory Board. It organizes the proposed strategies into three primary objectives:

1. Preserve Existing Affordable Housing
2. Improve or Maintain Quality of Affordable Housing
3. Support Tenant Protections for Households at Risk of Displacement



Recommendation:

That the Council provide feedback and guidance on the draft Affordable Housing Preservation Strategy Framework.

Key Issues:

- Preserving existing affordable housing is one of the two key Affordable Housing Objectives in Town Council's Strategic Goals and Objectives FY20-22.
- The threat of losing affordable housing is one of the biggest obstacles to meeting the Town's housing goals.
- Preservation can be a time- and cost-efficient means of maintaining the supply of affordable housing.

Fiscal Impact/Resources: We have not yet fully evaluated the costs associated with implementation of the strategies outlined in the Preservation Framework and will do so once we receive preliminary guidance from the Council.



Attachments:

- Draft Staff Presentation
- Draft Affordable Housing Preservation Strategy Framework

Item #: 14., File #: [19-0888], Version: 1

Meeting Date: 10/30/2019

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

PRESENTER: Nate Broman-Fulks, Affordable Housing Manager
Emily Holt, Affordable Housing Development Officer

RECOMMENDATION: That the Council provide feedback and guidance on the draft Affordable Housing Preservation Strategy Framework.

PRESERVATION STRATEGY FRAMEWORK

DRAFT



Town Council Meeting
October 30, 2019





Strategic Goals and Objectives

FY 2020-2022

Affordable Housing

To increase access to housing for individuals across a range of incomes, and to constantly strive for more equitable outcomes and opportunities for historically underserved populations.



OBJECTIVES

1. Increase availability of affordable housing for all incomes

2. Preserve existing affordable housing

INITIATIVES

1. Manage bond and other local affordable housing funding resources

2. Develop affordable housing on Town-owned properties

3. Reduce regulatory barriers and create incentives for affordable housing

4. Using a racial equity lens, identify root causes of affordable housing challenge and address with short, medium and long term approaches

1. Implement Public Housing Master Plan

2. Consider options for Public Housing redevelopment

3. Implement Manufactured Home Strategy

4. Implement Affordable Housing Preservation Strategy

5. Support the Northside Neighborhood Initiative



DRAFT

Agenda

1. Context

2. Framework Overview

3. Discussion and Feedback

DRAFT



Council Consideration

- Provide feedback and guidance on the draft Preservation Strategy Framework



DRAFT



Overall Objectives of Preservation Strategy Framework

- 1) Preserve Existing Affordable Housing
- 2) Improve or Maintain Quality of Affordable Housing
- 3) Provide Tenant Protections and Support for Households at Risk of Displacement

DRAFT





What is Preservation?

- Activities that maintain affordability of existing housing.
- Previously has included:
 - Homebuyer subsidy for existing units
 - Housing rehabilitation
 - Rental and utility assistance

DRAFT





What is a Preservation Strategy?

- A tool to build on the preservation work already underway
- A proactive and comprehensive approach

Town of Chapel Hill Draft Preservation Strategy Framework

Objective I: Preserve Existing Affordable Housing

Strategy I1: Protect affordable housing property from redevelopment

Intermediate Result	Performance Measures	Potential Partners	Timeframe
Local preservation loan funds dedicated to acquire existing affordable housing under threat of redevelopment	# and % of total NOAH units preserved	Banks/CDFIs UNC Philanthropy	Medium Term
Resident-owned communities are established for properties under threat of redevelopment	# of residents who avoid displacement Total funding deployed	ROC USA Property owners Landlords	Medium Term
Early Warning System helps to identify at risk affordable housing properties and target preservation efforts	Total \$ leveraged through financing	Affordable housing providers Landlords TJCOG Local realtors	Short Term

Strategy I2: Provide financial support to low-income households facing rising housing costs

Intermediate Result	Performance Measures	Potential Partners	Timeframe
Low-income renters have access to affordable housing through a master leasing program	# of low income households receiving financial support	Affordable housing providers UNC	Short Term
Low-income renters receive short term rental/utility assistance	Total subsidy amount provided annually	Affordable housing providers	Short Term
Housing Choice Voucher holders have more housing options in the Town of Chapel Hill	# of additional units available to voucher holders % of total affordable rental housing stock accepting vouchers	Orange County Landlords Advocates Affordable housing providers	Long Term
Low-income homeowners facing increased property taxes receive subsidies to keep their housing costs affordable		Affordable housing providers	Short Term



Why Create a Preservation Strategy?

1. Threat of losing affordable housing
2. Allow residents to stay in their community
3. Maintains diverse neighborhoods
4. Cost efficient vs new development

DRAFT



Research and Process



Preservation Strategy Framework

Goal:

Create a strategic and proactive approach for preserving existing affordable housing



DRAFT



Overall Objectives of Preservation Strategy Framework

- 1) Preserve Existing Affordable Housing
- 2) Improve or Maintain Quality of Affordable Housing
- 3) Provide Tenant Protections and Support for Households at Risk of Displacement

DRAFT



Objective 1: Preserve Existing Affordable Housing

Strategy 1.1: Support affordable housing properties at risk of redevelopment

Intermediate Result

- ***Local preservation loan funds*** available to acquire affordable housing under threat of redevelopment
- ***Resident-owned communities*** established for properties under threat of redevelopment
- ***Early warning system*** identifies at-risk properties to target preservation efforts

DRAFT

Objective 1: Preserve Existing Affordable Housing

Strategy 1.2: Provide support to low-income households facing rising housing costs

Intermediate Result

- Low-income renters access affordable housing through a ***master leasing program***
- Low-income renters receive ***short term rental/utility assistance***
- ***Housing Choice Voucher*** holders have more housing options in Chapel Hill
- Low-income homeowners receive ***subsidies to assist with increasing property taxes***

DRAFT

Objective 2: Maintain and Improve Quality of Affordable Housing

Strategy 2.1: Support rehabilitation of properties in need of repair

Intermediate Result

- ***Rental and homeownership housing is rehabilitated*** to maintain and improve quality of affordable housing
- Providers implement ***coordinated and streamlined process*** to connect property owners to home repair programs

DRAFT

Objective 3: Support Tenant Protections for Households at Risk of Displacement

Strategy 3.1: Support protections for residents living in NOAH facing redevelopment or condominium conversion

Intermediate Result

- *Residents impacted by redevelopment receive:*
 - adequate ***advanced notice***
 - ***financial and relocation support,***
- Residents impacted by redevelopment are ***involved in developing their relocation package***
- ***Developers replace and/or provide funding*** to replace affordable units impacted by redevelopment

DRAFT

Timeline of Next Steps

Fall 2019

- Council Feedback
- Refine and Buildout Framework

Winter 2020

**Begin
Implementing
Framework**

DRAFT

Discussion

- Are we heading in the desired direction with this framework?
- Are there any strategies we left out?
- What other feedback do you have on the draft framework?

DRAFT



PRESERVATION STRATEGY FRAMEWORK

DRAFT



Town Council Meeting
October 30, 2019





Town of Chapel Hill Draft Preservation Strategy Framework

Purpose: This Draft Preservation Strategy Framework presents a strategic approach for preserving existing affordable housing in the Town.

Background: Implementation of an affordable housing preservation strategy is one of the Town Council's 2020-2022 Strategic Goals and Objectives for Affordable Housing. The Strategy was developed based on research conducted by staff on strategies implemented by communities nationwide and informed by feedback from the Housing Advisory Board. The framework is organized around three primary objectives:

1. *Preserve Existing Affordable Housing:* maintain the inventory and affordability of affordable housing
2. *Improve or Maintain Quality of Affordable Housing:* support the rehabilitation of properties in need of repair
3. *Support Tenant Protections for Households at Risk of Displacement:* support residents impacted by the redevelopment of affordable housing

The Town has historically funded a variety of activities to preserve housing affordability for residents including homebuyer subsidy for existing units, rehabilitation assistance, and the provision of rental and utility assistance to help renters remain in their homes. However, in recent years housing and development trends in the Town have put increased pressure on the Town's affordable housing inventory, suggesting a need for the Town to expand its preservation efforts. For example:

- Redevelopment of Naturally Occurring Affordable Housing (NOAH) is displacing lower-income households from their communities.
- Increasing interest in redevelopment of several manufactured home parks in Town.
- Owners of older residential developments are facing the decision of whether to rehabilitate and increase rent or sell their units.
- Increasing demand for housing is putting a strain on an already tight rental market.
- Increasing need for assistance among homeowners to maintain their aging homes.

The proposed Preservation Strategy Framework allows the Town to adopt a proactive and comprehensive approach to preserve its stock of affordable housing and mitigate the impacts of redevelopment on low-income residents.

Key Research Findings:ⁱ

- Preservation can be a time- and cost-efficient means of maintaining the supply of affordable housing that also results in community benefits.
 - Typically involves a faster implementation timeline than new construction
 - Is estimated to cost 1/2 to 2/3 the amount of new construction
 - Allows longtime residents to maintain the social capital they have built within their communities

Prepared by Town of Chapel Hill Housing and Community Staff – October 2019



Town of Chapel Hill Draft Preservation Strategy Framework

- Maintains socioeconomically and culturally diverse neighborhoods
- Despite clear benefits, preservation efforts require significant, innovative, and flexible financing to pursue high impact activities such as property acquisition, renovations and maintenance.
- Funding streams must also be readily available in order to respond quickly to opportunities and changes in the housing market.
- Collaboration with local partners is an important element to preservation as a means of augmenting and diversifying funding streams, engaging a wide range of stakeholders, and incorporating a variety of programs and services.

KEY TERMS

- **Affordable Housing:** Housing for low-moderate income residents that cost no more than 30% of their household income
- **Community Development Financial Institution (CDFI):** A financial institution that provides credit and financial services to underserved markets and populations
- **Housing Choice Voucher Program:** A federal government program to assist very low-income families, the elderly, and the disabled to afford housing in the private market through a subsidy that is paid directly to a landlord
- **Intermediate Result:** The benefit expected to occur.
- **Master Leasing Program:** A housing provider engaging in a long-term lease with a property owner for control of a block of rental units
- **Naturally Occurring Affordable Housing (NOAH):** Private residential properties that are affordable to low-moderate income households without subsidy or affordability restrictions
- **Performance Measures:** Factors that provide a simple and reliable way to measure achievement. Performance indicator statements should be SMART (specific, measurable, achievable, relevant, time bound).
- **Permanently Affordable Housing:** Housing with existing mechanisms to ensure they are affordable to low-income residents in perpetuity
- **Potential Partners:** Town departments, community organizations, and institutions that will assist with strategy implementation.
- **Resident Owned Community:** Manufactured housing neighborhoods that are owned and managed by the residents living there.
- **Strategic Objective:** The longer-term, wider change needed.
- **Strategy:** The planned actions that will help achieve the strategic objective.
- **Timeframe:** The estimated amount of time needed to implement the proposed strategy. Short Term = 1-2 years; Medium Term = 3-5 years; Long Term = >5 years.

ⁱ U.S. Department of Housing and Urban Development. Evidence Matters: Preserving Affordable Rental Housing: A Snapshot of Growing Need, Current Threats, and Innovative Solutions. Summer 2013.
<https://www.huduser.gov/portal/periodicals/em/summer13/highlight1.html>



Objective 1: Preserve Existing Affordable Housing

Strategy 1.1: Support affordable housing properties at risk of redevelopment

<i>Intermediate Result</i>	<i>Potential Partners</i>	<i>Timeframe</i>	<i>Performance Measures</i>
Local preservation loan funds dedicated to acquire existing affordable housing under threat of redevelopment	Banks/CDFIs UNC Philanthropy	Medium Term	
Resident-owned communities are established for properties under threat of redevelopment	Property owners Residents Resident-Owned Community nonprofits and lenders	Medium Term	# and % of total NOAH units preserved # of households who avoid displacement Total funding deployed
Early Warning System created to identify at risk affordable housing properties and target preservation efforts	Affordable housing providers Landlords Triangle J Council of Governments (TJCOG) Local realtors	Short Term	Total \$ leveraged through financing

Strategy 1.2: Provide support to low-income households facing rising housing costs

<i>Intermediate Result</i>	<i>Potential Partners</i>	<i>Timeframe</i>	<i>Performance Measures</i>
Low-income renters have access to affordable housing through a master leasing program	Affordable housing providers UNC	Short Term	
Low-income renters receive short term rental/utility assistance	Affordable housing providers	Short Term	# of low income households receiving financial support Total subsidy amount provided annually
Housing Choice Voucher holders have more housing options in the Town of Chapel Hill	Orange County Landlords Affordable housing providers and advocates	Long Term	# of additional units available to voucher holders % of total affordable rental housing stock accepting vouchers
Low-income homeowners facing increased property taxes receive subsidies to keep their housing costs affordable	Affordable housing providers	Short Term	



Objective 2: Maintain and Improve Quality of Affordable Housing

Strategy 2.1: Support rehabilitation of properties in need of repair

<i>Intermediate Result</i>	<i>Potential Partners</i>	<i>Timeframe</i>	<i>Performance Measures</i>
Rental housing is rehabilitated to maintain and improve quality of affordable housing	Affordable housing providers Property Owners	Medium Term	# of units rehabilitated % decrease in number of homeowners on providers' rehabilitation waitlist maintained by the Preservation Coalition
Homeowners receive financial support to rehabilitate their homes	Affordable housing providers Homeowners	Short Term	Length of time homeowners remain on waitlist
Providers implement coordinated and streamlined process to connect property owners to home repair programs	Orange County Home Preservation Coalition	Short Term	\$ spent on rehabilitation among providers per year

Objective 3: Support Tenant Protections for Households at Risk of Displacement

Strategy 3.1: Support protections for residents living in NOAH facing redevelopment or condominium conversion

<i>Intermediate Result</i>	<i>Potential Partners</i>	<i>Timeframe</i>	<i>Performance Measures</i>
Residents receive adequate advance notice, financial, and relocation support	Developers Renters and Manufactured home owners Property managers Affordable housing providers	Medium Term	# of residents provided with assistance Total funding provided in relocation costs
Residents involved in developing the terms of notification requirements and components of a relocation package	Developers Property owners	Medium Term	# of affordable units preserved after redevelopment # of residents meetings held
Developers seeking to redevelop NOAH property replace units or provide funding to replace impacted affordable units	Developers Affordable housing providers	Short Term	\$ amount committed through redevelopment of NOAH



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 15., **File #:** [19-0889], **Version:** 1

Meeting Date: 10/30/2019

Open the Public Hearing: Application for Conditional Rezoning - 1751 Dobbins Drive.

See the 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: Michael Sudol, Planner II

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record.
- b. Introduction and preliminary recommendation
- c. Presentation by the applicant
- d. Recommendation of the Planning Commission
- e. Recommendations of other boards and commissions
- f. Comments from the public
- g. Comments and questions from the Mayor and Town Council
- h. Motion to recess the Public Hearing to November 13, 2019
- i. Referral to the Manager and Attorney.

RECOMMENDATION: That the Council open the public hearing, receive comments and evidence on the proposed Conditional Rezoning, and recess the Public Hearing to November 13, 2019.



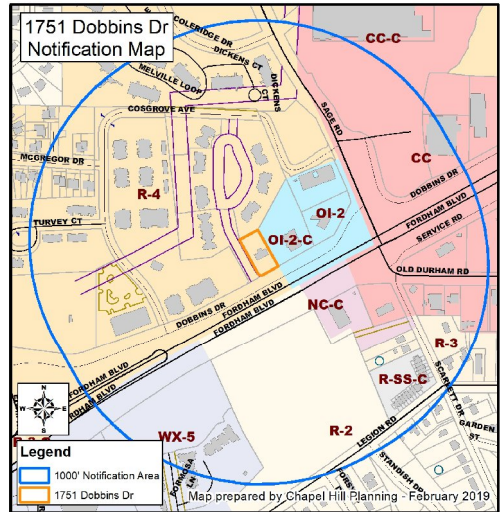
OPEN PUBLIC HEARING FOR CONDITIONAL REZONING AT 1751 DOBBINS DRIVE
FROM RESIDENTIAL-4 (R-4) TO OFFICE/INSTITUTIONAL-2-CONDITIONAL
ZONING (OI-2-CZ)

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT

Judy Johnson, Interim Director

Michael Sudol, Planner II

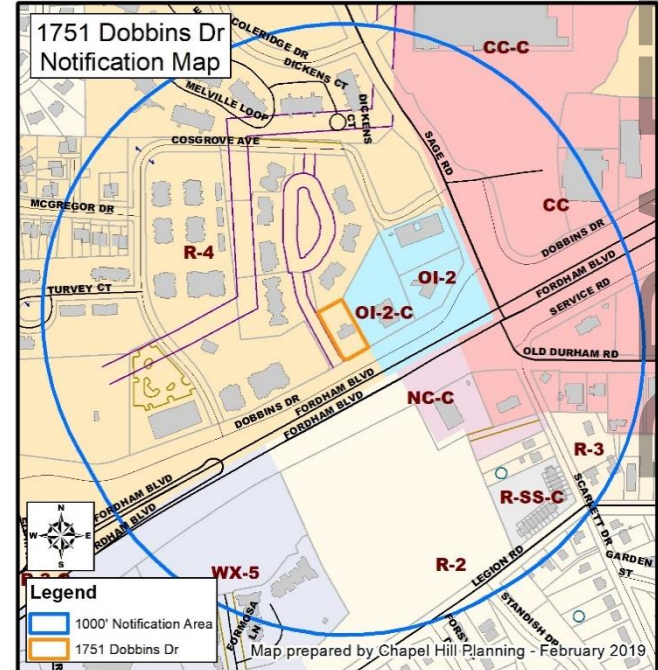
<p>PROPERTY ADDRESS 1751 Dobbins Drive</p>	<p>DATE October 30, 2019</p>	<p>APPLICANT Aaron Frank, Womble Bond Dickinson LLP on behalf of James R. and Melissa A. Miller, LLC</p>
<p>STAFF RECOMMENDATION That the Council open the public hearing, receive comments on the proposed Conditional Rezoning, and recess the Public Hearing to November 13, 2019.</p>		
<p>STAFF ANALYSIS The applicant is asking for modifications to regulations. See attached Technical Report for additional information.</p>		
<p>PROCESS Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan. A Conditional Zoning District is deemed consistent if the proposed District will be located in conformance with an adopted small area plan and/or in one of the following Land Use Categories:</p> <ul style="list-style-type: none"> - Medium and High Residential - Commercial - Mixed Use, Office and Office/Commercial Emphasis - Town/Village Center - Institutional Office - University - Development Opportunity Area - Light Industrial Opportunity Area 	<p>DECISION POINTS The applicant is requesting the following:</p> <ul style="list-style-type: none"> • Modifications to landscape buffer on west property line. • Modification to minimum interior and street setback widths. • Modification to steep slopes requirement. • Modification to foundation buffer strip. 	
<p>PROJECT OVERVIEW The applicant proposes construction of a two-story, 5,747 square foot office with 21 parking spaces.</p> <ul style="list-style-type: none"> • Existing Zoning: Residential-4 (R-4) • Proposed Zoning: Office/Institutional-2-Conditional Zoning (OI-2-CZ) • Lot size: 0.5 acres 	<p>PROJECT LOCATION</p> 	
<p>ATTACHMENTS</p>	<ol style="list-style-type: none"> 1. Draft Staff Presentation 2. Technical Report and Project Summary 3. Resolution A 4. Ordinance A 5. Resolution B 6. Applicant's Materials 7. Submitted Plans 8. Advisory Board Recommendations 	



1751 Dobbins Drive Conditional Rezoning

Town Council
Public Hearing

October 30, 2019

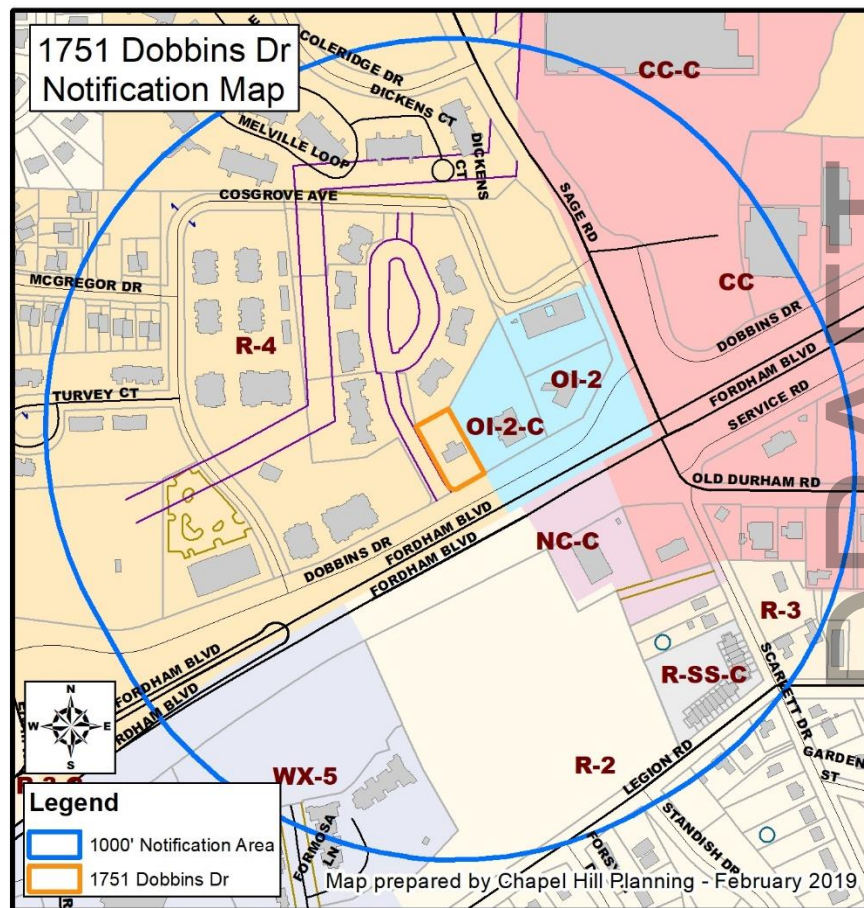


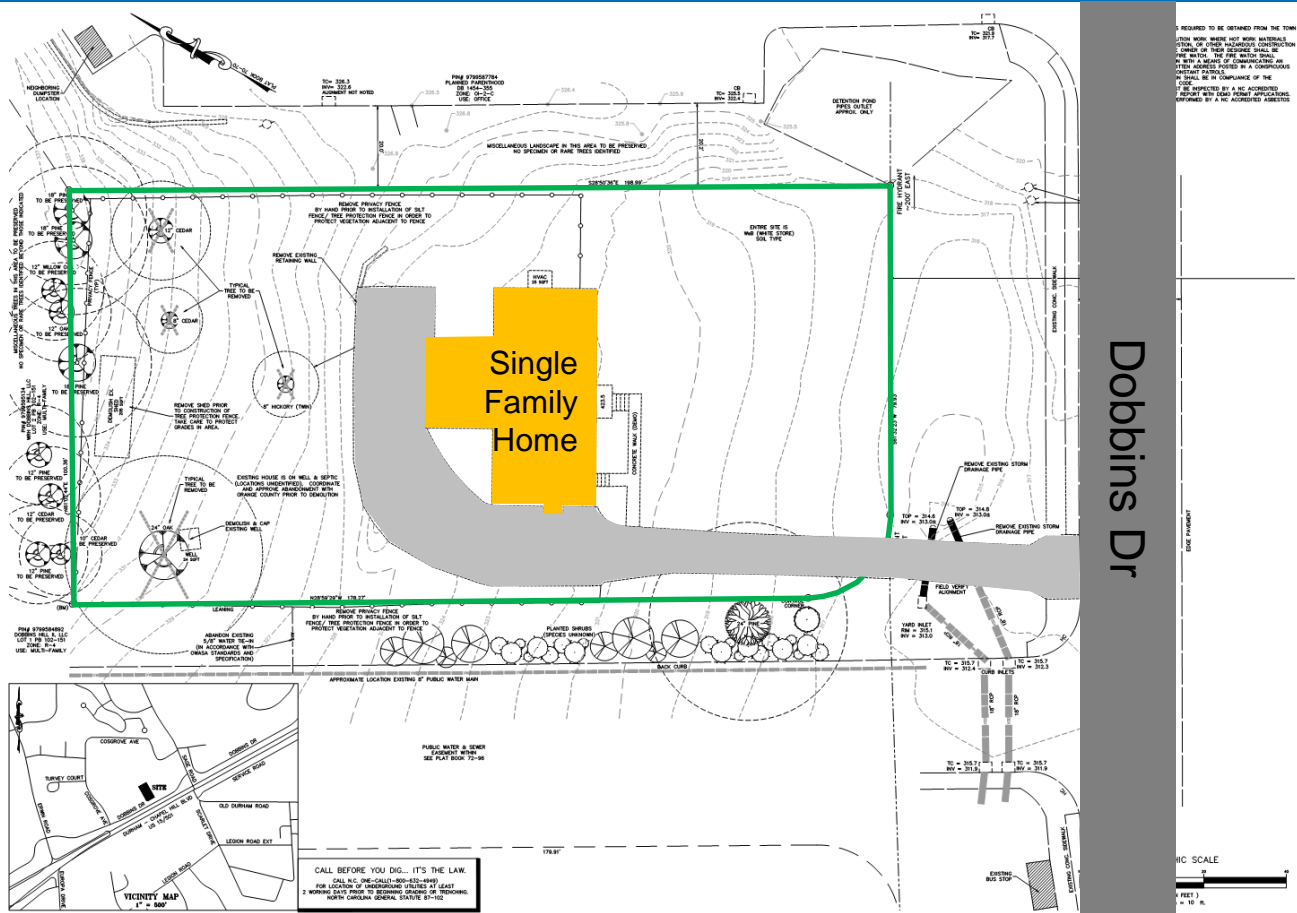
- Open the Public Hearing, receive comments and evidence on the proposed Conditional Rezoning, and recess the Public Hearing to November 13, 2019.

DRAFT

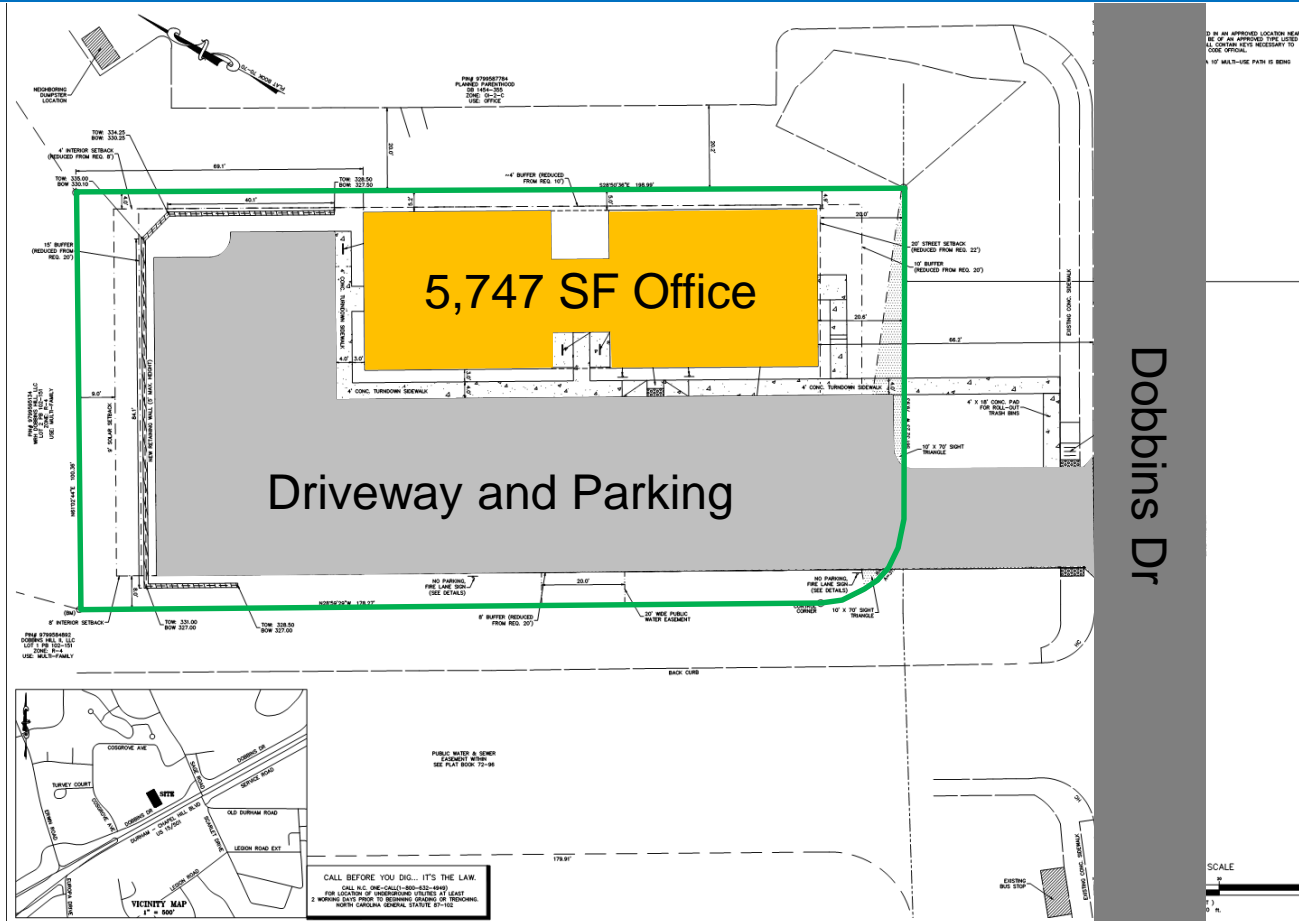
1751 Dobbins Dr – Project Summary 222

- 0.5 acre site
- Conditional Rezoning
 - Currently R-4
 - Proposing OI-2-CZ
- Demolish single-family home
- Construct 5,747 SF office





DRAFT



DRAFT

Advisory Boards/Commissions	Recommendation
Planning Commission	Approval as presented
Community Design Commission	Approval as presented
Transportation and Connectivity Board	Approval with conditions
Environmental Stewardship	Approval with conditions

DRAFT

- Open the Public Hearing, receive comments and evidence on the proposed Conditional Rezoning, and recess the Public Hearing to November 13, 2019.

DRAFT

Town of Chapel Hill Planning Department Report

TECHNICAL REPORT

September 11, 2019

Concept Plan for 1751 Dobbins Drive is presented to Council. A 2-story office development with 5,747 sq. ft. of floor area was presented.

Connections to other Documents:

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)¹, the standards of the [Land Use Management Ordinance](#)², and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)³ and offers the following evaluation:

Comprehensive Plan Themes: Staff believes the 1751 Dobbins Drive proposal complies with the themes of the 2020 Comprehensive Plan.

Land Use Plan: The [2020 Land Use Plan](#)⁴, a component of the 2020 Comprehensive Plan, designates this site for Mixed Use, Office/Commercial Emphasis. The 2020 Land Use Plan also designates this site as part of the [Area 5. North 15-501 CH 2020 Future Focus Discussion Area](#).⁵

APPLICANT PROPOSAL

The applicant proposes applying the OI-2-Conditional Zoning district in order to redevelop an existing single-family home into an office building. The Statement of Justification describes a "context that is no longer appropriate for single-family residential use."

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal in conjunction with the rezoning, and which allows site-specific standards to be formulated and applied as conditions through a legislative process. A -CZ suffix would be added to the zoning district designation to incorporate the approved conditions.

The Office/Institutional-2 (OI-2) Zoning District is characterized by the following standards:

- Intent: Section 3.3.9 of the Land Use Management Ordinance states that the Office/Institutional-2 (OI-2) district "is intended to provide for medium-intensity office and institutional development."
- Permitted Uses: As established in LUMO Table 3.7-1, permitted uses include (but are not limited to) offices and research activities; limited types of services and businesses; single-family and multifamily residential; and public/institutional facilities.
 - The Conditional Zoning application proposes limiting uses to only office/institutional.
 - The existing Residential-4 (R-4) zoning generally limits uses to single-family and multifamily residential; or certain public/institutional facilities.
- Dimensional Standards: As established in LUMO Table 3.8-1, standards include a maximum Residential Density of 15.0 units/acre, maximum Building Height of 34 feet (at

¹ <http://www.townofchapelhill.org/home/showdocument?id=15001>

² https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA

³ <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

⁴ <http://www.townofchapelhill.org/home/showdocument?id=1215>

⁵ <https://www.townofchapelhill.org/town-hall/departments-services/chapel-hill-2020/future-focus-areas>

setback line) to 60 feet (core), minimum Street Setbacks of 22 feet, and a maximum Floor Area Ratio (FAR) of 0.264.

- The Conditional Zoning application proposes a maximum core Building Height of 38 feet, a minimum Street Setback of 20 feet, and building floor area equal to the maximum Floor Area Ratio.
 - The existing Residential-4 (R-4) zoning has a lower limit on Density and FAR (10.0 units/acre and 0.230, respectively), along with the same Height limits and Street Setbacks as the proposed district. The proposed rezoning would moderately increase the development potential for the site in terms of building scale.
- Design and Development Standards: Other standards (including landscape buffers, parking ratios, etc.) are established in LUMO Article 5 and are applicable to both the Office/Institutional-2 (OI-2) and Residential-4 (R-4) districts. The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards in order to address impacts reasonably expected to be generated by development. Conditions can also address conformance of the development with town regulations and adopted plans.

SITE CONTEXT

Staff has identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Zoning Atlas Amendment:

- The subject site is located along Dobbins Drive, a service road paralleling US 15-501 that provides access to properties adjacent to this major arterial corridor. The site has visibility to a high traffic volume and is also immediately adjacent to a bus stop for the Chapel Hill Transit 'D' route.
- Property immediately east of the site is also zoned Office/Institutional-2 (OI-2) and is developed with small buildings containing offices, medical offices, and a bank.
- Property west and north of the site is zoned Residential-4 (R-4) and contains multifamily residential uses. The site sits at the intersection of Dobbins Drive and a private street that provides access to two apartment complexes. Property across US 15-501 is zoned Residential-2 (R-2).
- Various office, commercial, and hotel uses are located along Dobbins Drive near the site.
- There are no streams, stream buffers, floodplains, or wetlands affecting the site.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

North Carolina General Statute Section 160A-383 requires the Council to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

Staff provides the following evaluation of this application's consistency with the 2020 Comprehensive Plan and other adopted plans:

- The intent of the Office/Institutional-2 (OI-2) district notes medium-intensity office uses, which is consistent with the 2020 Land Use Plan. The general area that includes Dobbins Hill, Cosgrove Hill, and properties near the Dobbins Drive/Sage Road intersection is designated for Mixed Use, Office/Commercial Emphasis on the Land Use Plan. Office use for

the subject site, in conjunction with surrounding land uses, would provide a mix consistent with this designation.

- The site is located within the North 15-501/Area 5 Future Focus Discussion Area. Chapel Hill 2020 characterizes North 15-501 as an area with opportunities for redevelopment (based on underutilized commercial capacity), enhanced bicycle and pedestrian connections, and expanded transit services. The applicant's Comprehensive Plan Analysis notes that the proposed rezoning would support redevelopment of an underutilized property that is located "within a growing commercial corridor" and within close proximity to an existing transit stop.
- The Mobility and Connectivity Plan shows a future multiuse path along the full length of Dobbins Drive in the long-term network, as well as crossing improvements at the nearby intersection of US 15-501 and Sage Road. There are also existing sidewalks along Dobbins Drive, the private street serving apartments, and other nearby streets. Improvements to the multimodal network would support increased growth and development for the site.
- The applicant notes in the Comprehensive Plan analysis that the proposed rezoning would support the theme of Good Places, New Spaces because "non-residential land use capitalizes on the economically viable location, adjacent character, and proximity to a mixture of land uses."
- The applicant also notes that additional purposes of the 2020 Comprehensive Plan may be achieved through this application.

FINDINGS OF FACT

In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

- a) The conformity of the application with the applicable provisions of this appendix and town Code.
- b) The conformity of the application with the comprehensive plan.
- c) The compatibility of the proposed application with adjoining uses.
- d) The impacts of the proposed application on the surrounding properties and town as a whole.
- e) The relationship of the application to existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities.
- f) The relationship of the application to natural systems such as hydrology, topography, and other environmental constraints.

Staff provides below an evaluation of this application based on the six findings. Further information may be presented for the Council's consideration as part of the public hearing process. All information submitted at the public hearing will be included in the record of the hearing.

Finding a: The conformity of the application with the applicable provisions of this appendix and town Code.

Arguments in Support	With the proposed modifications, the plan meets the applicable provisions of the appendix and Town Code.
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the proposed modifications to regulations provide the necessary public purpose.

Finding b: The conformity of the application with the comprehensive plan.

Arguments in Support	<p>The applicant's Statement of Consistency states that the proposed rezoning would contribute to the following elements of the Comprehensive Plan:</p> <ul style="list-style-type: none"> • A welcoming and friendly community that provides all people with access to opportunities (Goal A Place for Everyone.4) • Balance and sustain finances by increasing revenues and decreasing expenses (Goal Community Prosperity & Engagement.1) • Foster success of local businesses (Goal Community Prosperity & Engagement.2) • Promote a safe, vibrant, and connected (physical and person) community (Goal Community Prosperity & Engagement.3) • A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Goal Getting Around.1) • A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal Getting Around.2) • A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (Goal Getting Around.8) • Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal Good Places New Spaces.8) • Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal Nurturing Our Communities.8)
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.

Finding c: The compatibility of the proposed application with adjoining uses.

Arguments in Support	Staff notes that the development character of the US 15-501 corridor has evolved over time, and that the existing single-family home is likely inconsistent with the character of the corridor and the level of infrastructure serving the site.
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is compatible with adjoining land uses.

Finding d: The impacts of the proposed application on the surrounding properties and town as a whole.

Arguments in Support	To date, no arguments in support have been submitted or identified by staff.
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, the application will have negligible impacts on surrounding properties and the town as a whole

Finding e: The relationship of the application to existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities.

Arguments in Support	Staff notes that the proposed redevelopment infill project supports the existing built system.
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the redevelopment infill project enhances the existing built systems

Finding f: The relationship of the application to natural systems such as hydrology, topography, and other environmental constraints.

Arguments in Support	To date, no arguments in support have been submitted or identified by staff.
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: No arguments have been entered.

PROPOSED MODIFICATIONS TO REGULATIONS:

- 1) Section 5.6.6 Buffer Modification: The applicant proposes a modified buffer on the West property line, with an eight-foot width and reduced planting quantities.

Staff Comment: Staff believes that Council could find a public purpose for the reduced buffer width and plantings, as an infill project with existing utility lines and a narrow lot configuration, in addition to existing buffer on adjacent properties to the North and East.

- 2) Section 3.8.2 Minimum Interior Setback Modification: The applicant proposes to modify the minimum interior setback width. The required interior setback is eight feet wide, and the applicant is proposing four feet.

Staff Comment: Staff believes that Council could find a public purpose for the reduced setback width, as an infill project with a narrow lot configuration.

- 3) Section 3.8.2 Minimum Street Setback Modification: The applicant proposes to modify the minimum street setback width. The required interior setback is 22 feet wide, and the

applicant is proposing 20 feet.

Staff Comment: Staff believes that Council could find a public purpose for the reduced setback width, as an infill project with a wide North Carolina Department of Transportation Right-of-Way between the building and the street.

- 4) Section 5.3.2 Steep Slopes Modification: The applicant proposes disturbing nearly all of the steep slopes on the site. There is approximately 663 square feet of steep slopes on the site, with 661 square feet of those proposed to be disturbed.

Staff Comment: Staff believes that Council could find a public purpose for the steep slopes modification, as an infill project with a narrow lot configuration, in addition to previous disturbance of the slopes by the single-family residence on the site.

- 5) Section 5.9.6 Foundation Buffer Strip Modification: The applicant proposes a modified foundation buffer strip between the parking lot and the building. A five-foot-wide strip is required, and the applicant is proposing a three-foot strip.

Staff Comment: Staff believes that Council could find a public purpose for the foundation buffer strip modification, as the site is an infill project with a narrow lot configuration.



Council Findings and Public Purpose: The Council has the ability to modify the regulations according to Section 4.5.6 of the Land Use Management Ordinance. Staff believes that the Council could modify the regulations if it makes a finding in this particular case that public purposes are satisfied to an equivalent or greater degree. If the Council chooses to deny a request for modifications to regulations, the developer's alternative is to revise the proposal to comply with the regulations.

For additional information on the proposed modifications, please refer to the developer's attached materials.






Overview

Site Description	
Project Name	1751 Dobbins Drive
Address	1751 Dobbins Drive
Property Description	21,772 sq. ft. (0.5 acres)
Existing	Single-family residence
Orange County Parcel Identifier Numbers	9799-58-6643
Existing Zoning	Residential – 4 (R-4)
Proposed Zoning	Office/Institutional – 2 – Conditional Zoning (OI-2-CZ)

Regulatory Land Use Intensity

Comment		Advisory Board	Status
Use/Density (Sec. 3.7)	Business, Office Type	PC	
Dimensional Standards (Sec. 3.8 and Sec. 6.15)	Required setbacks are a 22' street setback, 8' interior setback, and 9' solar setback; proposing 20' street setback, 4' interior setback, and 9' solar setback.	PC	M
Floor area (Sec. 3.8)	Maximum of 5,747 sq. ft.; 5,747 sq. ft. proposed	PC	
Modification to Regulations (Sec. 4.5.6)	Proposing 8' wide West buffer with reduced plantings; reduced minimum interior setback of 4'; reduced minimum street setback of 20'; disturbance of 99.7% of steep slopes over 25%; reduced 3' foundation buffer strip.	PC	M


Site Design

Standard			Advisory Board	Status
Landscape	Buffer – North (Sec. 5.6.2)	20' External Type "C" (existing on adjacent property)	PC	
	Buffer – East (Sec. 5.6.2)	10' Internal Type "B" (existing on adjacent property)	PC	
	Buffer – South (Street) (Sec. 5.6.2)	No street buffer required on local streets	PC	
	Buffer - West (Sec. 5.6.2)	20' Internal Type "C" required (proposed 8')	PC	M
	Tree Canopy (Sec. 5.7)	Minimum 30% canopy	CDC	
	Landscape Standards (Sec. 5.9.6)	Constructed to Town standards	PC	

Environment	Resource Conservation District (Sec. 3.6)	Not applicable	ESAB	N/A
	Erosion Control (Sec. 5.3.1)	Orange County Erosion Control permit required.	ESAB	FP
	Steep Slopes (Sec. 5.3.2)	There are 663 square feet of steep slopes over 25% on the site. The applicant proposes to disturb 661 square feet of these.	ESAB	M
	Stormwater Management (Sec. 5.4)	Underground Stormwater treatment measure	ESAB	✓
	Land Disturbance	22,609 sq. ft. (110% of gross land area, includes off-site work)	ESAB	✓
	Impervious Surface	14,202 sq. ft. (63% of gross land area)	ESAB	✓
	Solid Waste & Recycling	Private trash pickup; County recyclable pickup	OCSW	✓
	Jordan Riparian Buffer (Sec. 5.18)	Not applicable	ESAB	N/A
Access & Circulation	Road Improvements (Sec. 5.8)	None	NCDOT	✓
	Vehicular Access (Sec. 5.8)	Improved curb cut on Dobbins Drive	TCAB	✓
	Bicycle Improvements (Sec. 5.8)	Proposing 8 bicycle parking spaces	TCAB	✓
	Pedestrian Improvements (Sec. 5.8)	Existing sidewalk with ramps	TCAB	✓
	Traffic Impact Analysis (Sec. 5.9)	TIA exemption due to size	TCAB Staff	✓
	Vehicular Parking (Sec. 5.9)	21 spaces total, including 2 handicap spaces minimum & Maximum	TCAB, PC	✓
	Transit (Sec. 5.8)	Served by the Chapel Hill Transit D route	TCAB	✓
	Bicycle Parking (Sec. 5.9)	8 proposed spaces	TCAB, PC	✓
	Electric Vehicle Parking	None proposed	TCAB	✓
	Parking Lot Standards (Sec. 5.9)	Built to Town standards	TCAB	✓
Technical	Fire	Full fire flow study and report will be provided during the ZCP phase	Staff	FP
	Site Improvements	Driveway access	Staff	✓

Schools Adequate Public Facilities (Sec. 5.16)	Not applicable	Staff	N/A
Inclusionary Zoning Ordinance (Sec. 3.10)	Not applicable	Staff	N/A
Recreation Area (Sec. 5.4)	Not applicable	PC	N/A
Lighting Plan (Sec. 5.11)	0.3 foot-candles at property line	CDC	FP
Homeowners Association (Sec. 4.6)	Not applicable	Staff	N/A

Project Summary Legend

Symbol	Meaning	Symbol	Meaning
	Meets Requirements	CDC	Community Design Commission
M	Seeking Modification	HAB	Housing Advisory Board
C	Requires Council Endorsement	TCAB	Transportation and Connectivity Board
FP	Required at Final Plan;	ESAB	Environmental and Sustainability Board
NA	Not Applicable	OCSW	Orange County Solid Waste
PC	Planning Commission	NCDOT	North Carolina Department of Transportation

A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT AT THE PROPERTY LOCATED AT 1751 DOBBINS DRIVE TO OFFICE/INSTITUTIONAL-2-CONDITIONAL ZONING DISTRICT (OI-2-CZ) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2019-X-X/R-X)

WHEREAS, Womble Bond Dickinson LLP has filed an application for Conditional Zoning Atlas Amendment on behalf of James R. and Melissa A. Miller, LLC to rezone a 0.5-acre parcel located at 1751 Dobbins Drive and identified as Orange County Parcel Identifier Number 9799-58-6643 to Office/Institutional-2-Conditional Zoning District (OI-2-CZ) to allow 5,747 square feet of business, office-type use; and

WHEREAS, the Town staff have completed a review of the application for compliance with the Land Use Management Ordinance, Town Code, and for Consistency with the Comprehensive Plan; and

WHEREAS, the Planning Commission reviewed the application on October 15, 2019 and recommended that the Council enact the Zoning Atlas Amendment rezoning the property; and

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning Atlas Amendment on behalf of James R. and Melissa A. Miller, LLC to rezone and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A welcoming and friendly community that provides all people with access to opportunities (Goal A Place for Everyone.4)
- Balance and sustain finances by increasing revenues and decreasing expenses (Goal Community Prosperity & Engagement.1)
- Foster success of local businesses (Goal Community Prosperity & Engagement.2)
- Promote a safe, vibrant, and connected (physical and person) community (Goal Community Prosperity & Engagement.3)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Goal Getting Around.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal Getting Around.2)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (Goal Getting Around.8)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal Good Places New Spaces.8)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal Nurturing Our Communities.8).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Conditional Zoning Atlas Amendment to be reasonable and consistent with the Town Comprehensive Plan.

This the ____ day of _____, 2019.

ORDINANCE A
(Approving the Conditional Zoning Application)

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1751 DOBBINS DRIVE TO OFFICE/INSTITUTIONAL-2-CONDITIONAL ZONING (OI-2-CZ) (PROJECT #19-094)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning Atlas Amendment submitted by Aaron Frank, Womble Bond Dickinson LLP on behalf of James R. and Melissa A. Miller, LLC, to rezone a 0.5-acre parcel located at 1751 Dobbins Drive on property identified as Orange County Property Identifier Number 9799-58-6643, to allow 5,747 square feet of office use and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A welcoming and friendly community that provides all people with access to opportunities (Goal A Place for Everyone.4)
- Balance and sustain finances by increasing revenues and decreasing expenses (Goal Community Prosperity & Engagement.1)
- Foster success of local businesses (Goal Community Prosperity & Engagement.2)
- Promote a safe, vibrant, and connected (physical and person) community (Goal Community Prosperity & Engagement.3)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Goal Getting Around.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal Getting Around.2)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (Goal Getting Around.8)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal Good Places New Spaces.8)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal Nurturing Our Communities.8)

WHEREAS, the application, if rezoned to Office/Institutional-2-Conditional Zoning (OI-2-CZ) according to the rezoning plan dated July 24, 2019, and the conditions listed below would:

- a) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
- b) Conform with the Comprehensive Plan
- c) Be compatible with adjoining uses
- d) Mitigate impacts on surrounding properties and the Town as a whole
- e) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities

- f) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

MODIFICATIONS TO REGULATIONS

WHEREAS, the Council of the Town of Chapel Hill finds, in this particular case, that the proposed development with the following requested modifications to regulations satisfies public purposes to an equivalent or greater degree:

Section 5.6.6 Buffer Modification: Modify the western property line buffer from the required minimum 20-foot Type "C" buffer to a buffer eight feet in width with reduced planting quantities.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges the reduced buffer is adjacent to a street that contains trees and other plantings along the property line, effectively increasing the size of the buffer.

Section 3.8.2 Minimum Interior Setback Modification: Modify the minimum interior setback from the required minimum eight feet to four feet in width.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges the narrow shape of the lot and that buffers are being provided on site and on adjacent properties.

Section 3.8.2 Minimum Street Setback Modification: Modify the minimum street setback from the required minimum 22 feet to 20 feet in width.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges the narrow shape of the lot and the large North Carolina Department of Transportation Right-of-Way between the proposed building and the street.

Section 5.3.2 Steep Slopes: Modify the maximum 25 percent disturbance of the areas with slopes exceeding 25 percent. The applicant proposes to disturb 661 sq. ft., which is 99.7% of the steep slopes.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff believes the steep slopes on this site have been partially disturbed by the existing single-family residence on the site and are not necessary to protect water bodies, to protect plant and animal habitats, or to preserve the natural beauty and economic value of the Town's wooded hillsides.

Section 5.6.6 Foundation Buffer Strip Modification: Modify the foundation buffer strip between the parking lot and the building from a required five-foot wide strip to a three-foot wide strip.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges that the site is an infill project with a narrow lot configuration.

CONDITIONAL USES

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that it finds, in this particular case, the proposed rezoning with the following uses, subject to the conditions below, satisfies the purposes of Office/Institutional-2-Conditional Zoning (OI-2-CZ):

Business, Office Type, subject to the condition below.

- That the total square footage of business, general and business, office type uses is limited to no more than 5,747 square feet of floor area.

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

SECTION I

The following metes and bounds within the Orange County parcel identified by Parcel Identifier Number (PIN) 9799-58-6643, described below, shall be rezoned to Office/Institutional-2-Conditional Zoning (OI-2-CZ):

All of that certain lot or parcel of land situated, lying and being on the North side of the U.S. 15-501 By-Pass or Durham Boulevard from Chapel Hill N. C., and being on the North side of N.C. State Road No. 1740, and being known and designated as Lot No. 6 in Block "A", Lochern property of Mrs. Martha D. Garrard, and more particularly described as BEGINNING at an iron stake in the Southeast corner of Lot No. 6, said point being the Southwest corner of Lot No. 7 and in the right of way line of the said State Road and also being South 65 deg, 38 min. West 200 feet from the Southwest corner of the Couch property; running thence with the West line of Lot No. 7 North 24 deg. 22 min. West 200 feet to an iron stake in the South line of Lot No. 5; running thence with the South line of said Lot No. 5 South 65 deg. 38 min. West 100 feet to the East line of Ken Drive; running thence with the East line of said Ken Drive South 24 deg. 22 min. East 180 feet to an iron stake; running thence an arc in a Southern and Southeastern direction with a radius of 20 Feet for a distance of 31.4 feet to an iron stake in the North property line of said State Road, running thence with said North line of the State Road, North 65 deg. 38 min. East 80 feet to the Beginning, as re-surveyed by Hugh B. McFarling, R. L. S., in October, 1960, and being part of the same land as described in deed from Grace W. Atwood (widow), dated October 3, 1945, and as recorded in the Office of the Register of Deeds of Orange County in Deed Book 122 at Pages 165.

SECTION II

The following conditions are hereby incorporated by reference:

1. Expiration of Conditional Zoning Atlas Amendment: An application for Zoning Compliance Permit must be filed by _____ (2 years from the date of this approval) or the land shall revert to its previous zoning designation. [LUMO 4.4.5(f)]
2. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

Use: Business, Office Type	
Number of Buildings	1
Gross Land Area	21,772 sq. ft.
Maximum Floor Area	5,747 sq. ft.
Total Impervious Surface	14,202 sq. ft.
Maximum Land Disturbance	22,609 sq. ft.
Maximum Parking Spaces	21 spaces

Minimum Parking Spaces	16 spaces
Minimum Bicycle Parking Spaces	8 spaces

3. Pedestrian Crosswalk: Prior to issuance of Zoning Compliance Permit, the design for upgrading the existing crosswalk across the driveway entrance or other similar traffic control devices shall be approved by the Town and N.C. Department of Transportation. Prior to issuance of a Certificate of Occupancy, the crosswalk shall be improved with the approved design.
4. Landscape Bufferyards: The following landscape bufferyards shall be provided:

Location	Type	Vegetation
West	8' Internal Type "C" (Modified)	4 large trees, 6 small trees, and 42 shrubs
North	N/A	N/A
East	N/A	N/A
South	N/A	N/A

If the adjacent properties with existing buffers to the North and East reduce their buffers below the total required width as part of any future redevelopment, the owner of 1751 Dobbins Drive will install an alternate buffer with comparable screening as approved by the Community Design Commission.

5. Stormwater Structures: No stormwater management structures are permitted in the rights-of-way or building setbacks. This includes the outlet structure and stabilization, any underdrains, side slopes, and the downgradient toe of french drains. Further, all discharge must be in a sheet flow condition.
6. Stormwater Control Measure: The proposed stormwater control measure for the site shall be designed to meet the current North Carolina Division of Environmental Quality Design Manual.
7. Vested Right: This Conditional Zoning constitutes a site specific development plan establishing a vested right as provided by N.C.G.S. Section 160A-385.1 and the Chapel Hill Land Use Management Ordinance.
8. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
9. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD STIPULATIONS

Unless modified by the site-specific conditions noted above, these standards apply to all development permitted by Conditional Zoning Atlas Amendment. The following standard stipulations are supplemental to site-specific conditions as set by Town Council-approved ordinance.

Access

10. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the developer shall provide the minimum required handicapped infrastructure according to the Americans with Disabilities Act and associated codes and standards.

Transportation

11. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit a Transportation Management Plan, subject to Town Manager approval. The Transportation Management Plan shall include monitoring of electric vehicle parking spaces usage. [LUMO 4.5.2]
12. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details that comply with the Town parking standards for required and/or proposed bicycle parking spaces. Bicycle parking spaces should be placed near building entrances. The spaces must comply with the Spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines and the Class I and Class II bicycle parking standards required by the Town Design Manual. [LUMO 4.5.2]
13. Parking Lot: Any newly proposed parking lots, including additions to existing parking lots, shall be constructed to Town standards for dimensions and pavement design. [LUMO 5.9.5]
14. Parking Lot Landscape and Screening: The parking lot landscape design shall adhere to the standards of the Chapel Hill Land Use Management Ordinance. [LUMO 5.9.6]
15. Lighting: Prior to issuance of a Zoning Compliance Permit, the developer shall design and install street lighting along the site frontage. Design and construction details must be approved by the Town Manager and the North Carolina Department of Transportation (NCDOT).
16. Driveway Permit: The developer must obtain an approved driveway permit and/or encroachment agreement(s) prior to beginning any proposed work within the NCDOT right-of-way. As a condition of the permit, the permittee shall be responsible for the design and construction of stipulated improvements in accordance with NCDOT requirements. An approved permit will be issued upon receipt of approved roadway and signal construction plans, inspection fees, and any necessary performance and indemnity bonds.
17. Pavement Markings: Any pavement markings proposed within the public street rights-of-way shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadways.
18. Off-Site Construction Easements: Prior to any development associated land disturbance on abutting properties, the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]
19. Sight Distance Triangles: Prior to issuance of a Certificate of Occupancy, the developer shall provide the Town of Chapel Hill with standard sight distance triangles at the proposed driveway locations. [Town Design Manual]

20. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]
21. Repairs in Public Right-of-Way: Prior to issuance of a Certificate of Occupancy, the developer shall repair all damage for work in the public right-of-way related to the construction of this project, which may include pavement milling and overlay. The design of such repairs must be reviewed and approved by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit. [Town Code 17-40]
22. Street Closure Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager and NCDOT approval, for any work requiring street, sidewalk, or lane closure(s). [Town Code 21-7.1]
23. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager and NCDOT. The Work Zone Traffic Control Plan shall comply with the U.S. Department of Transportation Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction. [Town Code 17-47]

Landscaping and Building Elevations

24. Invasive Exotic Vegetation: Prior to issuance of a Zoning Compliance Permit, the developer shall identify on the planting plan any known invasive exotic species of vegetation, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC), and provide notes indicating removal of these species from the landscape buffer areas prior to planting. [Town Design Manual]
25. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, approval shall be required from the Community Design Commission for any proposed alternate buffer. [LUMO 5.6.8]
26. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include a complete and currently updated tree survey showing critical root zones of all rare and specimen trees and labeled according to size and species. The plan shall also indicate which trees will be removed and which will remain. The plan shall also include standard notes, fencing details, and location of fencing. [LUMO 5.7.3]
27. Tree Protection Fencing: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detail of a tree protection fence and a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. The plans shall include continuous tree protection fencing around construction limits and indicated construction parking and materials staging/storage areas, and Town standard landscaping protection notes, subject to Town Manager approval. [LUMO 5.7.3]
28. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. [LUMO 4.5.3]
29. Tree Canopy: A minimum of tree canopy coverage shall be provided through a combination of retained and replanted trees, unless a modification to regulations is

approved. Calculations demonstrating compliance with Chapel Hill Land Use Management Ordinance Section 5.7.2 shall be included. [LUMO 5.7.2]

30. Retaining Wall Construction: If applicable, the final design and location of all retaining walls shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
31. Demolition Plan: Prior to beginning any proposed demolition activity, the developer must obtain demolition permits from both the Planning and Inspections departments. While the demolition component may be submitted to Planning in tandem with the Zoning Compliance Permit for new construction, a separate stand-alone demolition permit shall be issued prior to an Inspection's Demolition permit. Further, prior to the issuance of a demolition permit for all existing structures 500 square feet or larger, Orange County Solid Waste staff shall conduct a deconstruction assessment pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO).
32. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall approve a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]
33. Community Design Commission Approval: The developer shall obtain Community Design Commission approval of building elevations, including the location and screening of all HVAC/Air Handling Units for the site, prior to issuance of a Zoning Compliance Permit. [LUMO 8.5.5] Within the Town's historic districts, the Historic District Commission will act in place of the Community Design Commission. [LUMO 8.4.6]

Environment

34. Stormwater Management Plan: Development projects must comply with Section 5.4 Stormwater Management of the Chapel Hill Land Use Management Ordinance.
35. Phasing Plan: If phasing of the project is proposed, then, prior to issuance of a Zoning Compliance Permit, the developer shall obtain approval of a Phasing Plan that provides details of which improvements are to be constructed during each phase. The Phasing Plan also shall detail which public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase may not begin until all public improvements in previous phases have been completed, with a note to this effect on the final plans and plats. [LUMO 4.5.3]
36. Erosion Control Bond: If one acre or more is to be uncovered by land-disturbing activities for the project, then a performance guarantee in accordance with Section 5-97.1 Bonds of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. [Town Code 5-98]
37. Silt Control: The developer shall take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent roadways. [Town Code 5-86]
38. Erosion Control Inspections: In addition to the requirement during construction for inspection after every rainfall, the developer shall inspect the erosion and sediment control devices daily, make any necessary repairs or adjustments to the devices, and

maintain inspection logs documenting the daily inspections and any necessary repairs.
[Orange County Erosion Control]

39. Curb Inlets: The developer shall provide pre-cast curb inlet hoods and covers stating, "Dump No Waste! Drains to Jordan Lake", in accordance with the specifications of the Town Standard Detail SD-5A, for all new curb inlets for private, Town and State rights-of-way. [Town of Chapel Hill Design Manual]
40. On-Site/Adjacent Stormwater Features: The final plans shall locate and identify existing site conditions, including all on-site and adjacent stormwater drainage features, prior to issuance of a Zoning Compliance Permit. The final plans must provide proper inlet protection for the stormwater drainage inlets on or adjacent to the site to ensure the stormwater drainage system will not be obstructed with construction debris. [Town of Chapel Hill Design Manual]
41. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result of the project demolition or construction must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy. [Town Design Manual Chapter 10]
42. Energy Efficiency: Prior to issuance of a Zoning Compliance Permit, an energy efficiency plan shall incorporate a "20 percent more energy efficient" feature relative to the 90.1 energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of this Permit issuance. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "20 percent more energy efficient" feature into the final plans. An energy model should be used to demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]
43. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit an Energy Management Plan (EMP) for Town approval. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; c) provide for 20 percent more efficiency that also ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; and (d) if requested, provide for the property owner to report to the Town of Chapel Hill the actual energy performance of the plan, as implemented, during the period ending one year after occupancy. [Town Policy April 2007]

Recreation

44. Recreation Space (Multi-Family): A minimum of 25 percent of the required Recreation Space for the project shall be provided in the form of a payment in lieu. The payment in lieu shall be paid prior to the issuance of a Zoning Compliance Permit.
45. Recreation Area (Subdivision): A minimum of 25 percent of the required Recreation Area for the project shall be provided in the form of a payment in lieu. The payment in lieu shall be paid prior to the issuance of a Zoning Compliance Permit.

Water, Sewer, and Other Utilities

46. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, other applicable local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The developer shall be responsible for assuring that these utilities can continue to serve the development. In addition, detailed construction drawings shall be submitted to OWASA for review/approval prior to issuance of a Zoning Compliance Permit. [LUMO 4.5.3]
47. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit site plans, sealed by a Professional Engineer, for Town Manager approval, as well as other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including: submission of a lighting plan; providing for adequate lighting on public sidewalks, including driveway crossings; and demonstrating compliance with Town standards. [LUMO 5.11]
48. Relocation of Overhead Utilities Underground: Prior to issuance of a Certificate of Occupancy, the developer will install underground all public utilities that are currently located overhead on the site except for 3 phase or greater electric lines. [LUMO 5.12.2]
49. Water/Sewer Line Construction: All public water and sewer plans shall be approved by and constructed according to OWASA standards. Where sewer lines are located beneath drive aisles and parking areas, construction methods approved by OWASA shall be employed to ensure that sewer lines will not be damaged by heavy service vehicles. [LUMO 5.12.1]
50. OWASA Approval: Prior to issuance of a Zoning Compliance Permit, any easement plats and documentation as required by OWASA and the Town Manager shall be recorded. [LUMO 5.12]
51. Irrigation: If permanent irrigation is proposed to support landscaping, an irrigation plan shall be submitted which includes the use of smart technologies to conserve water and energy.

Fire Safety

52. Fire Sprinklers: The developer shall install sprinklers under the North Carolina Fire Protection Code (NC FPC) prior to issuance of a Certificate of Occupancy. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems. [TOWN CODE 7-56]
53. Gates and Barricades: Where required or authorized by the fire code official and permanent or temporary (construction), any gates across fire apparatus access roads shall be a minimum width of 20 feet, be of swinging or sliding type, have an emergency means of operation, shall be openable by either forcible entry or keyed, capable of being operated by one person, and shall be installed and maintained according to UL 325 and ASTM F 2200. [NC FPC 2018, 503.5, 503.6, D103.5]
54. Grade and Approach: Fire apparatus access roads shall not exceed 10 percent in grade unless approved by the fire chief, and all approach and departure angles shall be within the limits established based on the Fire Department's apparatus. [NC FPC 2018, 503.2.7, 503.2.8 and D103.2]

55. Fire Protection and Utility Plan: A fire flow report for hydrants within 500 feet of each building shall be provided and demonstrate the calculated gallons per minute with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of North Carolina and accompanied by a water supply flow test conducted within one year of the submittal. Refer to the Town Design Manual for required gallons per minute.
56. Fire Department Connections and Standpipes: When the building being constructed requires standpipes, a temporary standpipe connection will be constructed with ready Fire Department Access when the building is not more than 40 feet in height. Such standpipes shall provide usable connections adjacent to the stairs and shall continue with building progression always being not more than one floor below the highest floor of the building. [NC FPC 912 & NC FPC 2018 3313]
57. Fire Command Center: Where required in the North Carolina Fire Protection Code and in all high rise buildings, a fire command center must be constructed in accordance with Section 508, NC FPC 2018.
58. Aerials: Where a building exceeds 30 feet in height OR 3 stories above the lowest level of Fire Department Access, overhead power and utility lines shall not be allowed within the aerial apparatus access roadway and the roadway shall have an unobstructed width of 26 feet exclusive of the shoulders. At least one of the apparatus access roadways shall be located within a minimum of 15 feet and maximum of 30 feet from one complete side of the building. [NC FPC 2018 D105.1, D105.2, D105.3, D105.4]
59. Fire Apparatus Access Road: Any fire apparatus access roads (any public/private street, parking lot access, fire lanes and access roadways) used for fire department access shall be all-weather and designed to carry the imposed load of fire apparatus weighing at least 80,000 lbs. Fire apparatus access roads shall have a minimum width of 20 feet exclusive of shoulders with an overhead clearance of at least 13 feet 6 inches for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Structures exceeding 30 feet in height shall be provided with an aerial apparatus access road 26 feet in width in the immediate vicinity of the building or portion thereof and shall provide at least one of the required access roads to be located not less than 15 feet and not more than 30 feet from the structure parallel to one entire side of the structure. [NC FPC 2018 502.1, 503.1.1, 503.2.1, D102.1 SECOND ACCESS DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVAL]
60. Dead End Access Roads: Dead end fire apparatus access roads exceeding 150 feet shall have a designated turn around. The turnaround shall meet one of the design standards of NC FPC 2018, Appendix D table D 103.4.
61. Building Height: Buildings exceeding 30 feet or three stories in height must have at least two means of fire apparatus access separated by at least one half the diagonal distance of the building. [NC FPC 2018, D104.1, D104.3 DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVAL]
62. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.

63. Fire Apparatus Access Road Authority: The fire code official shall have the authority to increase the minimum access widths where they are deemed inadequate for fire and rescue operations. [NC FPC 2018 503.2.2]
64. Hydrants Active: The developer shall provide active fire hydrant coverage, acceptable to the Fire Department, for any areas where combustible construction materials will be stored or installed, prior to having such materials delivered to the site. All required fire hydrants must be installed, active, and accessible for the Fire Department use prior to the arrival of combustible materials on site. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Protection Code, and National Fire Protection Association Standard #13. [NC Fire Protection Code 2018 Section 501.1 & 3312]
65. Fire Hydrant and FDC Locations: The Final Plans shall indicate the locations of existing and proposed fire hydrants and Fire Department Connections (FDC). Fire Department Connections shall be located on the street side of the building within 100 feet of a hydrant. Hydrant spacing shall comply with the Town Design Manual. Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC 2018 Section 501.5.1.1]
66. Firefighting Access During Construction: Vehicle access for firefighting shall be provided to all construction or demolition sites including vehicle access to within 100 feet of temporary or permanent fire department connections and hydrants. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions. [NC FPC 2018, Section 3310.1]
67. Premise Identification: Approved building address numbers, placed in a position acceptable to the fire code official, shall be required on all new buildings. [NC FPC 2018, 505.1]
68. Key Boxes: Where required by the fire code official, a secure key box, mounted on the address side of the building, near the main entrance, shall be provided to ensure adequate access to the building based on life safety and/or fire protection needs. [NC FPC 2018, 506]
69. Automatic Fire Sprinkler System Required: An automatic fire sprinkler system meeting the requirements of NFPA Standard #13 and Town Code 7-56 is required to be installed in non-residential construction.
70. Fire Department Connections, Locations: Any required FDCs for any buildings shall meet the design and installation requirements for the current, approved edition of NFPA 13, 13D, 13R, or 14 of the NC FPC 2018 and Town Code 7-38 for location. FDCs shall be installed within 100 feet of a hydrant or unless otherwise approved by the fire code official and shall not be obstructed or hindered by parking or landscaping. FDCs shall be equipped with National Standard Thread (NST) and be a 2.5" siamese.
71. Fire Department Connections, Installation: A working space of not less than 36 inches in width and depth and a working space of 78 inches in height shall be provided on all sides with the exception of wall mounted FDCs unless otherwise approved by the fire code official. The FDCs where required must be physically protected from impacts by an approved barrier. [NC FPC 2018, 912.1, 912.2 912.2.1, 312]
72. Fire Apparatus Access for Chapel Hill Fire Department: All fire department access determinations shall be based upon Chapel Hill Fire Department apparatus specifications

(data specifications provided by Office of the Fire Marshal/Life Safety Division) and field verification. All proposed fire department access designs shall be reviewed and shall also pass field inspection.

73. Fire Flow Report: The Final Plan application shall include a fire flow report sealed by an Engineer registered in the State of North Carolina. An OWASA flow test must be provided with the report. Fire flow shall meet the 20 psi or exceed the requirements set forth in the Town Design Manual. The Fire Flow Report shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [Town Design Manual]
74. Fire Lane: Prior to issuance of a Certificate of Occupancy, any fire lane shall be marked and signed in accordance with Town standards, with the associated plans approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC, Sections 2018 503.3, D103.6, D103.6.1, D103.2]
75. Emergency Responder Radio Coverage in New Buildings: All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. [NC FPC 2018 Section 510.1]

Solid Waste Management and Recycling

76. Solid Waste Management Plan: Prior to issuance of a Zoning Compliance Permit, a detailed Solid Waste Management Plan, including a recycling plan and a plan for managing and minimizing construction debris, shall be approved by the Town Manager and Orange County Solid Waste (OCSW). The plan shall include dimensioned, scaled details of any proposed refuse/recycling collection areas, associated screening, and protective bollards, if applicable. Each bulk waste container shall be labeled as to type of material to be collected. If a refuse compactor is proposed or if the collection enclosure is not accessible by Town vehicles, the developer shall provide documentation of an agreement for solid waste collection by a private provider prior to issuance of a Zoning Compliance Permit. [Orange County Solid Waste]
77. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard (Regulated Recyclable Materials), all present in construction waste, must be recycled. All haulers of construction waste containing Regulated Recyclable Materials must be properly licensed with Orange County Solid Waste. The developer shall provide the name of the permitted waste disposal facility to which any land clearing or demolition waste will be delivered. [Orange County Solid Waste]
78. Deconstruction Assessment: For any existing structure 500 square feet or larger a deconstruction assessment shall be conducted by OCSW staff prior to the issuance of a demolition permit pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO). Prior to any demolition or construction activity on the site, the developer shall hold a pre-demolition/pre-construction conference with Solid Waste staff. This may be held at the same pre-construction meeting held with other development/enforcement officials.

State and Federal Approvals

79. State or Federal Approvals: Any required State or federal permits or encroachment agreements (e.g., 401 water quality certification, 404 permit) shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit. [NC State; Federal Permits]
80. North Carolina Department of Transportation Approvals: Prior to issuance of a Zoning Compliance Permit, plans for any improvements to State-maintained roads or in associated rights-of-way shall be approved by NCDOT. [NC Department of Transportation]

Miscellaneous

81. Construction Management Plan: A Construction Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The construction management plan shall: 1) indicate how construction vehicle traffic will be managed, 2) identify parking areas for on-site construction workers including plans to prohibit parking in residential neighborhoods, 3) indicate construction staging and material storage areas, 4) identify construction trailers and other associated temporary construction management structures, and 5) indicate how the project construction will comply with the Town's Noise Ordinance. [Town Design Manual Chapter 10]
82. Traffic and Pedestrian Control Plan: The developer shall provide a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction. The plan must include a pedestrian management plan indicating how pedestrian movements will be safely maintained. The plan must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. At least 5 working days prior to any proposed lane or street closure the developer must apply to the Town Manager for a lane or street closure permit. [Town Code 17-42]
83. Construction Sign Required: The developer shall post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information at the time of issuance of a Building Permit, prior to the commencement of any land disturbing activities. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. The sign shall be non-illuminated, and shall consist of light letters on a dark background. Prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager. [LUMO 5.14.4]
84. Schools Adequate Public Facilities Ordinance: If applicable, the developer shall provide the necessary Certificates of Adequacy of Public Schools or an exemption prior to issuance of a Zoning Compliance Permit. [LUMO 5.16]
85. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [Town Code 7-7]
86. Detailed Plans: Prior to the issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved by the Town Manager. Such plans shall conform to plans approved by this application and demonstrate compliance with all applicable regulations and the design

standards of the Chapel Hill Land Use Management Ordinance and the Design Manual.
[LUMO 4.5.3]

87. Certificates of Occupancy: No Certificates of Occupancy shall be issued until all required public improvements are complete. A note to this effect shall be placed on the final plats.

If the Town Manager approves a phasing plan, no Certificates of Occupancy shall be issued for a phase until all required public improvements for that phase are complete, and no Building Permits for any phase shall be issued until all public improvements required in previous phases are completed to a point adjacent to the new phase. A note to this effect shall be placed on the final plats.

88. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.

89. New Street Names and Numbers: The name of the development and its streets and house/building numbers shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

90. As-Built Plans: Prior to the issuance of a Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. [Town Design Manual Chapter 10]

91. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.

92. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

93. Not-Comprehensive: The listing of these standard stipulations, and the specific stipulations applicable to this Permit, is not intended to be comprehensive and does not exclude other state and local laws and regulations which may be applicable to this Permit and development project.

SECTION III

That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that the Council hereby approves the application for an amendment of the Chapel Hill Zoning Atlas to rezone the property located at 1751 Dobbins Drive to Office/Institutional-2-Conditional Zoning (OI-2-CZ).

This the ____ day of _____, 2019.

RESOLUTION B
(Denying the Conditional Zoning Application)

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1751 DOBBINS DRIVE TO OFFICE/INSTITUTIONAL-2-CONDITIONAL ZONING (OI-2-CZ) (PROJECT #19-094)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Aaron Frank, Womble Bond Dickinson LLP on behalf of James R. and Melissa A. Miller, LLC, to rezone a 0.5 acre parcel located at 1751 Dobbins Drive on property identified as Orange County Property Identifier Number 9799-58-6643, if rezoned to Office/Institutional-2-Conditional Zoning (OI-2-CZ) according to the rezoning plan dated July 24, 2019, and the conditions listed below would not:

- a) The conformity of the application with the applicable provisions of this appendix and town Code.
- b) The conformity of the application with the comprehensive plan.
- c) The compatibility of the proposed application with adjoining uses.
- d) The impacts of the proposed application on the surrounding properties and town as a whole.
- e) The relationship of the application to existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities.
- f) The relationship of the application to natural systems such as hydrology, topography, and other environmental constraints.

BE IT FURTHER RESOLVED that the Council hereby denies the application for an amendment of the Chapel Hill Zoning Atlas to rezone the property located at 1751 Dobbins Drive to Office/Institutional-2-Conditional Zoning (OI-2-CZ).

This the ____ day of _____, 2019.

CONDITIONAL ZONING APPLICATION



TOWN OF CHAPEL HILL
Planning Department
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514
 phone (919) 969-5040 fax (919) 969-2014
 www.townofchapelhill.org

Parcel Identifier Number (PIN): 9799-58-6643

Date: July 25, 2019

Section A: Project Information

Project Name: 1751 Dobbins Drive

Property Address: 1751 Dobbins Drive, Chapel Hill, NC Zip Code: 27514

Use Groups (A, B, and/or C): Existing = A // Proposed = B Existing Zoning District: R-4

Project Description: Demolition of a single-family home to allow for a new office build with associated parking, utilities, Etc.

Section B: Applicant, Owner, and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed):

Name: Aaron Frank, Womble Bond Dickinson LLP

Address: 555 Fayetteville Street, Suite 1100

City: Raleigh State: NC Zip Code: 27601

Phone: 919-755-8158 Email: aaron.frank@wbd-us.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature:  Date: 7/25/19

Owner/Contract Purchaser Information:

☐ Owner

☒ Contract Purchaser

Name: James R. and Melissa A. Miller, LLC

Address: 15006 Barnhardt. Ct.

City: Chapel Hill State: NC Zip Code: 27517

Phone: 919-929-2495 Email: jmill@woodwardadvisors.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature:  Date: 7/24/2019



PROJECT FACT SHEET
TOWN OF CHAPEL HILL
 Planning and Development Service

Section A: Project Information

Use Type: (check/list all that apply)

☒ Office/Institutional ☐ Residential ☐ Mixed-Use ☐ Other: _____

Overlay District: (check all that apply)

☐ Historic District ☐ Neighborhood Conservation District ☐ Airport Hazard Zone

Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	19,793	sq. ft.
Choose one, or both, of the following (a or b), not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=	1979	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=		sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	21,772	sq. ft.

Section C: Special Protection Areas, Land Disturbance, and Impervious Area

Special Protection Areas: (check all those that apply)

☐ Jordan Buffer ☐ Resource Conservation District ☐ 100 Year Floodplain ☐ Watershed Protection District

Land Disturbance	Total (sq. ft.)
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading, including off-site clearing)	22,609
Area of Land Disturbance within RCD	
Area of Land Disturbance within Jordan Buffer	

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	4,756	4,756	14,202	14,202
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	21.8%	21.8%	65.23%	65.23%
If located in Watershed Protection District, % of impervious surface on 7/1/1993				



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning and Development Service

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	1	1,681	1	5,500
Number of Floors	1		2	
Recreational Space				

Residential Space

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Floor Area (all floors – heated and unheated)	1	1,681		
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units				
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

Non-Residential Space (Gross Floor Area in Square Feet)

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial					
Restaurant			# of Seats		
Government					
Institutional					
Medical					
Office		5,500 gfa			
Hotel			# of Rooms		
Industrial					
Place of Worship			# of Seats		
Other					

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22' (OI-2)	22' (R-4)	20'
	Interior (neighboring property lines)	8' (OI-2)	8' (R-4)	4'
	Solar (northern property line)	9' (OI-2)	9' (R-4)	9'
Height (maximum)	Primary	34'	1- story house	
	Secondary	60'	1- story house	37'8.5"
Streets	Frontages	40' min	79.93'	79.93
	Widths		25' (Dobbins)	25' (Dobbins)



PROJECT FACT SHEET
TOWN OF CHAPEL HILL
 Planning and Development Services

Section F: Adjoining or Connecting Streets and Sidewalks

Note: For approval of proposed street names, contact the Engineering Department.

Street Name	Right-of-Way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing Curb/Gutter
Dobbins Drive	250' (combined w/ 15-501)	25'	2	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

List Proposed Points of Access (Ex: Number, Street Name):

*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
Dobbins Drive (existing sidewalk)	4.7' wide	Concrete	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	15	22	19
Handicap Spaces	1		2
Total Spaces	16	22	21
Loading Spaces	N/A	N/A	0
Bicycle Spaces	7		8
Surface Type	2" SF9.5A // 8" ABC in parking spaces		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
Dobbins Drive // Type C Buffer Req.	20'	10'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
North (Rear) // Type C Buffer Req.	20'	15'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
West // Type B Buffer Required	20'	8'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
East // Type C Buffer Req.	10'	4'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes



PROJECT FACT SHEET
TOWN OF CHAPEL HILL
 Planning and Development Services

Section I: Land Use Intensity

Existing Zoning District:

Proposed Zoning Change (if any):

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	Floor Area Ratio (FAR)	Recreation Space Ratio (RSR)	Low Density Residential (0.24)	High Density Residential (0.50)	Non-Residential (0.70)	Maximum Floor Area (MFA) = FAR x GLA	Minimum Recreation Space (MSR) = RSR x GLA
OI-2-CZ	.264	N/A	N/A	N/A	N/A	5,747	N/A
TOTAL	.264						
RCD Streamside	N/A	0.01					N/A
RCD Managed	N/A	0.019					N/A
RCD Upland	N/A	N/A					N/A

Section J: Utility Service

Check all that apply:

Water	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
Sewer	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
Electrical	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Telephone	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Solid Waste	<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Private		

Written Narrative

This rezoning requests to rezone 1751 Dobbins Drive (the “Property”) from the Residential-4 (R-4) zoning district to the Office Institutional-2 (OI-2) zoning district to allow the development of two office buildings totaling 5,000 square feet. The buildings will be one and two-stories and connected by a shared lobby. The rezoning is requested to develop permanent office space for a local company.

The buildings will be served by 16 parking spaces, 7 bicycle parking spaces, and access will be provided from Dobbins Drive. No access will be provided from the road serving Dobbins Hill Apartments. A bus stop is located at the adjacent property and employees will be encouraged to use transit.

Stormwater management will be provided through underground stormwater retention, and landscaping will be provided around the property to serve as a buffer. The underground cistern is proposed in the front of the site to design with existing topographic patterns.

The building will be two-stories tall, with large windows and a wedge-style roofline will make the structure architecturally interesting and impactful along the 15-501 corridor. Architectural considerations will allow for design of the building that will stimulate interest from 15-501 while remaining compatible with residential uses to the west and north.

Statement of Justification to Rezone 1751 Dobbins Drive

This application requests to rezone 1751 Dobbins Drive (the “Property”) from the Residential-4 (R-4) zoning district to the Office/Institutional-2 (OI-2) zoning district. The Property is currently used for a single-family residential dwelling in a predominately commercial use area of the Town, along the 15-501 corridor. Zoning amendments are permitted in the Land Use Management Ordinance (LUMO) to a) to correct a manifest error in the appendix; or b) because of changed or changing conditions in a particular area or in the jurisdiction generally; or c) to achieve the purposes of the comprehensive plan. This Statement of Justification demonstrates that this fully satisfies criteria b) and c) of Section 4.4, as described below. Details regarding the design of the site, proposed use, and other features of redevelopment are provided in the Written Narrative.

b) because of changed or changing conditions in a particular area or in the jurisdiction generally

The area containing the Property has changed drastically in the previous decades, resulting in a context that is no longer appropriate for single-family residential use. This is evidenced as the Property contains the only remaining single-family residential dwelling in the area; surrounding properties have been recently redeveloped to office, multi-family residential, and retail communities. The Property is adjacent to 15-501, a median-separated arterial and contributes towards noise and light pollution that is incompatible for single-family residential dwelling. This zoning change proposes to change the land use to more appropriately blend in with the non-residential neighborhood, contribute towards the tax base, and capitalize on the strategic location of the property for non-residential development.

The proximity and visibility of the site to large traffic volumes position it advantageously to accommodate non-residential land uses. Access to the site is provided from Dobbins Drive via 15-501 and does not require vehicular traffic to traverse through a residential neighborhood. Bus access to the property is also possible with a bus stop located at the adjacent property, allowing employees and visitors alike to access the property using means other than car. Locating non-residential development near a transit stop demonstrates private investment capitalizing on public investment in transportation.

c) to achieve the purposes of the comprehensive plan.

This application will achieve the purposes of the comprehensive plan. The Property is located within the *North 15-501 Future Focus Discussion Area and the*. The request to rezone to the OI-2 zoning designation strives to achieve the stated goals of the Future Focus Area, and will achieve one of the stated preferred land uses for this location in the Comprehensive Plan: *Mixed Use/Office/Commercial Emphasis*. Additional analysis of supporting Comprehensive Plan language is provided in the Comprehensive Plan Letter of Justification.

Comprehensive Plan Analysis

1751 Dobbins Drive (the “Property”) is located within the *Area 5: North 15-501 Focus Area Future Focus Area* of the Comprehensive Plan, and designated as “Mixed Use, Office/Commercial Emphasis”. Future Focus Discussion Areas are the areas of Chapel Hill most likely to change in the future, and the Comprehensive Plan provides policy guidance specifically for each Future Focus Area. The rezoning application from Residential-4 (R-4) to Office Institutional-2 (OI-2) proposes to achieve the desired goals as outlined in the *Area 5: North 15-501 Focus Area*, and accomplishes numerous goals outlined in the different Themes of the Comprehensive Plan. The proposed land use fulfills the “office” component of the “Mixed Use, Office/Commercial Emphasis” designation.

The guiding principles of the North 15-501 Focus Area is provided below, accompanied by applicant response in italics.

Guiding Principles

- Enhanced bicycle and pedestrian connections could link existing and new residential and commercial uses in this area.

The project connects existing residential and commercial uses to a new commercial use, and is located near a transit stop.

- Redevelopment opportunities exist in this area, which currently have underutilized commercial capacity.

This application proposes to accomplish exactly this; the existing single-family residential dwelling unit underutilizes a property with proximity to 15-501 and within a growing commercial corridor.

- The Ephesus Church Road/Fordham Blvd. Small Area Planning and Traffic Analysis was adopted in 2011 and will affect development in this area.

Not applicable to this application.

- The area has been identified for investment of expanded transit services to provide improved mobility within and along U.S. 15-501 and Fordham Blvd.

A bus stop is located within close proximity to this Property. Redevelopment of this property to a higher density use allows private investment to capitalize on public services, making the bus system more efficient by adding a destination and increasing ridership at an existing stop.

- The area also includes access to the proposed light rail transit service between Durham and Chapel Hill.

Not applicable to this application.

Additional comments, as provided in the Comprehensive Plan, are as follows:

- Acknowledged high development potential

We are proposing a modest change in density to acknowledge increased density potential while maintaining compatibility to adjacent properties.

- Preference for light rail and bus rapid transit

The proposal supports transit usage by adding a destination and additional ridership near an existing stop.

- Gateway site (southwest corner of 15-501 and I-40 intersection) and University Mall major development potential—high-density mixed use/commercial/residential

Not applicable.

- High Density towards 15/501 transitioning to medium density towards the neighborhoods and medium density along Franklin Street

We are proposing a change of use but modest density in consideration of compatibility to adjacent properties.

- American Legion developed as public open space

Not applicable.

- Enhance Connectivity - Circulator road, east-west streets between Franklin Street and 15/501, Connect Legion & Old Chapel Hill

N/A – The project is located on Dobbins Drive, nearby 15-501. No new roads are planned.

- Greenways connecting open spaces, existing trails and major development areas

N/A – The project is not located in the above areas although a sidewalk is provided.

- Include Blue Cross Blue Shield (and UNC) in discussion about potential collaboration and development.

Not applicable.

The application achieves several Themes and Goals established in the Comprehensive Plan. A list of the applicable Themes and Goals, along with the application response is provided below in italics.

Themes and Goals

Theme 1: A Place for Everyone (PFE)

- A welcoming and friendly community that provides all people with access to opportunities (PFE.4)

This will provide new employment opportunities, strengthening Chapel Hill as a job center.

Theme 2: Community Engagement and Prosperity (CPE)

- Balance and sustain finances by increasing revenues and decreasing expenses (CPE.1)

The proposal will positively affect the Town's property tax revenues by changing low-density residential land to commercial land and allows for building improvements. Additional employment at this location will have multiplier effects that support other local businesses and encourages new residents to live in Chapel Hill.

- Foster success of local businesses (CPE.2)

This allows the creation of a local business where one does not currently exist.

- Promote a safe, vibrant, and connected (physical and person) community (CPE.3)

This connects residents to nearby employment opportunities. Additionally the increased activity of the site can increase the vibrancy and safety of the surrounding area.

Theme 3: Getting Around

- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (GA.1)

The property is transit-adjacent, providing private investment that capitalizes on existing public investment of the transit system. The site is accessible by means other than the automobile and proximity to varying land uses increases the potential for walking, transit, or bicycle trips. Bicycle racks are provided.

- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (GA.2)

The site links a new business to the adjacent Dobbins Hill residential neighborhood, and is walkable from the Cosgrove Hill mixed use community. A transit stop is located on the adjacent property.

- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (GA.8)

The property is providing the minimum amount of parking as required by the LUMO. This efficiently uses space and we are encouraging non-vehicular access to the property in other ways through providing bicycle racks and locating near a transit stop.

Theme 4: Good Places, New Spaces

- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (GPNS.8)

This land use is anticipated in the North 15-505 Focus Area. The existing single family residential dwelling is no longer an appropriate land use at this location considering the site is adjacent to 15-501. Non-residential land use capitalizes on the economically viable location, adjacent character, and proximity to a mixture of land uses.

Theme 5: Nurturing Our Communities

- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (NOC.8)

Stormwater management will be provided where none currently exists, and traffic generation will be minimal. This site is strategically located off 15-501. The property will be screened with vegetation and will contain glare controlled lighting.



Womble Bond Dickinson (US) LLP

555 Fayetteville Street, Suite 1100

Raleigh, NC 27601

October 8, 2019

Submitted Via Rezoning Application Submittal

Judy Johnson, Operations Manager
Planning Department
Town of Chapel Hill
405 Martin Luther King Jr. Blvd
Chapel Hill, NC 27514

Aaron Frank
Direct Dial: 919-755-8158
E-mail: Aaron.Frank@wbd-us.com

Re: Requested Modifications for Rezoning 19-094

Dear Ms. Johnson,

In association with the conditional rezoning application 19-094 for 1751 Dobbins Drive, we respectfully request modifications to seven regulations of the Land Use Management Ordinance (LUMO). The justification for these requested modifications is as follows. As described in greater detail in the Comprehensive Plan Analysis, the Property is designated as “Mixed Use, Office/Commercial Emphasis” and located within the Area 5: North 15-501 Focus Area Future Focus Area of the Comprehensive Plan. The existing land use, single-family residential, is inconsistent with the Comprehensive Plan, and several modifications to the Land Use Management Ordinance are necessary in order to achieve the desired land use on the Property.

The Property consists of .45 net acres in a parcel that is approximately 100’ wide. This is a small property for non-single-family-residential development, and thoughtful design is necessary to accomplish the desired improvements. The requested modifications to the Ordinance all pertain to dimensional features, such as setbacks, buffers, and landscaping. These modifications are necessary in order to allow for new building development, emergency access to those buildings, vehicular parking, and the landscaping improvements proposed. The application of these modified regulations result in a development that is attractively designed, safe, and offers buffering protection to adjacent properties. Full application of the required setbacks and dimensional landscaping requirements would prohibit use of the Property in the way envisioned by the Comprehensive Plan, given the challenging dimensional characteristics with respect to Ordinance requirements. The site plan associated with the rezoning has been thoughtfully designed to balance the goals of the Comprehensive Plan and result in a project that is harmonious with adjacent properties.



October 8, 2019

Page 2

The requested modifications to regulations are as follows:

LUMO Table 3.8-1: Dimensional Matrix:

20' street setback requested. 22' required.

4' interior setback (eastern property line) requested. 8' required.

5.3.2 Steep Slopes Modification

99.7% disturbance of steep slopes is requested. 25% permitted.

The project is of an infill type, and the steep slopes proposed to be disturbed were created during previous development.

Table 5.6.6-1. Schedule of Required Buffers: Modified Buffers

8' Buffer requested along west property line. 20' Type B Buffer required.

5.9.6.c.2.a: Parking Landscaping Standards: Foundation Buffer Strip.

3' Foundation Buffer Strip requested. 5' required.

Should you have any questions regarding the above, or require additional information, please do not hesitate to give me a call.

Sincerely,

Womble Bond Dickinson (US) LLP

Aaron Frank, AICP

1751 DOBBINS DRIVE

ECE GENERAL NOTES

GENERAL NOTES

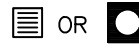



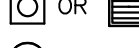
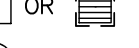
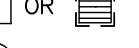
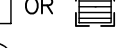
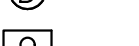



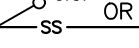
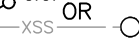


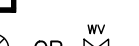
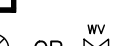


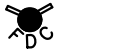





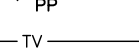
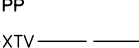
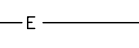
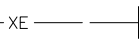




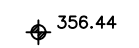













- EXISTING BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM SURVEY DATA SUPPLIED BY THOMAS L. RAMSEY, PLS L-2871, 604 YORKTOWN DRIVE, CHAPEL HILL NC, 919-967-5037
- WORK WITHIN PUBLIC RIGHT-OF-WAYS SHALL BE IN ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL REQUIREMENTS, NOTIFICATIONS, STANDARDS AND POLICIES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR TRAFFIC CONTROL MEASURES FOR ALL WORK W/IN PUBLIC R/W PER THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS AND THE N.C. SUPPLEMENT TO THE MUTCD, AND LOCAL INSPECTORS DIRECTION.
- ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE PROJECT PLANS AND/OR SPECIFICATIONS, LOCAL STANDARD DETAILS AND CONSTRUCTION STANDARDS, STATE CONSTRUCTION STANDARDS, AND OTHER APPLICABLE CONTRACT DOCUMENTS.
- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING ALL APPROPRIATE PARTIES AND ASSURING THAT UTILITIES ARE LOCATED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. CALL NC ONE CALL (PREVIOUSLY ULOCO) AT 1-800-632-4949 FOR UTILITY LOCATING SERVICES 48 HOURS PRIOR TO COMMENCEMENT OF ANY WORK. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- UNDERGROUND UTILITIES SHOWN USING BEST AVAILABLE INFORMATION. ALL LOCATIONS SHALL BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE MORE UNDERGROUND UTILITIES THAN ARE SHOWN HEREON. CONTRACTOR SHALL FIELD LOCATE ALL UTILITIES PRIOR TO ANY EXCAVATIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES TO REMAIN DURING ALL DEMOLITION AND CONSTRUCTION ACTIVITIES.
- ALL CLEARING, GRUBBING AND UNSUITABLE FILL MATERIAL SHALL BE DISPOSED OF LEGALLY.
- ALL PAVEMENT, CURB, STORM DRAINAGE PIPE, AND STRUCTURES TO BE REMOVED SHALL BE HAULED OFFSITE AND DISPOSED OF LEGALLY.
- SIGNAGE SHALL BE LOCATED AS SHOWN. SIGNAGE SHALL BE CONSTRUCTED IN ACCORDANCE WITH LOCAL STANDARDS.
- SITE LIGHTING SHALL AS SHOWN, AND SHALL BE SUFFICIENT TO PROPERLY ILLUMINATE THE SITE IN ACCORDANCE WITH LOCAL STANDARDS.
- LANDSCAPING SHALL BE INSTALLED IN THE PROVIDED YARDS, IN ACCORDANCE WITH LOCAL STANDARDS.
- NO SIGHT OBSTRUCTING OR PARTIALLY OBSTRUCTING WALL, FENCE, FOLIAGE, BERMING, PARKED VEHICLES OR SIGNS BETWEEN THE HEIGHT OF TWENTY-FOUR (24) INCHES AND EIGHT (8) FEET ABOVE THE CURB LINE ELEVATION, OR NEAREST TRAVELED WAY IF NO CURBING EXISTS, SHALL BE PLACED WITHIN A SIGHT TRIANGLE OF A PUBLIC STREET, PRIVATE STREET OR DRIVEWAY CONTAINED ON THE PROPERTY OR ON AN ADJOINING PROPERTY.

CONTRACTOR SHALL NOT MAKE ANY MODIFICATIONS TO THE APPROVED DRAWINGS WITHOUT PRIOR APPROVAL OF BOTH THE DESIGN ENGINEER AND LOCAL INSPECTOR.

GRADING & STORM DRAINAGE NOTES:

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LOCAL CONSTRUCTION STANDARDS, SPECIFICATIONS, AND PROCEDURES AND THE NC DENR'S SEDIMENTATION AND EROSION CONTROL STANDARDS, SPECS., AND PROCEDURES.
- CONTRACTOR SHALL VERIFY THAT ALL APPLICABLE STATE AND LOCAL PERMITS REQUIRED FOR THE COMMENCEMENT OF GRADING OPERATIONS HAVE BEEN OBTAINED PRIOR TO START OF GRADING.
- CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFICATION OF ALL EXISTING UTILITIES PRIOR TO THE BEGINNING OF DEMOLITION AND/OR CONSTRUCTION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES TO REMAIN DURING ALL CONSTRUCTION ACTIVITIES.
- ALL STORMWATER MANAGEMENT FACILITIES SHALL BE DESIGNED AND CONSTRUCTED TO MEET ALL STATE AND LOCAL REQUIREMENTS, INCLUDING THE STATE STANDARDS FOR WATER QUALITY AND DETENTION FACILITIES (CURRENT EDITION).
- EROSION CONTROL MEASURES ARE PERFORMANCE BASED AND SHALL BE PROVIDED PER THE EROSION CONTROL PLANS AND AS NEEDED TO PROTECT ADJACENT PROPERTIES.
- CONTRACTOR SHALL PROVIDE ALL STAKING, FLAGGING AND/OR FENCING NECESSARY TO PROVIDE PROPER PROTECTION OF THE STREAM BUFFER.

ECE LEGEND

	NEW	EXISTING
PROPERTY LINE (P/L)	_____	_____
ADJACENT PROPERTY LINE	_____	_____
EASEMENT (ESMT)	_____	_____
SETBACK (S/B)	_____	_____
RIGHT-OF-WAY (R/W)	_____	_____
CENTERLINES (C/L)	_____	_____
CURB & GUTTER	=====	=====
EDGE OF PAVEMENT (EOP)	=====	=====
SIDEWALK	=====	=====
CREEK	=====	=====
CATCH BASIN (CB)	 OR 	 OR 
YARD INLET (YI)	 OR 	 OR 
STORM DRAINAGE JUNCTION BOX (JB)		
CURB INLET (CI)		
SANITARY SEWER MANHOLE (MH)		
SANITARY SEWER CLEANOUT (CO)	 OR 	 OR 
METER BOX		
VALVE	 OR 	 OR 
FIRE HYDRANT (FH)		
FIRE DEPARTMENT CONNECTION (FDC)		
LIGHT POLE (LP)		
UTILITY POLE (PP) & GUY WIRE	 OR 	 OR 
CABLE TV LINE	TV _____	XTV _____
ELECTRIC LINE & TRANSFORMER	E _____	XE _____
FIBER OPTIC CABLE	FO _____	XFO _____
GAS LINE	G _____	XG _____
OVERHEAD UTILITY LINE	OH _____	XOH _____
SANITARY SEWER (SS)	SS _____	XSS _____
STORM DRAIN PIPE (SD)	SD _____	XSD _____
TELEPHONE	T _____	XT _____
WATER LINE (WL)	W _____	XW _____
GRADE CONTOUR	400 _____	400 _____
FINISHED GRADE SPOT ELEVATION	 356.44	 356.44
CLEARING LIMIT/TREE LINE	=====	=====
LIMITS OF DISTURBANCE	=====	=====
DITCH OR SWALE FLOWLINE	=====	=====
TREE PROTECTION FENCE (TPF)	=====	=====
SILT FENCE (SF)	=====	=====
FENCE	=====	=====
RIP RAP APRON		EXISTING IRON PIPE (EIP) 
CHECK DAM		EXISTING IRON ROD (EIR) 
SEDIMENT FENCE OUTLET		5/8" REBAR SET (IPS) 
INLET PROTECTION	 OR 	PK NAIL SET (PKS) 
CONCRETE MONUMENT / STONE FOUND	 / 	COMPUTED POINT (CP) 

SITE DATA

PIN NUMBER: 9799-58-6643
STREET ADDRESS: 1751 DOBBINS DRIVE, CHAPEL HILL
OWNER / DEVELOPER: JANICE C BRIGGS
9323 LAUREL SPRINGS ROAD
CHAPEL HILL, NC 27516

NET ACREAGE: 0.45 ACRES±, 19,793 SF
GROSS LAND AREA: 0.50 ACRES±, 21,772 SF
PLAT REFERENCE: PB 70-70 & PB 102-151

EXISTING ZONING: R-4
ZONING OVERLAY: NONE
PROPOSED ZONING: OI-2-CZ
ADJACENT ZONES: OI-2-C TO THE EAST
R-4 ALL OTHER SIDES

FEMA: 3710979900L, 01/19/2019
NO HAZARDS ON SITE
W6B - WHITE STORE - GROUP D
CAPE FEAR
NO STREAMS, STREAM BUFFERS, RCD OR WETLANDS ON SITE

EXISTING USE: SINGLE-FAMILY HOME (USE GROUP A)
HOME BUILT ~1960
PROPOSED USE: OFFICE BUILDING (USE GROUP D)

STREET SETBACK: 22' MIN REQ. /// 20' REQUESTED
INTERIOR SETBACK: 8' MIN REQ. /// 5' REQUESTED ON EAST SIDE
SOLAR (NORTH) SETBACK: 9' MIN REQ. AND PROVIDED
MINIMUM HEIGHT: 34' PRIMARY, 60' SECONDARY

BUILDING SF: 2-STORY FRONT BUILDING = 3,800 SF
1-STORY REAR BUILDING = 1,700 SF
CONNECTED VIA A 245 SF ENTRY CORE
TOTAL FLOOR AREA = 5,500 SF
0.264 MAX OR 5,747 SF MAX.

FLOOR AREA RATIO: BETWEEN 16 & 22 SPACES (1 HANDICAP)
18 STANDARD (9' X 18')
2 ADA ACCESSIBLE VAN (8' X 18' W/ 8' ISLE)
7 SPACES
8 SPACES

VEHICLE PARKING REQ: 18 STANDARD (9' X 18')
VEHICLE PARKING PRO: 2 ADA ACCESSIBLE VAN (8' X 18' W/ 8' ISLE)
BICYCLE PARKING REQ: 7 SPACES
BICYCLE PARKING PRO: 8 SPACES

NOTES: BENCHMARK (BM) IS TOP OF IRON PIPE AT NORTHWEST CORNER, ELEVATION IS 332.0 (ASSUMED)

OWNER:

JANICE C BRIGGS
9323 LAUREL SPRINGS RD
CHAPEL HILL, NC 27516

ENGINEER:

CHARLES P. KOCH P.E.
EARTHCENTRIC ENGINEERING, INC.
204 WEST CLAY STREET
MEBANE, NC 27302
PHONE: 919-563-9041
FAX: 919-304-3234
PHIL.KOCH@EARTHCENTRIC.COM

ARCHITECT & SITE DESIGN:

KEITH SHAW
SHAW DESIGN ASSOCIATES, P.A.
180 PROVIDENCE ROAD
SUITE #8
CHAPEL HILL, NC 27514
PHONE: 919-793-0528
FAX: 919-401-1905
KEITH@SHAWDESIGN.US

SURVEYOR:

THOMAS L. RAMSEY
RAMSEY LAND SURVEYING
PLS L-2871
604 YORKTOWN DRIVE
CHAPEL HILL, NC
PHONE: 919-967-5037
T.RAMSEY5252@GMAIL.COM

INDEX OF DRAWINGS:

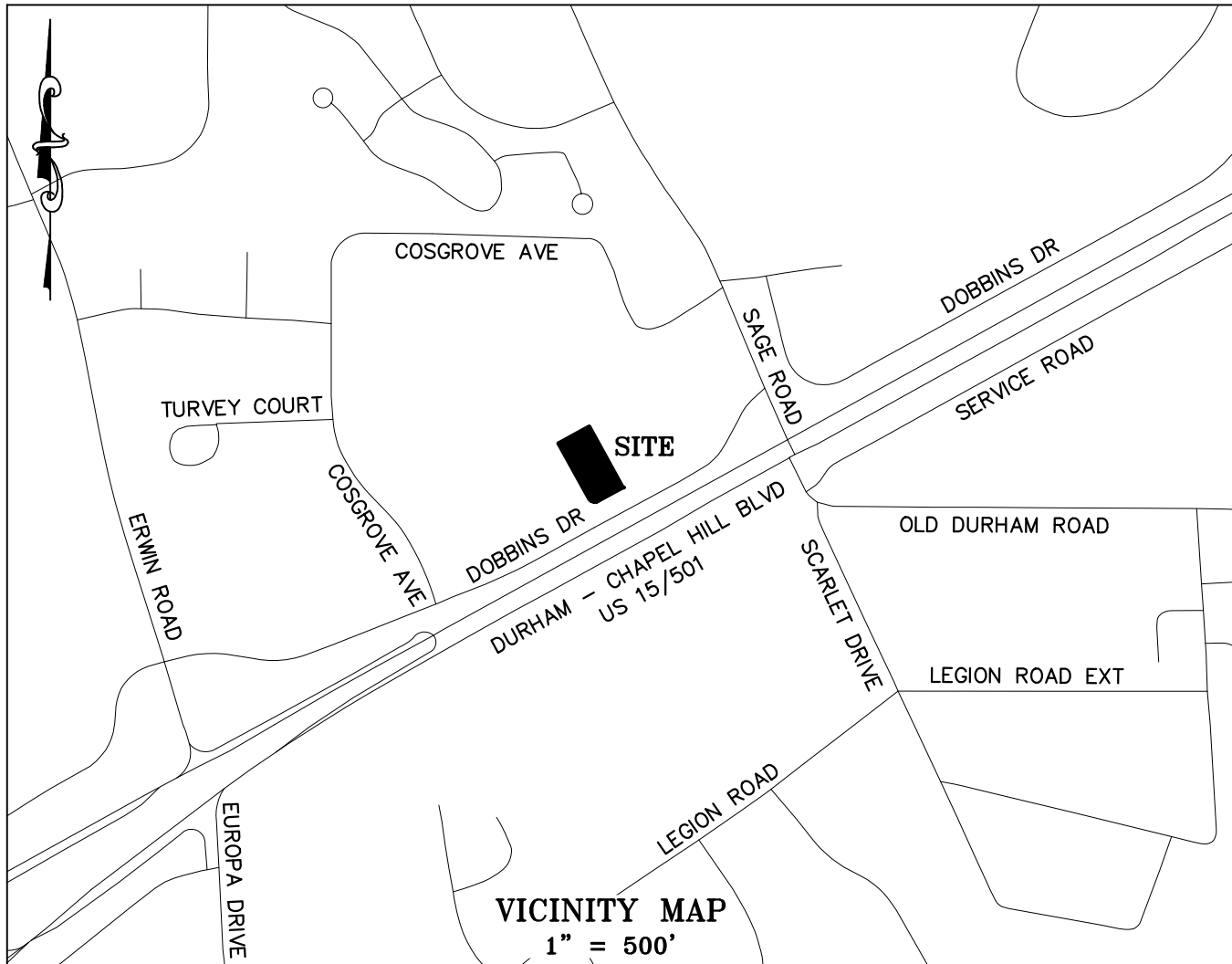
- C1.0 COVER SHEET
- C2.0 EXISTING CONDITIONS & DEMO. PLAN
- C2.1 CONSTRUCTION MANAGEMENT PLAN: DEMOLITION & INITIAL CONSTRUCTION
- C2.2 CONSTRUCTION MANAGEMENT PLAN: SITE CONSTRUCTION
- C3.0 SITE & SOLID WASTE PLAN
- C4.0 EROSION CONTROL & LANDSCAPE PROTECTION PLAN
- C5.0 GRADING & STORM DRAINAGE PLAN
- C5.1 STEEP SLOPE PLAN
- C6.0 UTILITY PLAN
- C7.0 LANDSCAPE & PLANTING PLAN

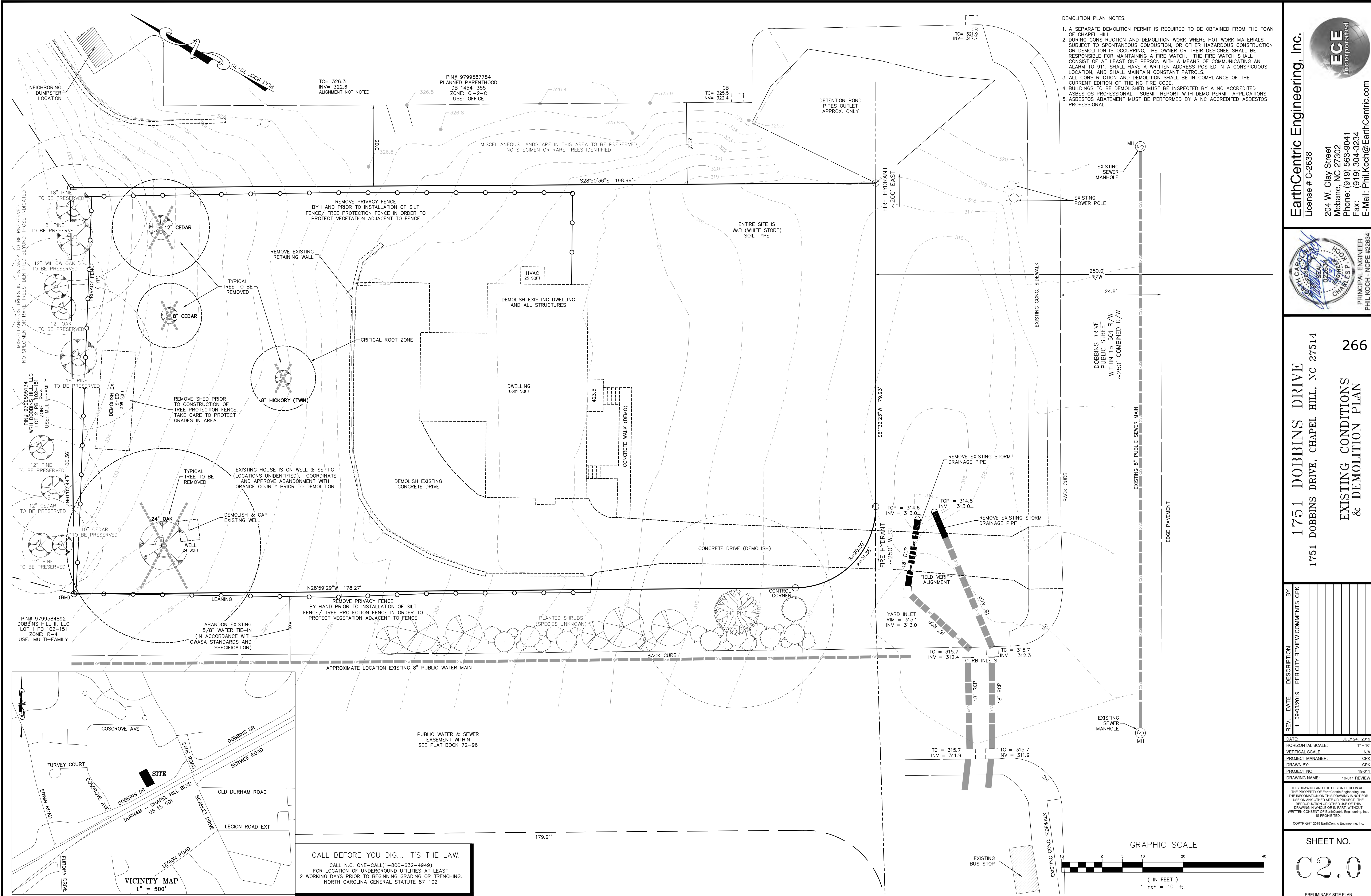
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- D2.0 STORMFILTER SYSTEM DETAILS
- D2.1 STORMFILTER SYSTEM DETAILS
- D5.0 SITE DETAILS
- D5.1 SITE DETAILS

- A201 ARCHITECTURAL ELEVATIONS

CALL BEFORE YOU DIG... IT'S THE LAW.
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FOR LOCATION OF UNDERGROUND UTILITIES AT LEAST
2 WORKING DAYS PRIOR TO BEGINNING GRADING OR TRENCHING.
NORTH CAROLINA GENERAL STATUTE 87-102

APPROVAL STAMP





- DEMOLITION PLAN NOTES:
1. A SEPARATE DEMOLITION PERMIT IS REQUIRED TO BE OBTAINED FROM THE TOWN OF CHAPEL HILL.
 2. DURING CONSTRUCTION AND DEMOLITION WORK WHERE HOT WORK MATERIALS SUBJECT TO SPONTANEOUS COMBUSTION, OR OTHER HAZARDOUS CONSTRUCTION OR DEMOLITION IS OCCURRING, THE OWNER OR THEIR DESIGNEE SHALL BE RESPONSIBLE FOR MAINTAINING A FIRE WATCH. THE FIRE WATCH SHALL CONSIST OF AT LEAST ONE PERSON WITH A MEANS OF COMMUNICATING AN ALARM TO 911, SHALL HAVE A WRITTEN ADDRESS POSTED IN A CONSPICUOUS LOCATION, AND SHALL MAINTAIN CONSTANT PATROLS.
 3. ALL CONSTRUCTION AND DEMOLITION SHALL BE IN COMPLIANCE OF THE CURRENT EDITION OF THE NC FIRE CODE.
 4. BUILDINGS TO BE DEMOLISHED MUST BE INSPECTED BY A NC ACCREDITED ASBESTOS PROFESSIONAL. SUBMIT REPORT WITH DEMO PERMIT APPLICATIONS.
 5. ASBESTOS ABATEMENT MUST BE PERFORMED BY A NC ACCREDITED ASBESTOS PROFESSIONAL.

EarthCentric Engineering, Inc.

License # C-2638

204 W. Clay Street
Mebane, NC 27302
Phone: (919) 563-9041
Fax: (919) 304-9234
E-Mail: Phil.Koehn@EarthCentric.com



1751 DOBBINS DRIVE
1751 DOBBINS DRIVE, CHAPEL HILL, NC 27514

EXISTING CONDITIONS
& DEMOLITION PLAN

266

REV.	DATE	DESCRIPTION	BY
1	09/03/2019	PER CITY REVIEW COMMENTS CPK	
DATE: JULY 24, 2019			
HORIZONTAL SCALE: 1" = 10'			
VERTICAL SCALE: N/A			
PROJECT MANAGER: CPK			
DRAWN BY: CPK			
PROJECT NO: 19-011			
DRAWING NAME: 19-011 REVIEW			

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SHEET NO.

C2.0

PRELIMINARY SITE PLAN



1751 DOBBINS DRIVE, CHAPEL HILL, NC 27514

CONSTRUCTION MANGEMENT PLAN
DEMOLITION & INITIAL CONSTRUCTION

JULY 24, 2019	
VERTICAL SCALE:	1" = 10'
HORIZONTAL SCALE:	N/A
DRAWN BY:	CPK
CHECKED BY:	CPK
DRAWING NO:	19-011
DRAWING NAME:	19-011 REVIEW

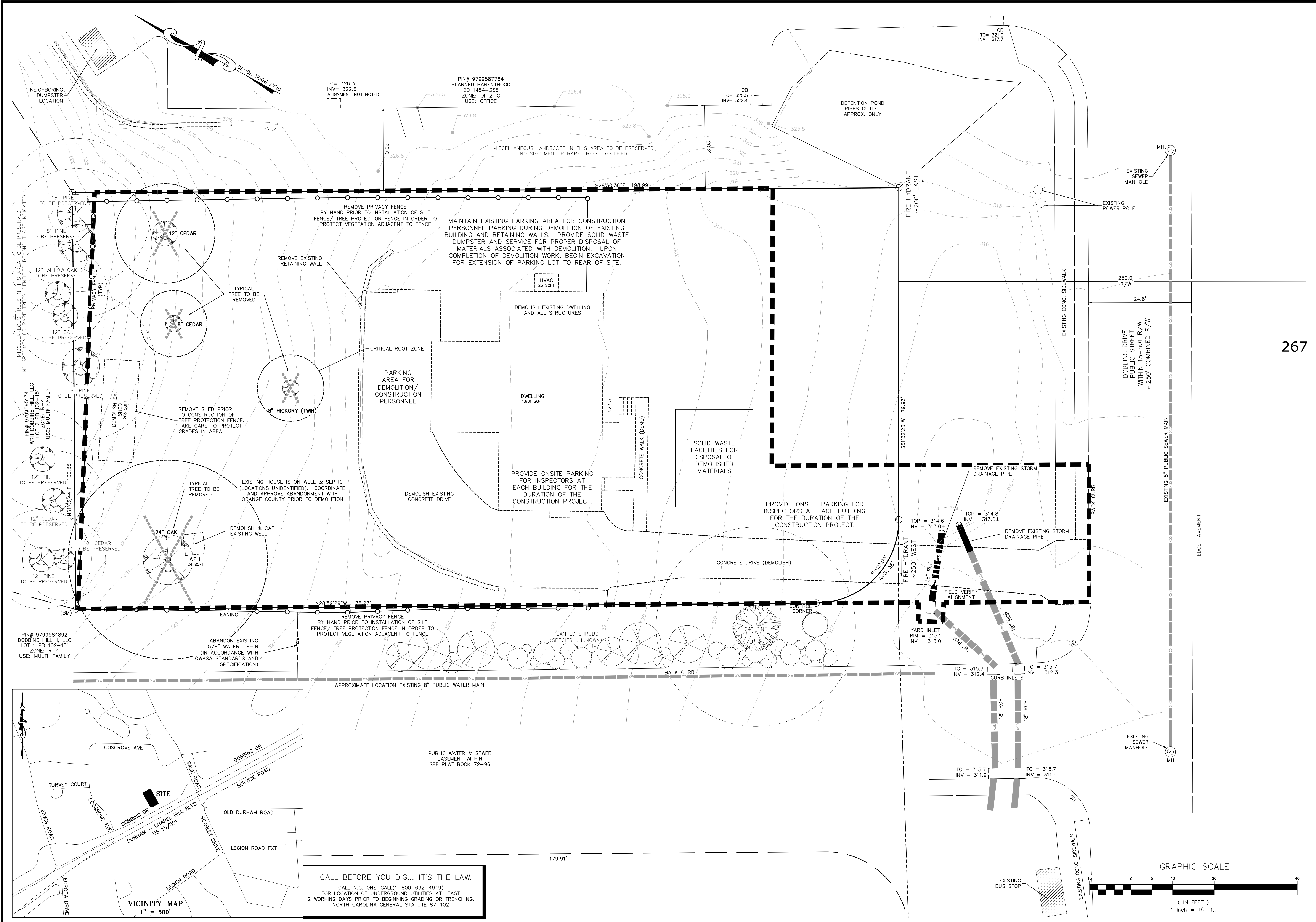
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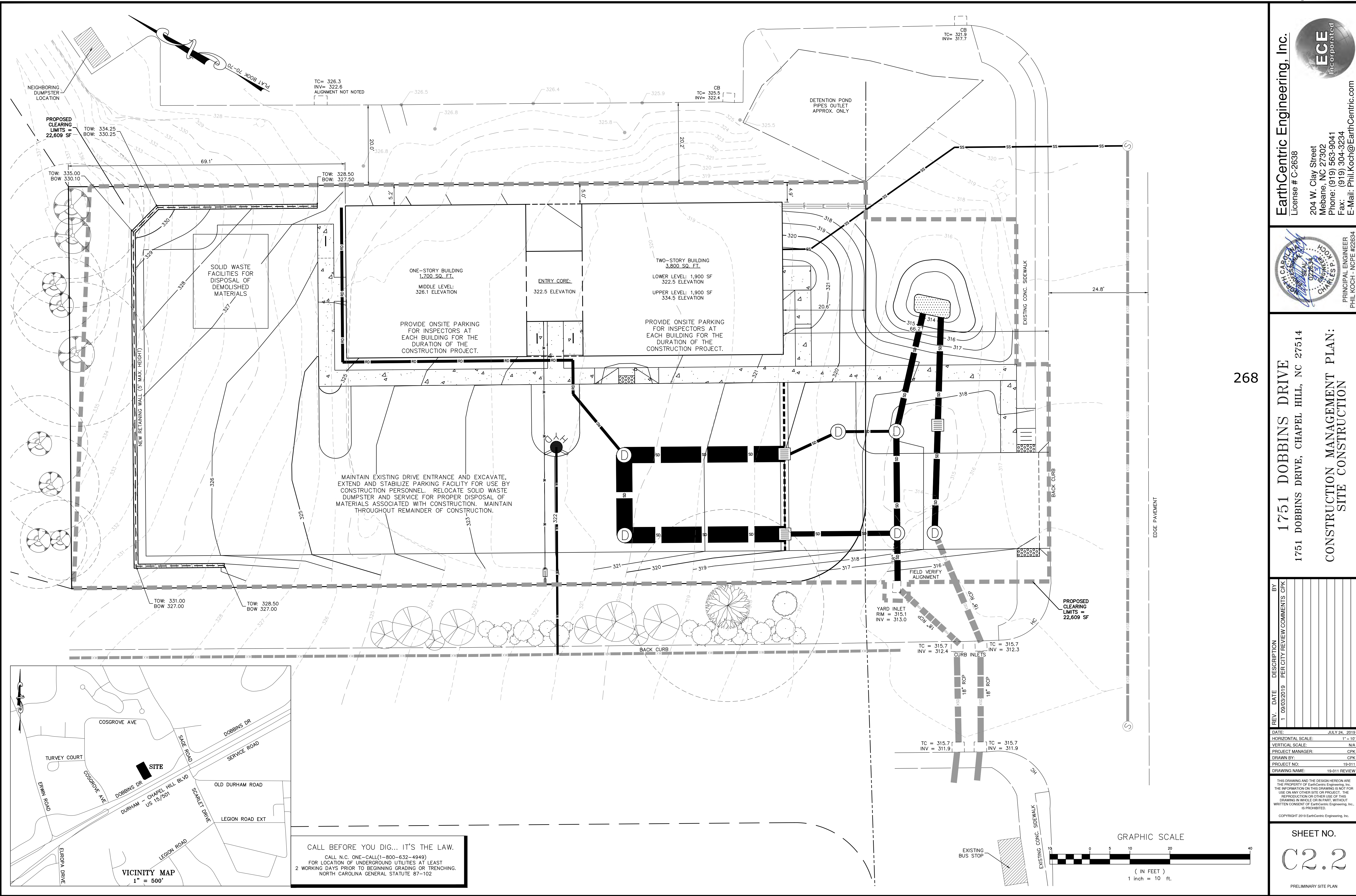
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PRELIMINARY SITE PLAN





268

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E-Mail: Phil.Koehn@EarthCentric.com



1751 DOBBINS DRIVE
1751 DOBBINS DRIVE, CHAPEL HILL, NC 27514
CONSTRUCTION MANAGEMENT PLAN:
SITE CONSTRUCTION

REV.	DATE	DESCRIPTION	BY
1	09/03/2019	PER CITY REVIEW COMMENTS	CPK
DATE: JULY 24, 2019			
HORIZONTAL SCALE: 1" = 10'			
VERTICAL SCALE: N/A			
PROJECT MANAGER: CPK			
DRAWN BY: CPK			
PROJECT NO.: 19-011			
DRAWING NAME: 19-011 REVIEW			

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SHEET NO.

C2.2

PRELIMINARY SITE PLAN



1751 DOBBINS DRIVE
1751 DOBBINS DRIVE, CHAPEL HILL, NC 27514

SITE & SOLID WASTE PLAN

[illegible]

DATE:	JULY 24, 2019
HORIZONTAL SCALE:	1" = 10'
VERTICAL SCALE:	N/A
PROJECT MANAGER:	CPK
DRAWN BY:	CPK
PROJECT NO:	19-011
DRAWING NAME:	19-011 REVIEW

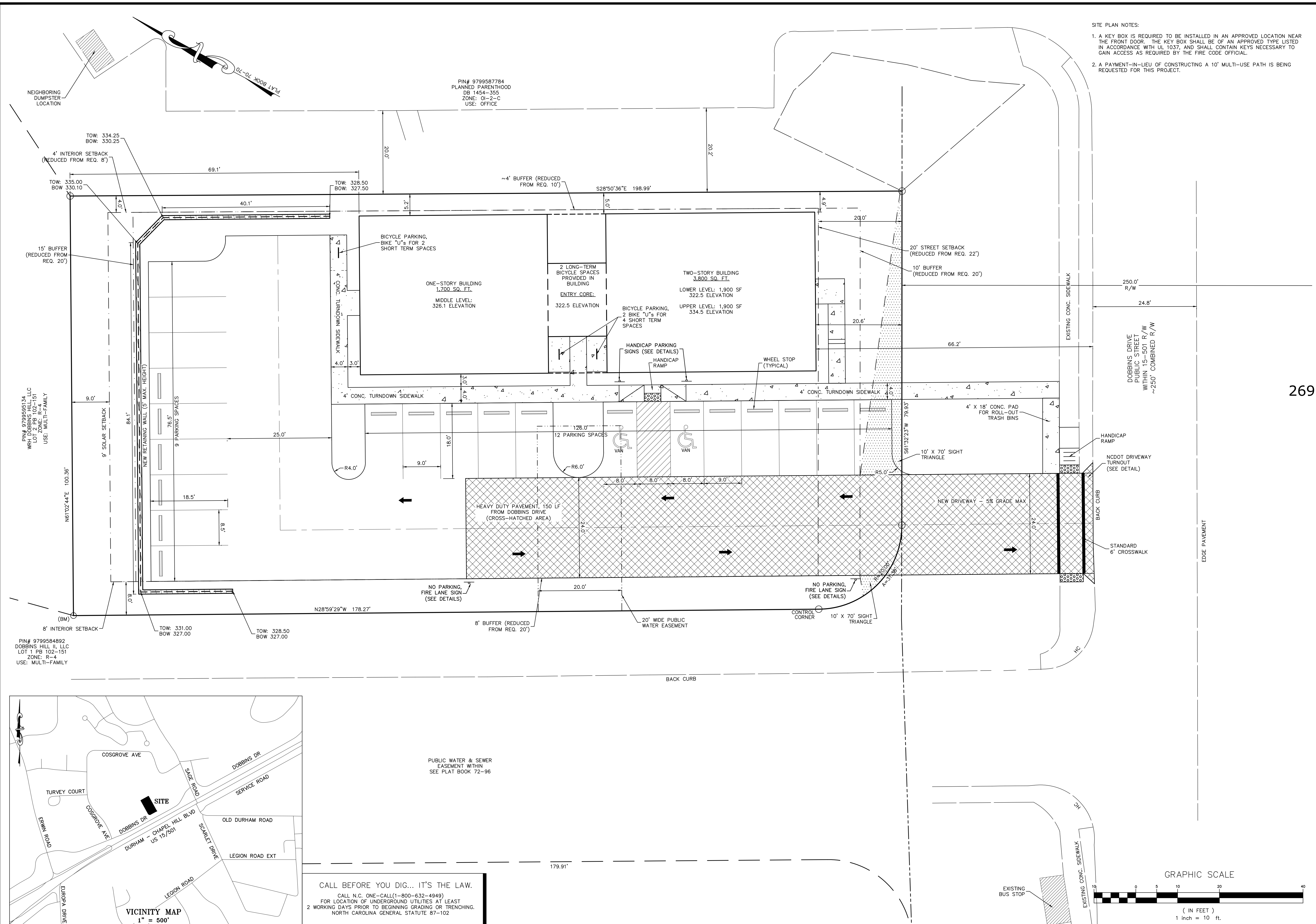
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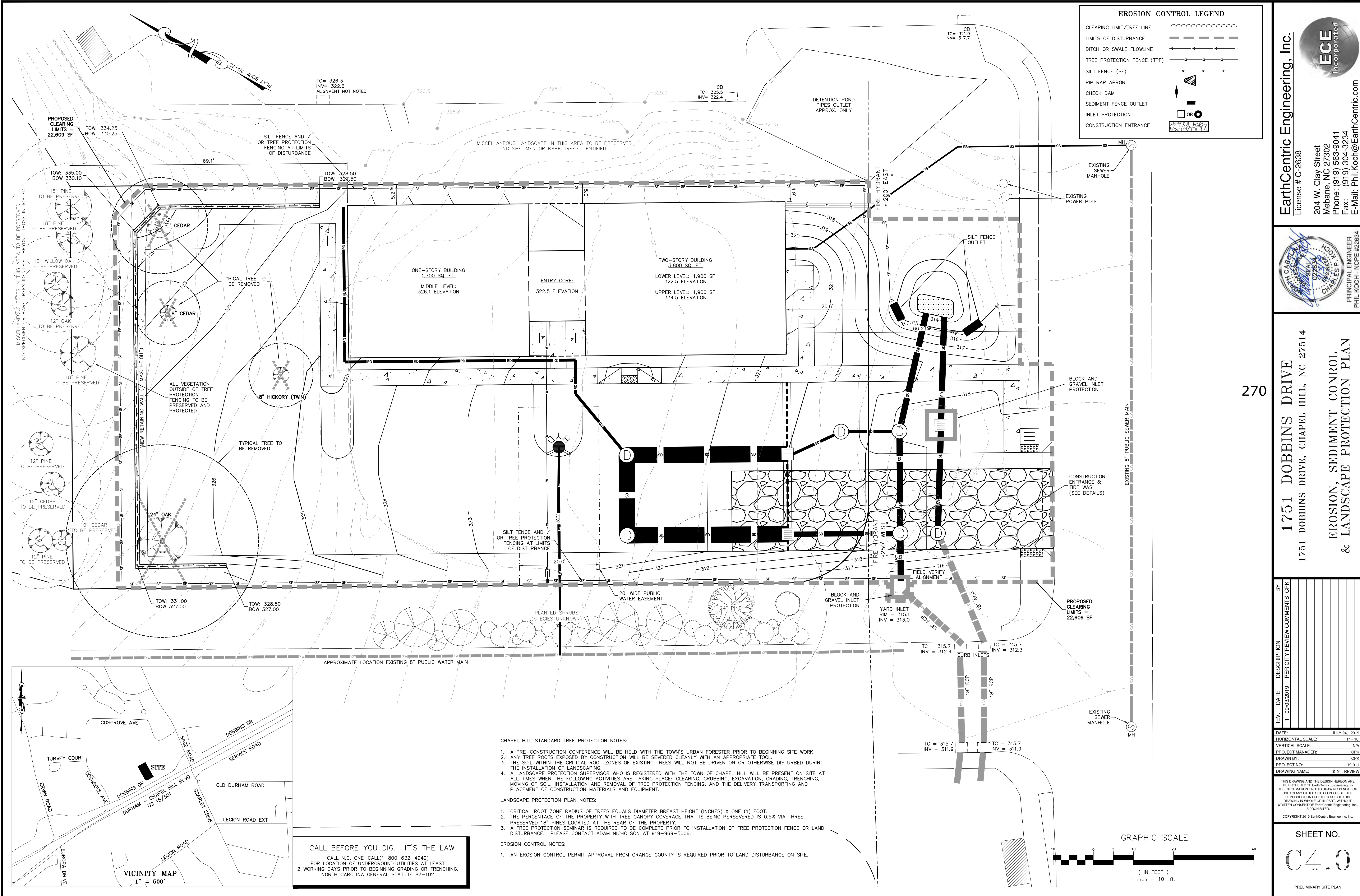
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SHEET NO.

C3.0

PRELIMINARY SITE PLAN





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Phone: (919) 563-9041
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E-Mail: Phil.Koehn@EarthCentric.com

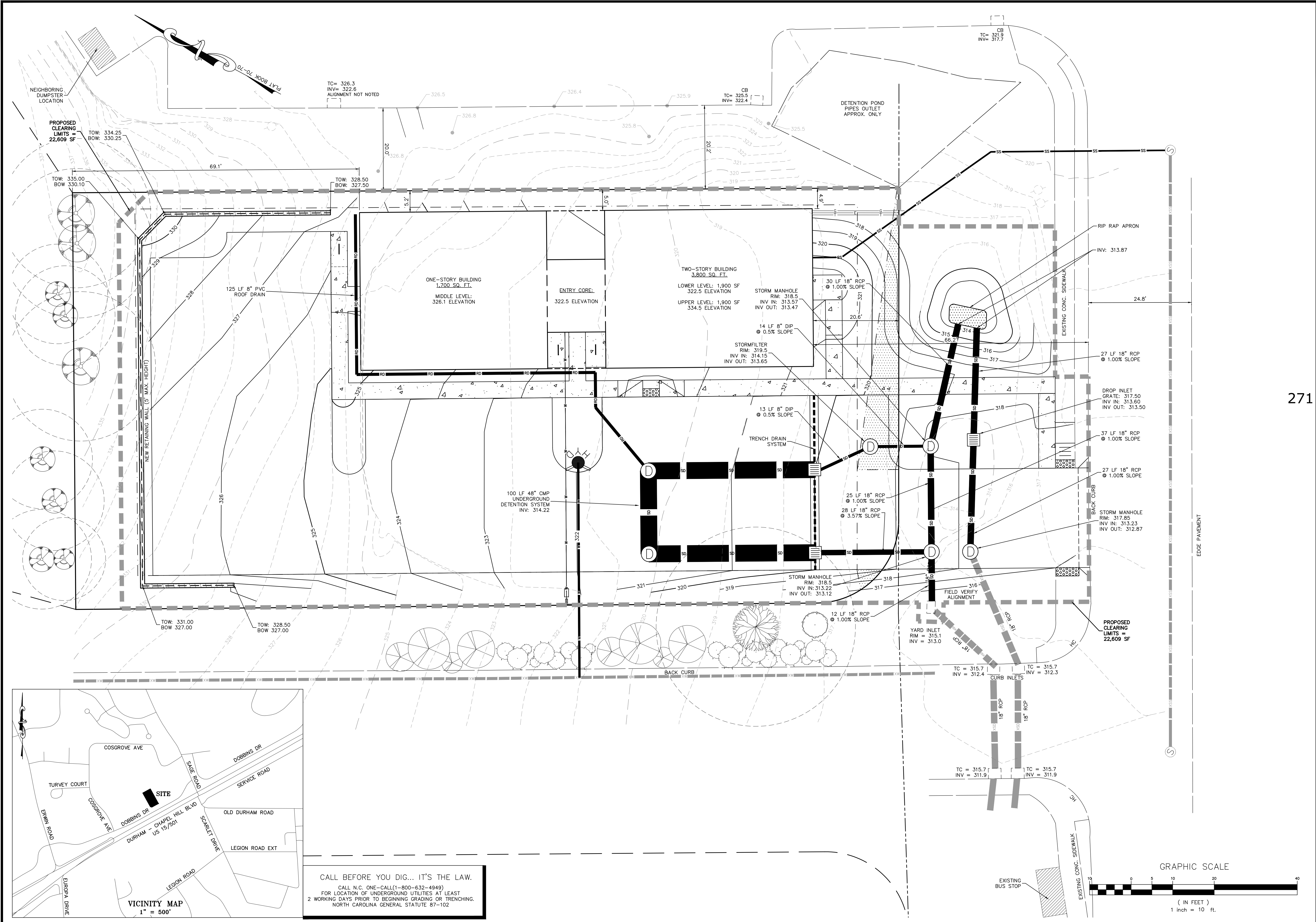
PRINCIPAL ENGINEER
PHIL KOCH - NCPE #22634

REV.	DATE	DESCRIPTION	BY
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DATE: JULY 24, 2019			
HORIZONTAL SCALE: 1" = 10'			
VERTICAL SCALE: N/A			
PROJECT MANAGER: CPK			
DRAWN BY: CPK			
PROJECT NO: 19-011			
DRAWING NAME: 19-011 REVIEW			

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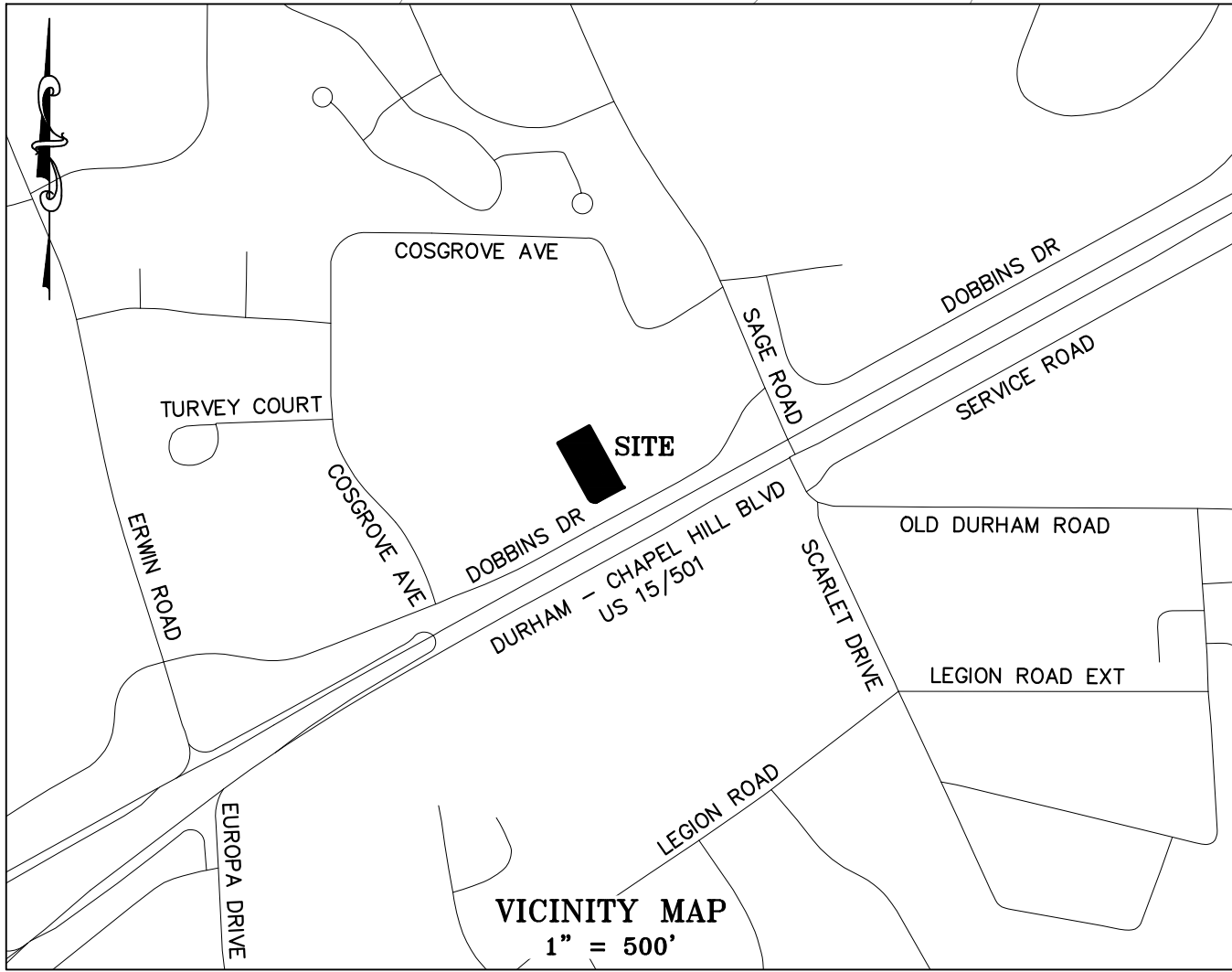
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PRELIMINARY SITE PLAN



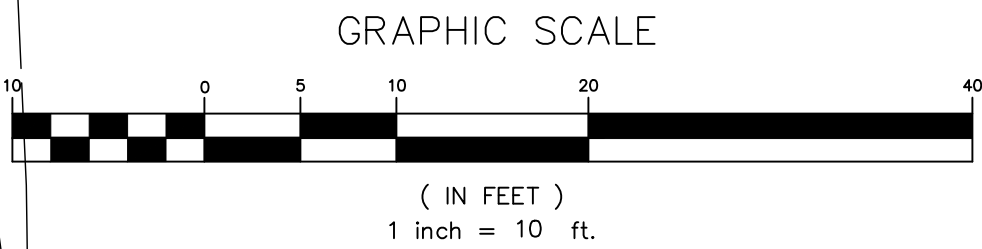


SLOPE ANALYSIS TABLE					
NUMBER	MINIMUM SLOPE	MAXIMUM SLOPE	TOTAL AREA	DISTURBED AREA	% DISTURBED
1	0.00%	10.00%	12,091.36	11,839.50	97.92%
2	10.00%	15.00%	3,811.28 SF	3,772.40 SF	98.98%
3	15.00%	25.00%	3,227.46 SF	3,210.96 SF	99.49%
4	25.00%	MAX	662.90 SF	660.93 SF	99.70%

STEEP SLOPE PLAN NOTES:
1. DUE TO THE PARCEL SIZE IT IS NOT FEASIBLE TO MAINTAIN EXISTING STEEP SLOPES ON SITE



CALL BEFORE YOU DIG... IT'S THE LAW.
CALL N.C. ONE-CALL(1-800-632-4949)
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PHIL KOCH - NCPE #22634

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1751 DOBBINS DRIVE
1751 DOBBINS DRIVE, CHAPEL HILL, NC 27514

STEEP SLOPE PLAN

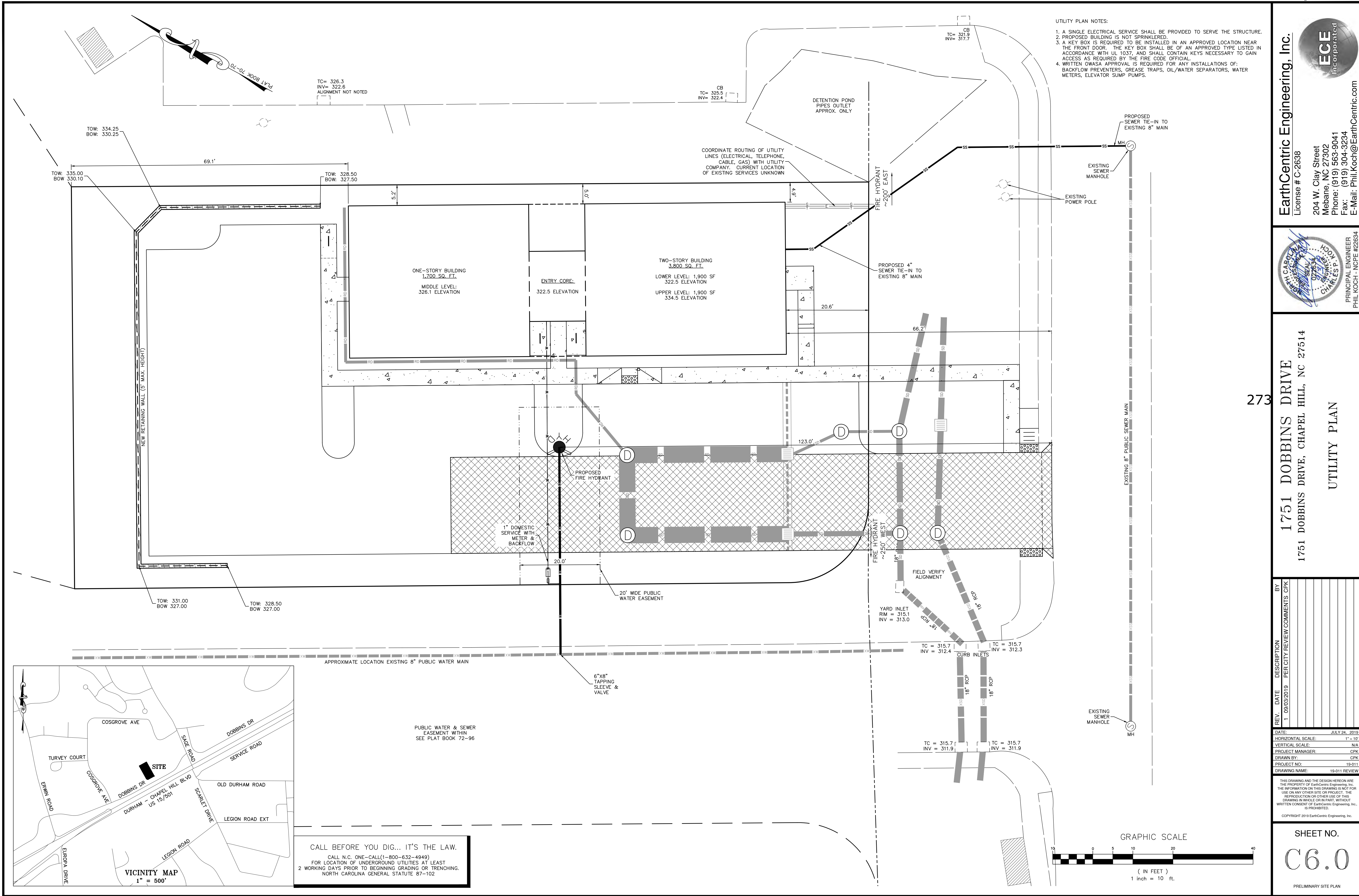
REV.	DATE	DESCRIPTION	BY
1	09/03/2019	PER CITY REVIEW COMMENTS	CPK

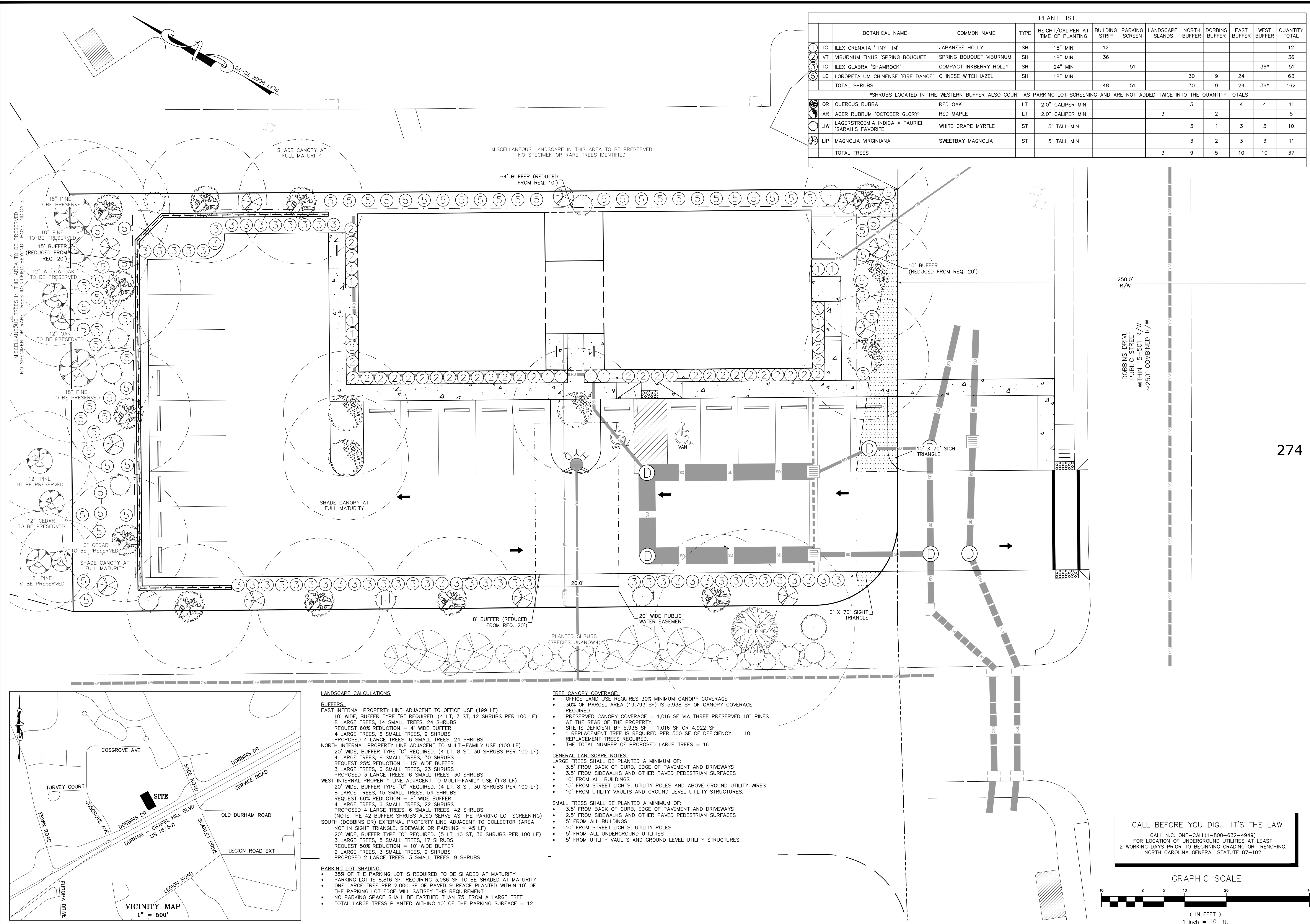
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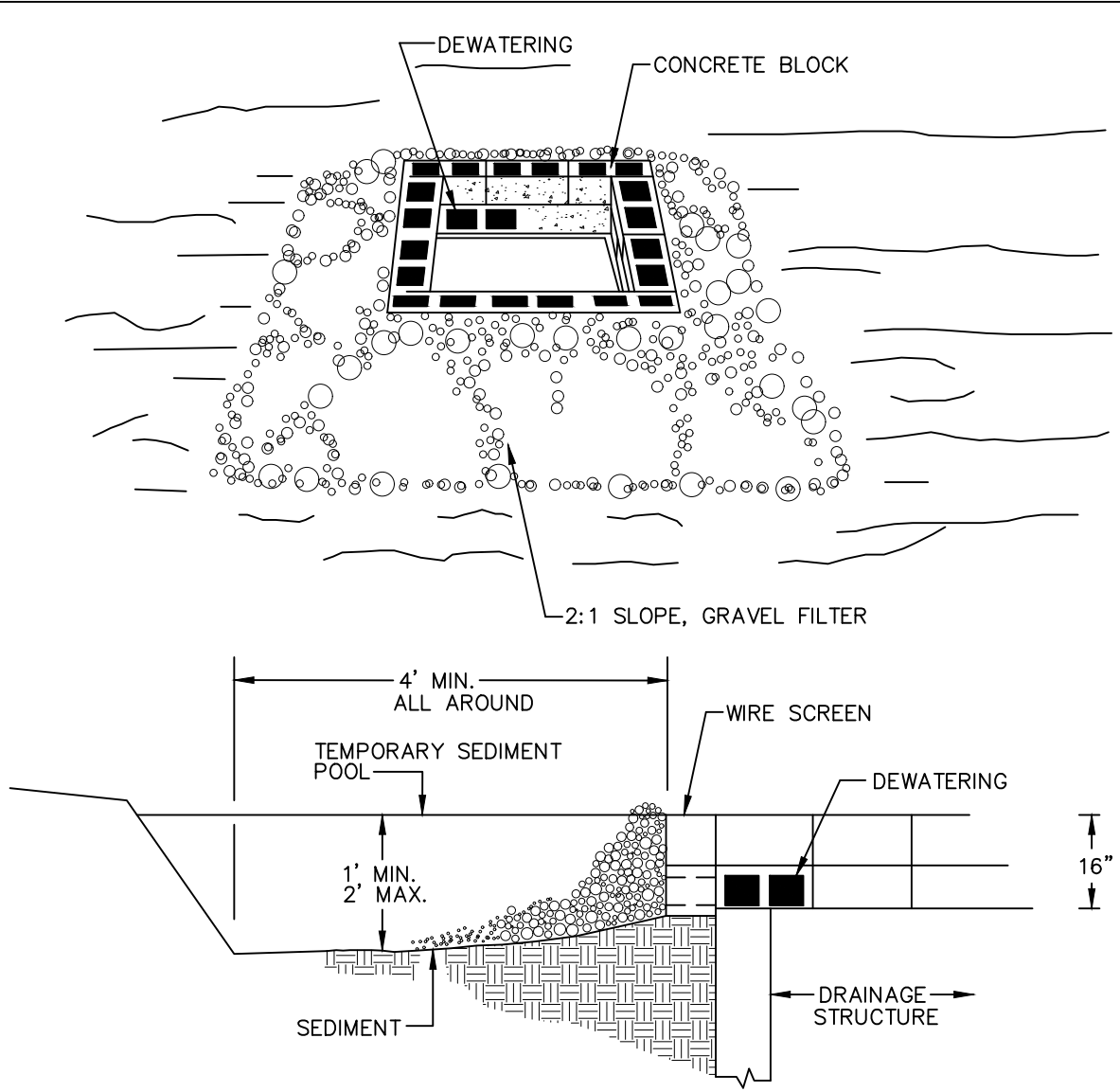
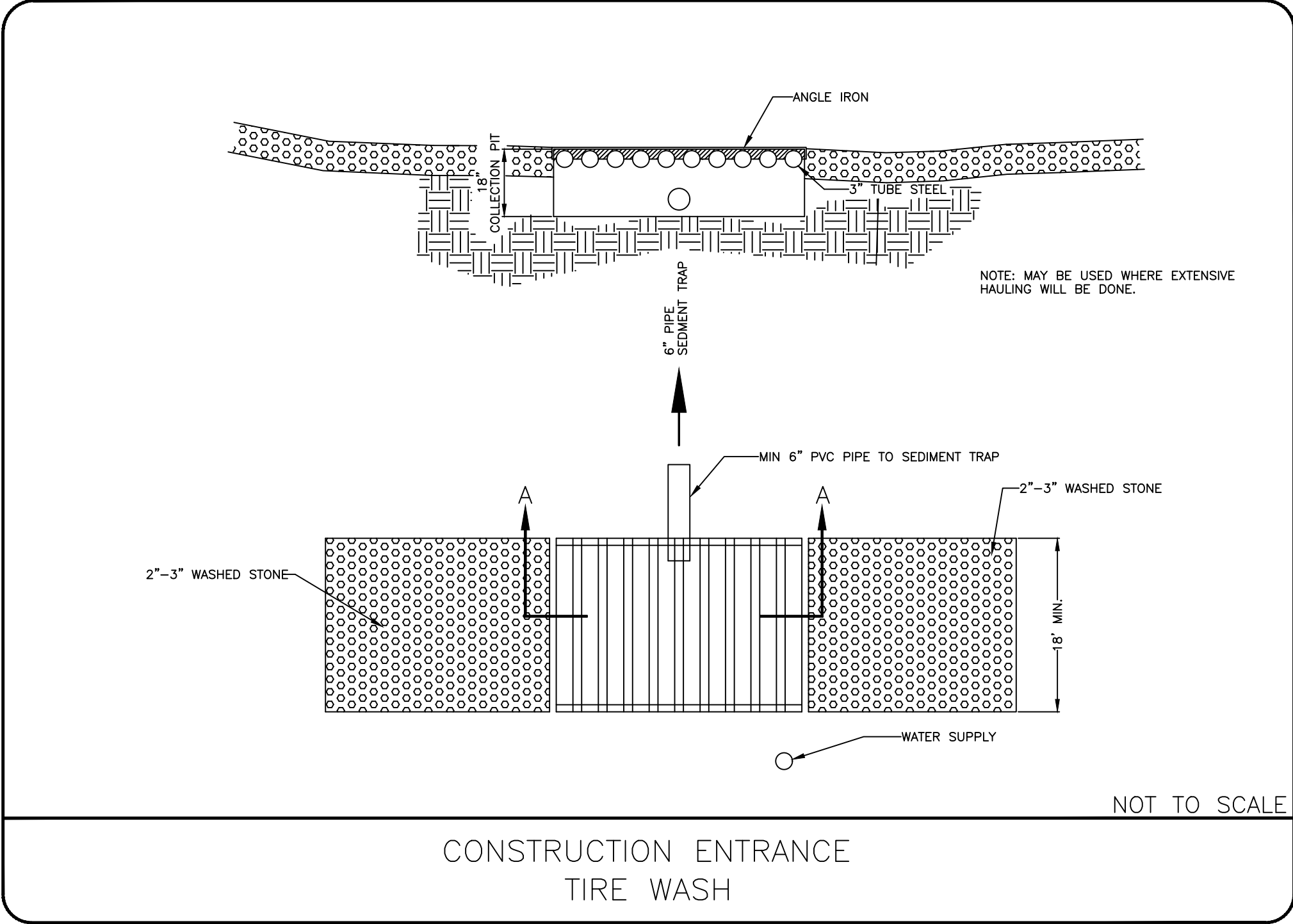
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SHEET NO.
C5.1
PRELIMINARY SITE PLAN







CONSTRUCTION SPECIFICATIONS

1. LAY ONE BLOCK ON EACH SIDE OF THE STRUCTURE ON ITS SIDE IN THE BOTTOM ROW TO ALLOW POOL DRAINAGE. THE FOUNDATION SHOULD BE EXCAVATED AT LEAST 2 INCHES BELOW THE CREST OF THE STORM DRAIN. PLACE THE BOTTOM ROW OF BLOCKS AGAINST THE EDGE OF THE STORM DRAIN FOR LATERAL SUPPORT AND TO AVOID WASHOUTS WHEN OVERFLOW OCCURS. IF NEEDED, GIVE LATERAL SUPPORT TO SUBSEQUENT ROWS BY PLACING 2 X 4 WOOD STUDS THROUGH BLOCK OPENINGS.
2. CAREFULLY FIT HARDWARE CLOTH OR COMPARABLE WIRE MESH WITH 1/2-INCH OPENINGS OVER ALL BLOCK OPENINGS TO HOLD GRAVEL IN PLACE.
3. USE CLEAN GRAVEL, 3/4- TO 1/2-INCH IN DIAMETER, PLACED 2 INCHES BELOW THE TOP OF THE BLOCK ON A 2:1 SLOPE OR FLATTER AND SMOOTH IT TO AN EVEN GRADE. DOT #57 WASHED STONE IS RECOMMENDED.
4. IF ONLY STONE AND GRAVEL ARE USED, KEEP THE SLOPE TOWARD THE INLET NO STEEPER THAN 3:1. LEAVE A MINIMUM 1-FT WIDE LEVEL STONE AREA BETWEEN THE STRUCTURE AND AROUND THE INLET TO PREVENT GRAVEL FROM ENTERING INLET. ON THE SLOPE TOWARD THE INLET, USE STONE 3 INCHES IN DIAMETER OR LARGER. ON THE SLOPE AWAY FROM THE INLET USE 1/2 - 3/4-INCH GRAVEL (NCDOT #57 WASHED STONE) AT A MINIMUM THICKNESS OF 1 FT.

MAINTENANCE

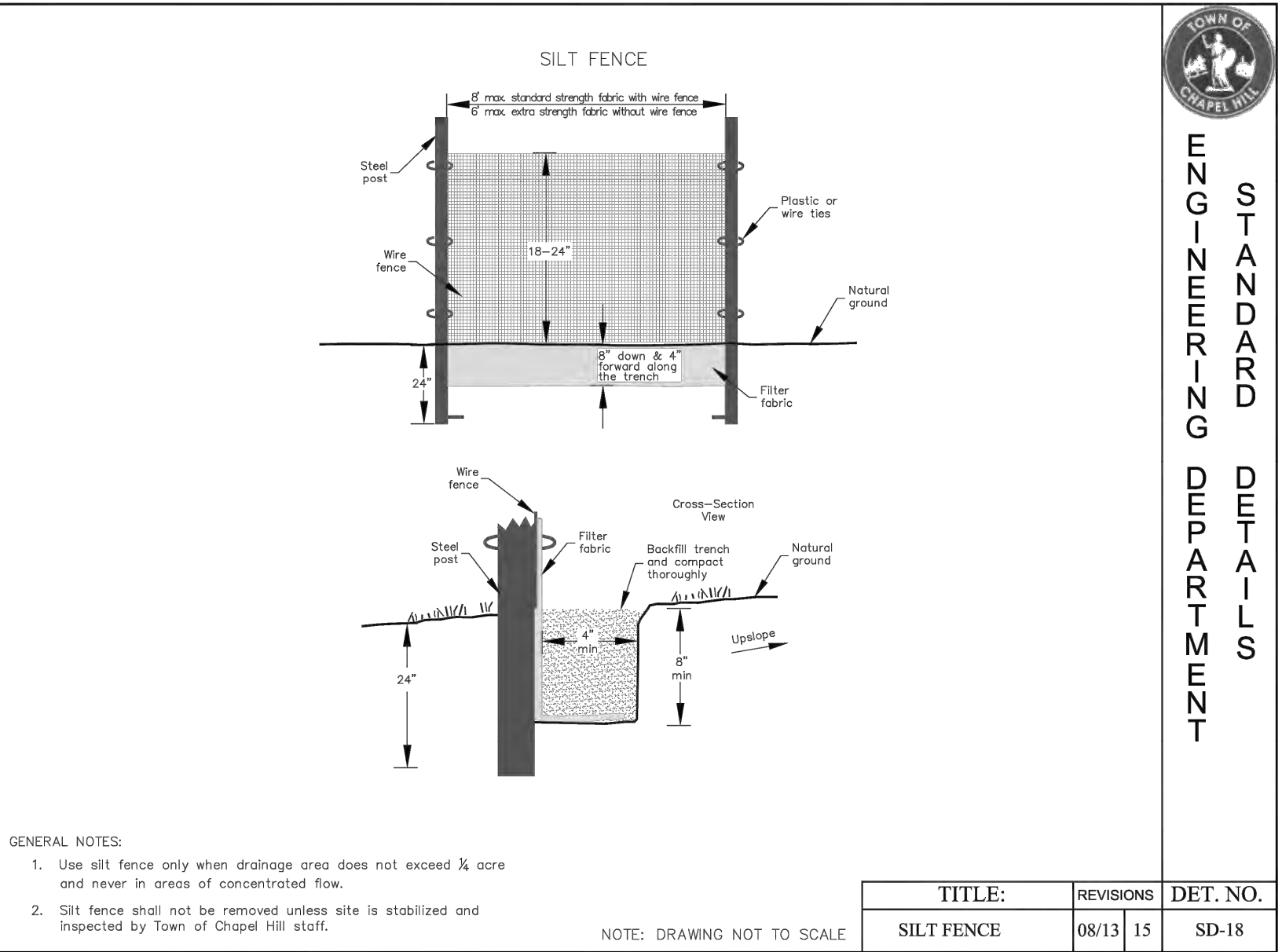
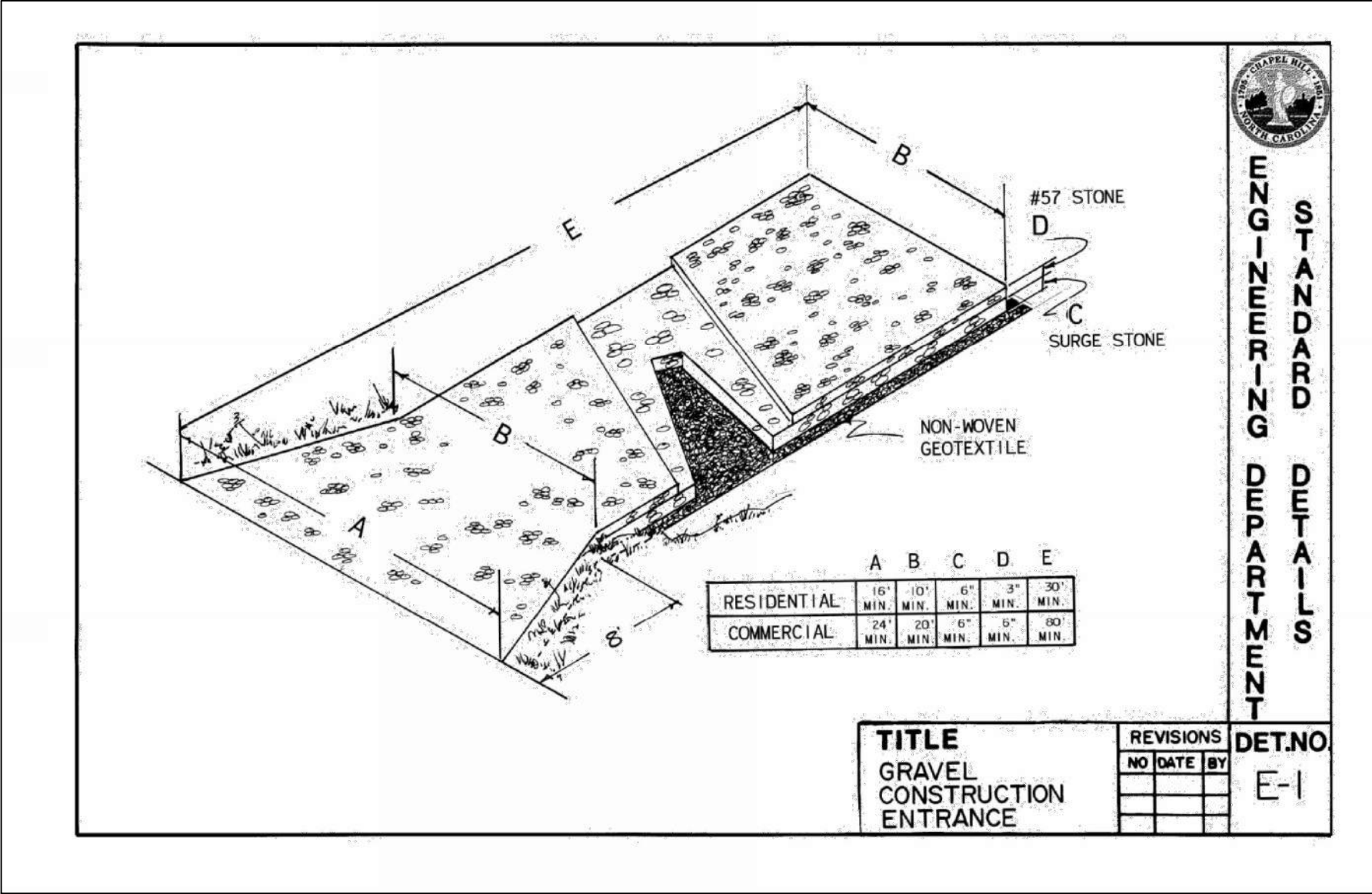
INSPECT THE BARRIER AFTER EACH RAIN AND MAKE REPAIRS AS NEEDED.

REMOVE SEDIMENT AS NECESSARY TO PROVIDE ADEQUATE STORAGE VOLUME FOR SUBSEQUENT RAINS.

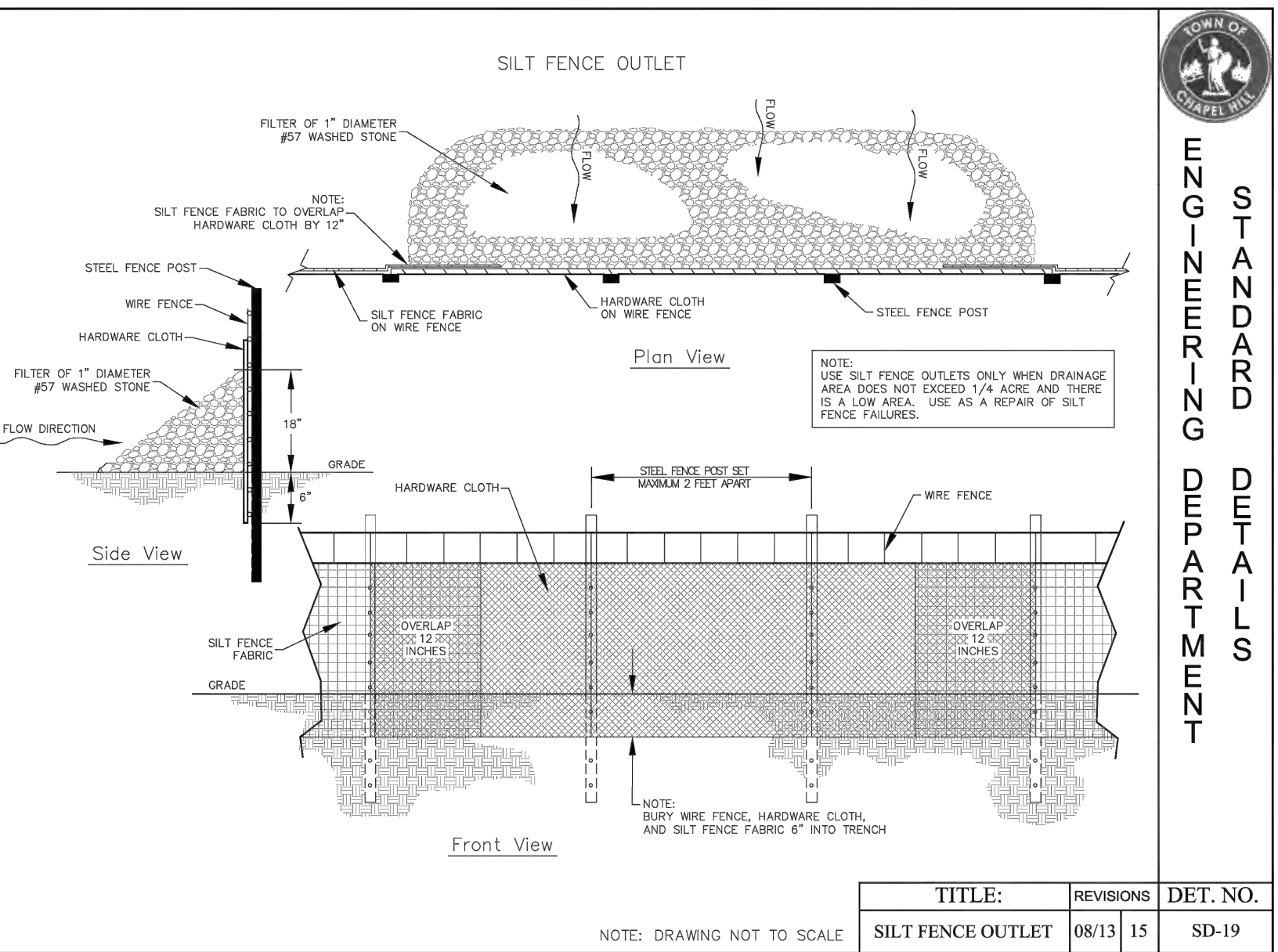
WHEN THE CONTRIBUTING DRAINAGE AREA HAS BEEN ADEQUATELY STABILIZED, REMOVE ALL MATERIALS AND ANY UNSTABLE SOIL, AND EITHER SALVAGE OR DISPOSE OF IT PROPERLY. BRING THE DISTURBED AREA TO PROPER GRADE, THEN SMOOTH AND COMPACT IT. APPROPRIATELY STABILIZE ALL BARE AREAS AROUND THE INLET.

BLOCK AND GRAVEL INLET PROTECTION

NTS



TITLE:	REVISIONS	DET. NO.
SILT FENCE	08/13 15	SD-18



TITLE:	REVISIONS	DET. NO.
SILT FENCE OUTLET	08/13 15	SD-19

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1751 DOBBINS DRIVE
1751 DOBBINS DRIVE, CHAPEL HILL, NC 27514

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EROSION & SEDIMENT
CONTROL DETAILS

REV.	DATE	DESCRIPTION	BY
1	09/03/2019	PER CITY REVIEW COMMENTS	CPK
DATE: JULY 24, 2019			
HORIZONTAL SCALE: 1" = 10'			
VERTICAL SCALE: N/A			
PROJECT MANAGER: CPK			
DRAWN BY: CPK			
PROJECT NO: 19-011			
DRAWING NAME: 19-011 REVIEW			

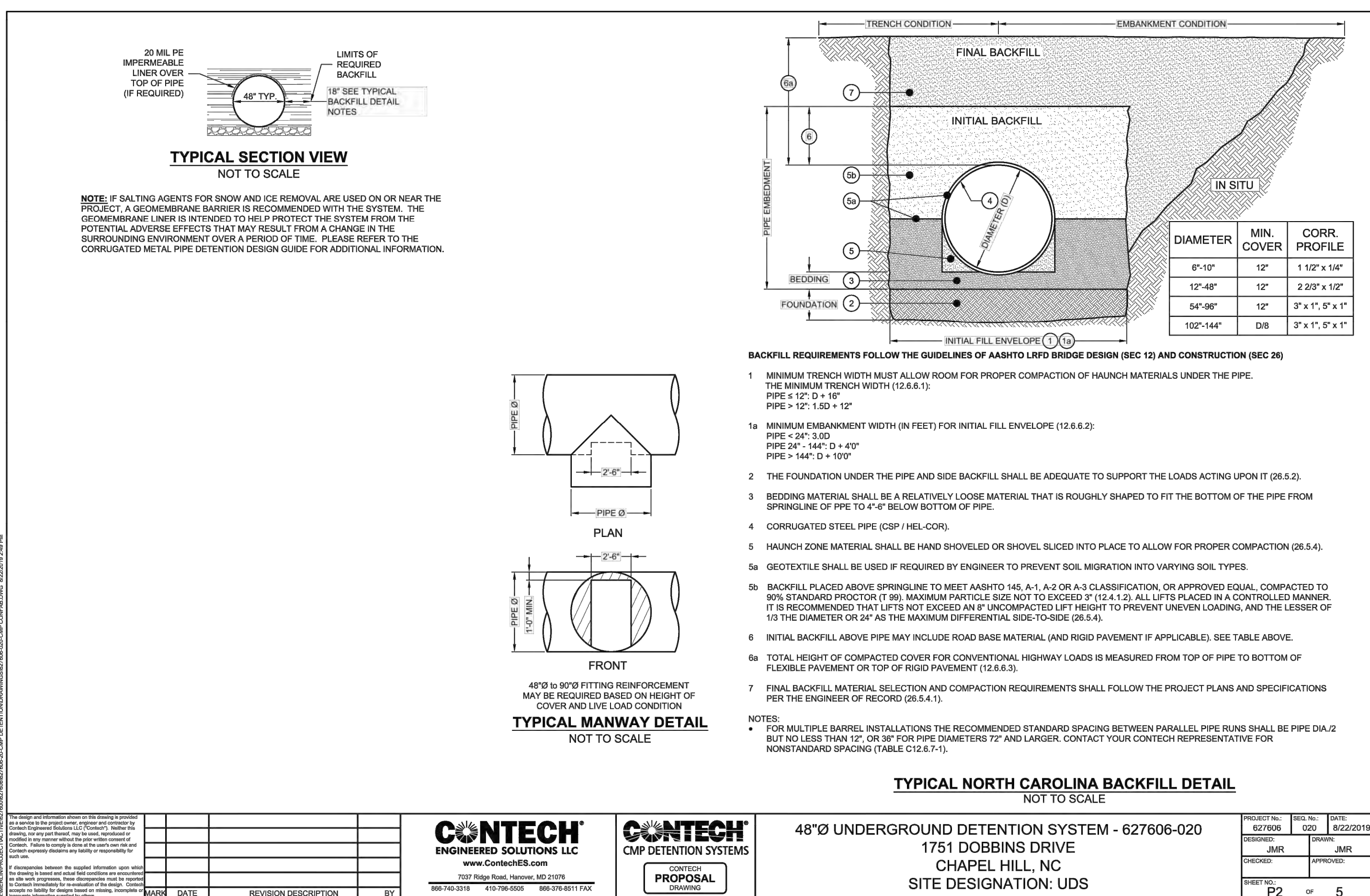
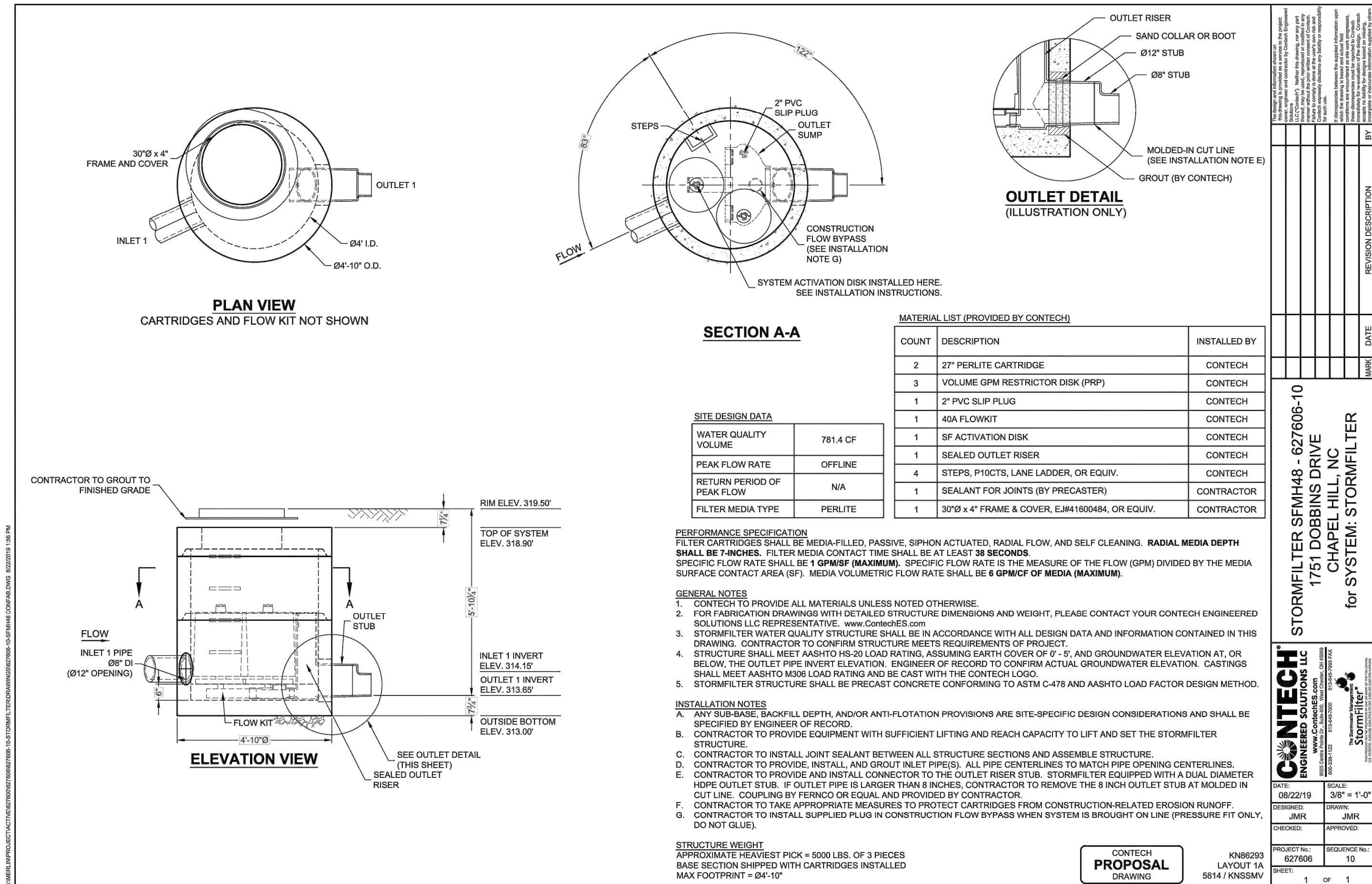
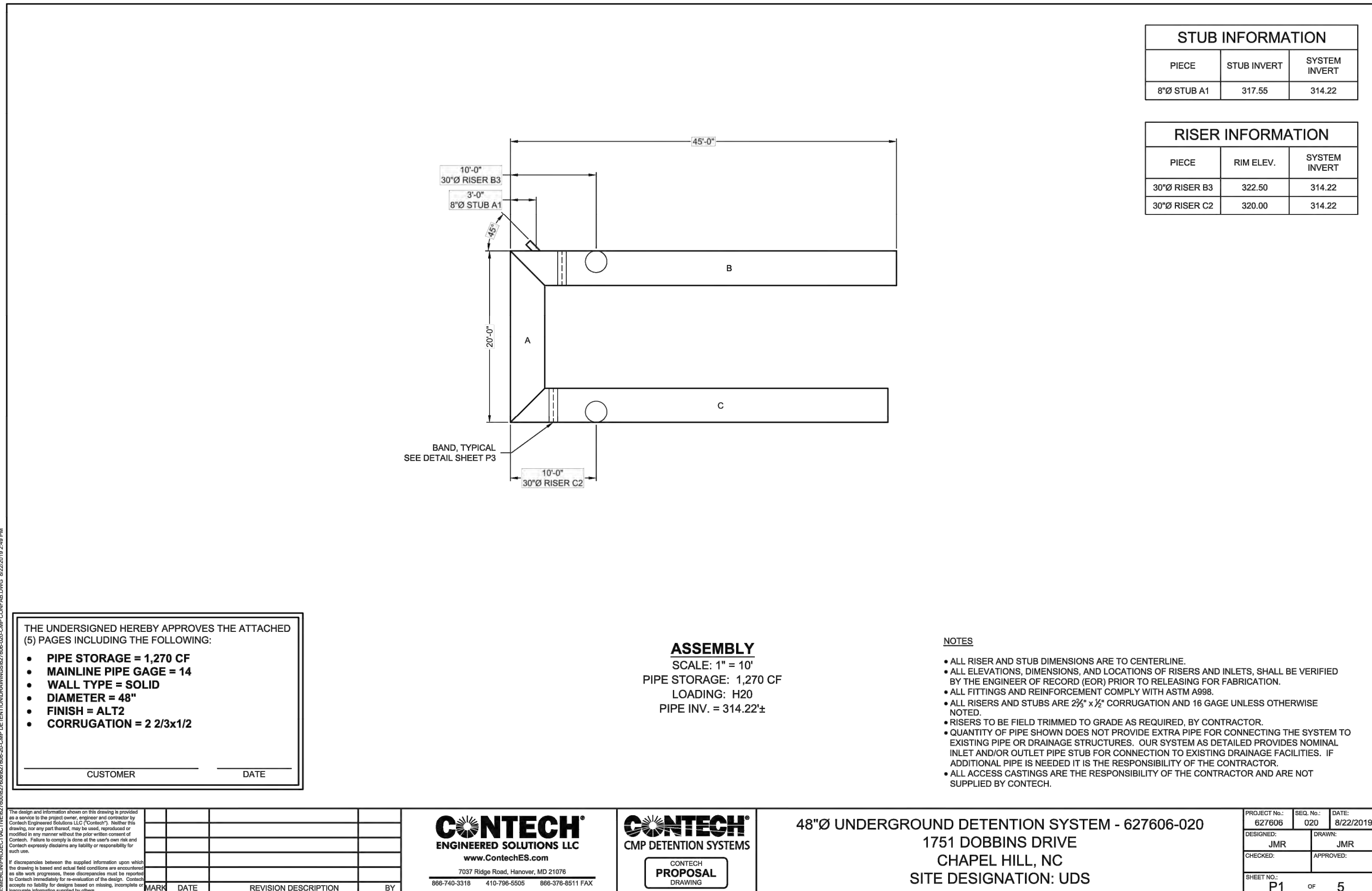
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D1.0

PRELIMINARY SITE PLAN



CONTECH ENGINEERED SOLUTIONS

Determining Number of Cartridges for Volume-Based Design in NC

Design Engineer:	LRS	Blue Cells = Input
Date:	8/23/2019	Black Cells = Calculation
Site Information		
Project Name	1751 Dobbins Road	
Project State	North Carolina	
Project Location	Chapel Hill	
Drainage Area, Ad	0.34 ac	
Impervious Area, Ai	0.30 ac	
Previous Area, Ap	0.04	
% Impervious	88%	
Runoff Coefficient, Rv	0.84	=0.05+0.9*(Ai/Ad)
Water Quality Volume Calculations		
Design storm rainfall depth, Rd	1.0 in	
Water quality volume, WQV	1041.8 ft ³	=Ad*Rv*Rd*(43560/12)
Storage Component Calculations		
Capture 75% of WQV	781.4 ft ³	=0.75*WQV
Pretreatment credit (estimated or calculated), %pre	30%	
Mass loading calculations		
Mean Annual Rainfall, P	46 in	
Agency required % removal	85%	
Percent Runoff Capture (% capture)	90%	
Mean Annual Runoff, V _i	43,131 ft ³	=P*Ad*Rv*(43560/12)*%capture
Event Mean Concentration of Pollutant, EMC	70.0 mg/l	(Suggestion: Use 60 for residential, 70 for Commercial, 100 for Industrial)
Annual Mass Load, M _{total}	188.37 lbs	=EMC*V _i *(28.3)*(0.000001)*(2.2046)
Filter System		
Filtration brand	StormFilter	
Cartridge height	27 in	
Cartridge Quantity Calculation		
Mass removed by pretreatment system, M _{pre}	57 lbs	=Mtotal * %removal
Mass load to filters after pretreatment, M _{mass1}	132 lbs	=Mtotal - Mpre
Estimate the required filter efficiency, E _{filter}	79%	=1+(%removal - 1)/(1 - %pre)
Mass to be captured by filters, M _{filter}	104 lbs	=Mmass1 * Efilter
Maximum Cartridge Flow rate, Q _{car1}	7.5 gpm	=q * (7.5 ft ² /cartridge)
Mass load per cartridge, M _{car1} (lbs)	54 lbs	=lookup mass load per cartridge
Number of Cartridges required, N _{mass}	2	=ROUNDUP(Mfilter/Mcar1,0)
Maximum Treatment Capacity	0.03	=Nmass*(Qcar1/449)
SUMMARY		
Maximum Treatment Flow Rate, cfs	0.03	
Cartridge Flow Rate, gpm	7.5	Target Pollutant: TSS
Number of Cartridges	2	Media: Perlite

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1751 DOBBINS DRIVE
1751 DOBBINS DRIVE, CHAPEL HILL, NC 27514
276
STORMFILTER SYSTEM
DETAILS

REV.	DATE	DESCRIPTION	BY
1	09/03/2019	PER CITY REVIEW COMMENTS	CPK
DATE:	JULY 24, 2019		
HORIZONTAL SCALE:	1" = 10'		
VERTICAL SCALE:	N/A		
PROJECT MANAGER:	CPK		
DRAWN BY:	CPK		
PROJECT NO.:	19-011		
DRAWING NAME:	19-011 REVIEW		

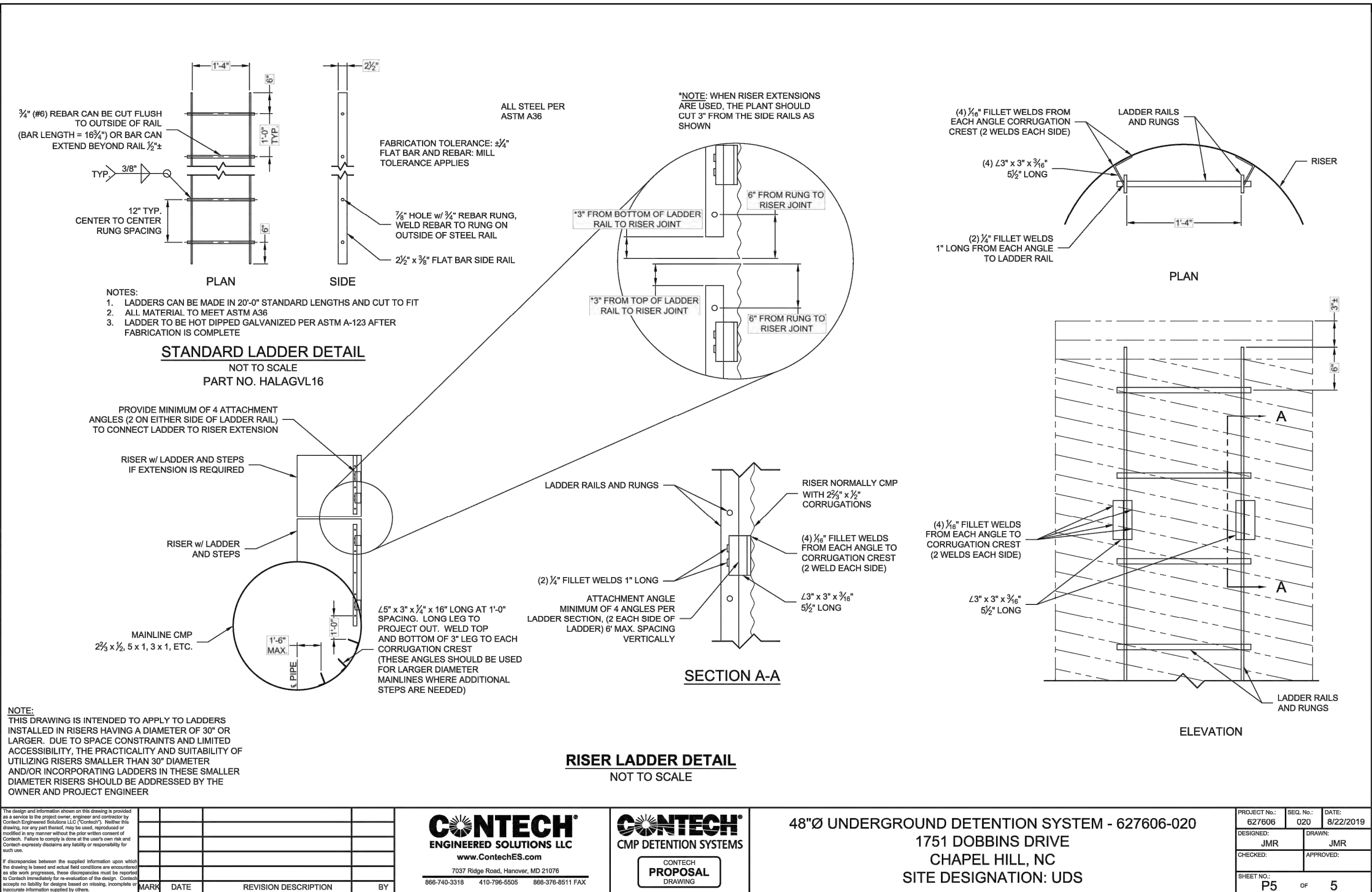
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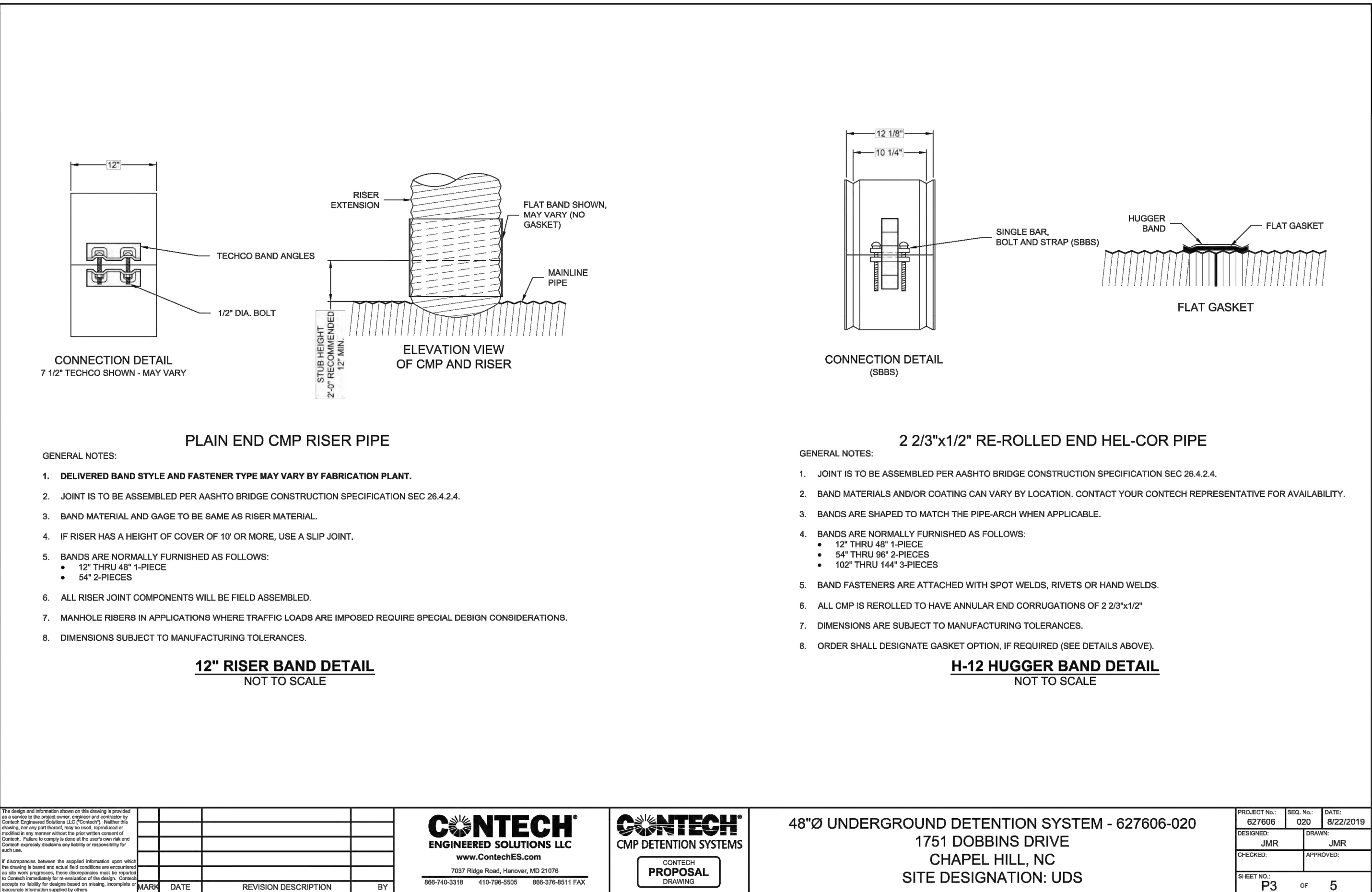
SHEET NO.

D2.0

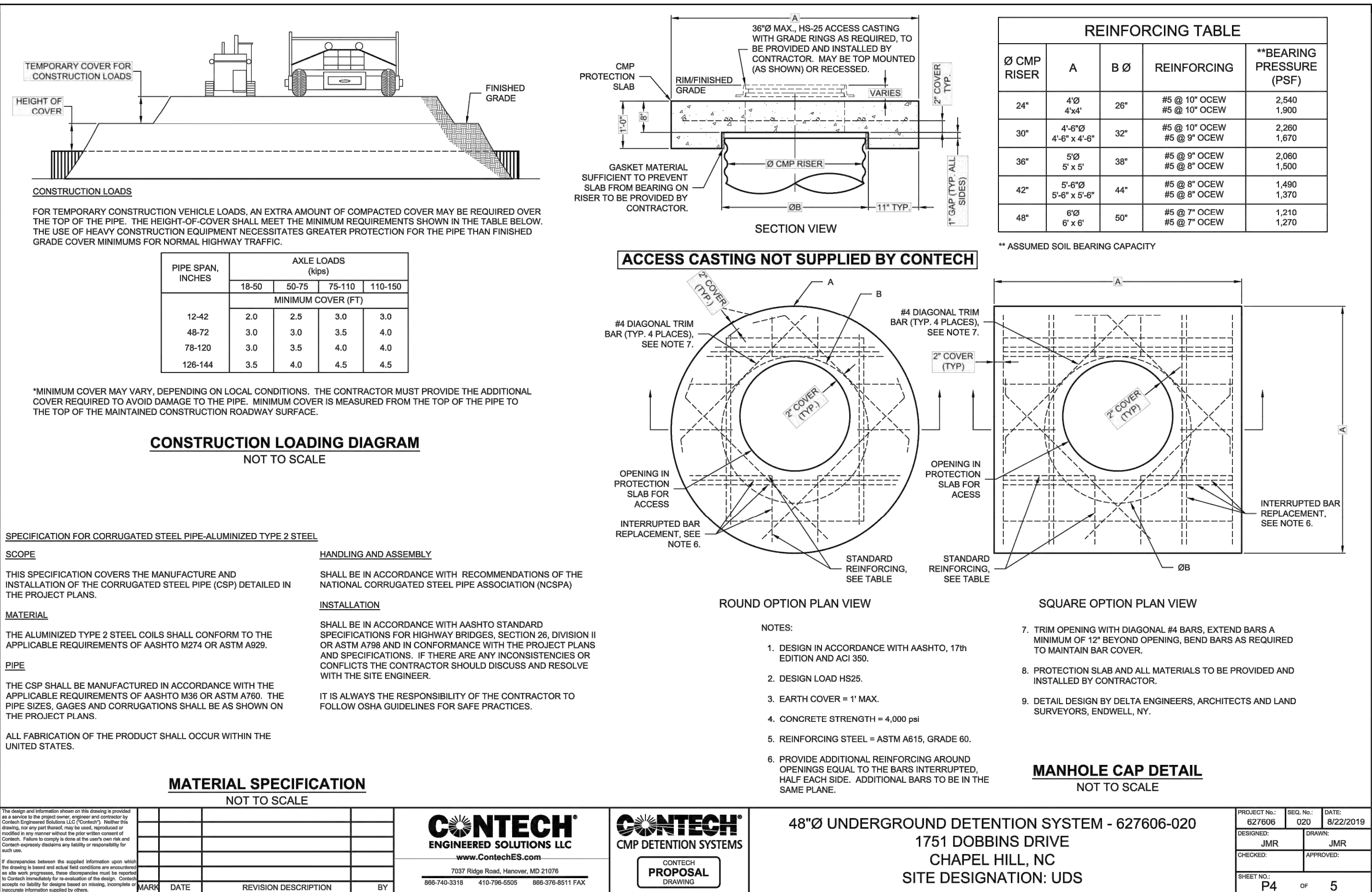
PRELIMINARY SITE PLAN



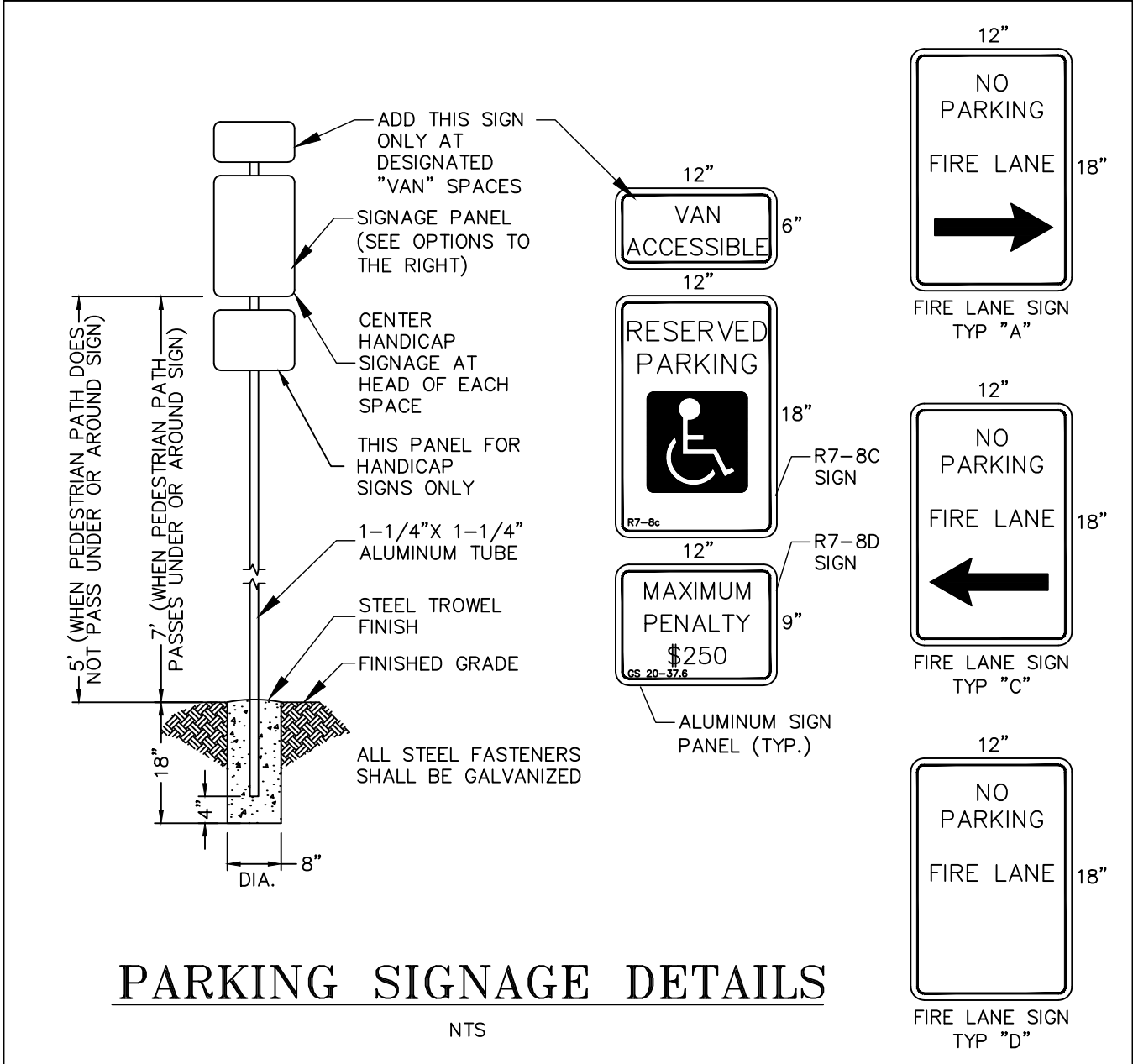
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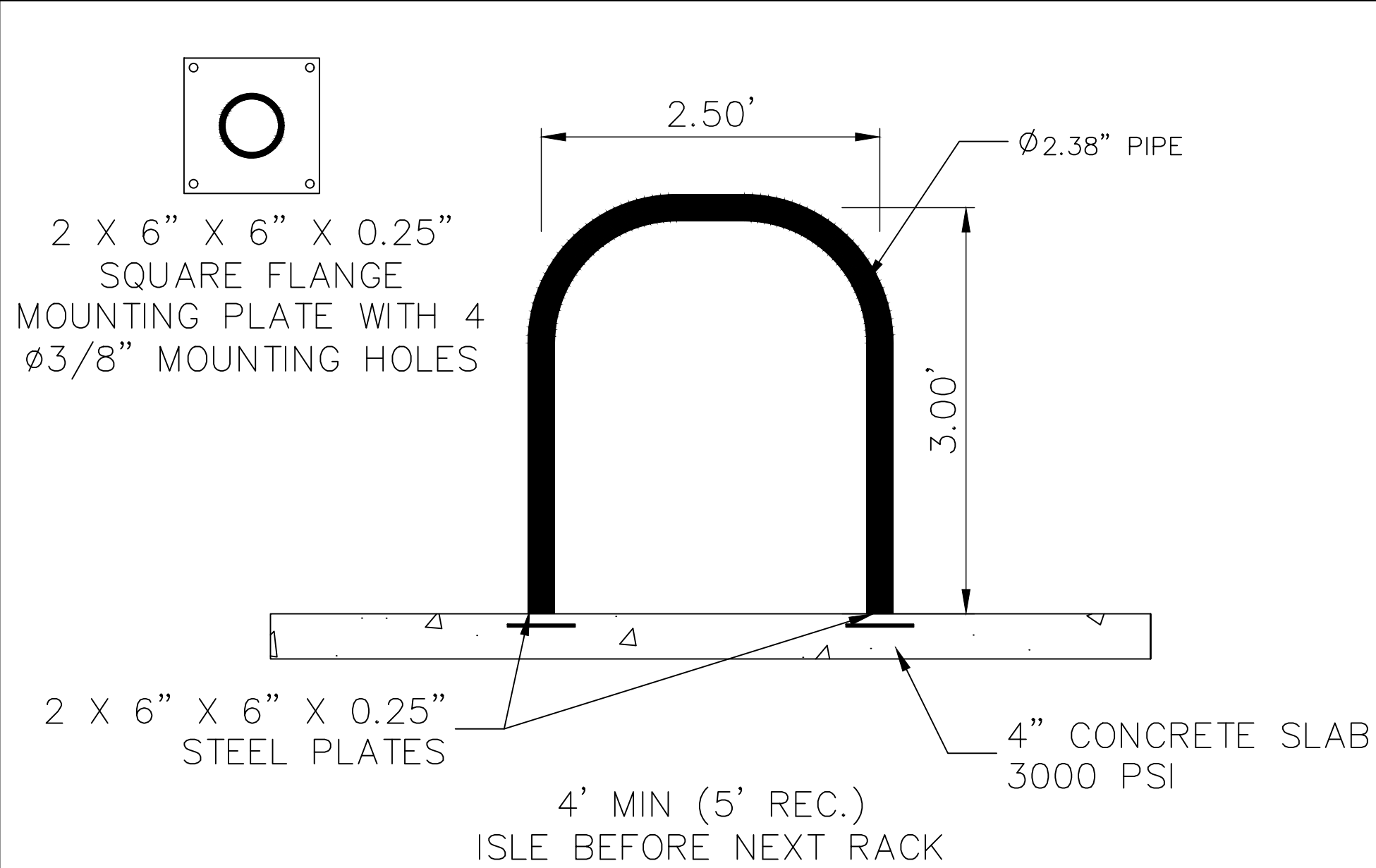
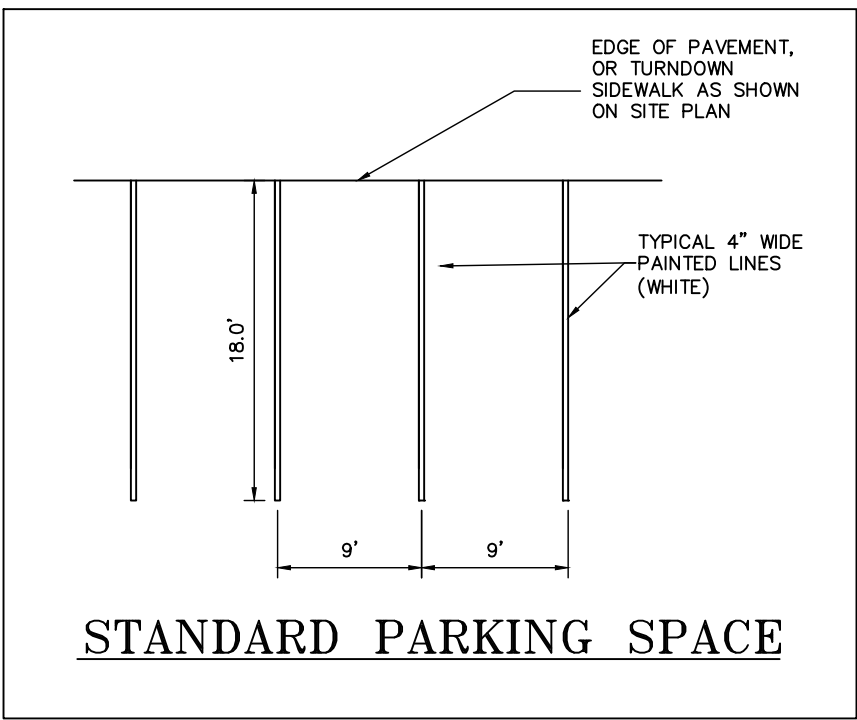
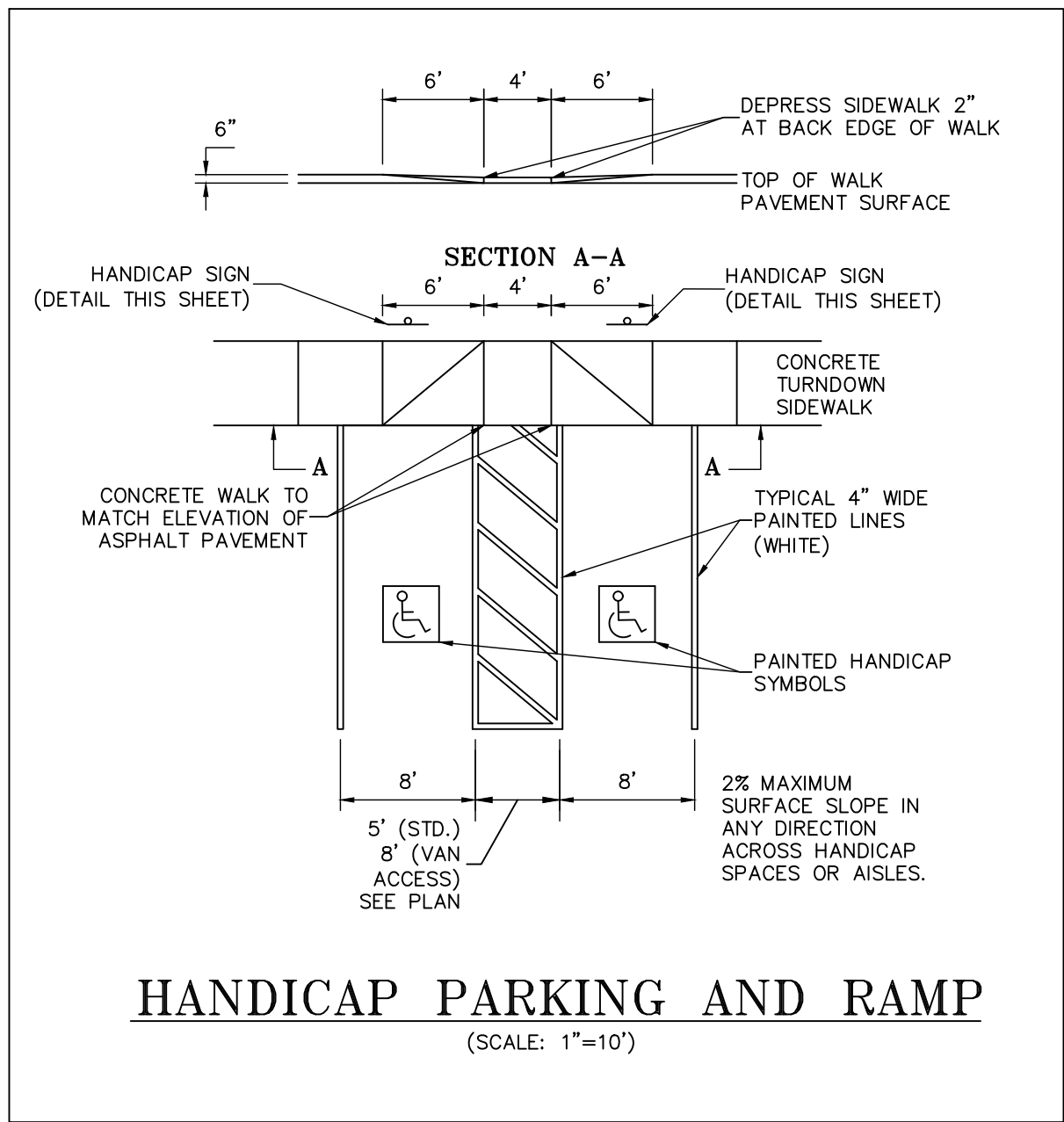
CONTECH ENGINEERED SOLUTIONS LLC www.ContechES.com 7037 Ridge Road, Hanover, MD 21076 866-740-2318 410-798-0505 866-378-8511 FAX				CONTECH CMP DETENTION SYSTEMS PROPOSAL DRAWING				48"Ø UNDERGROUND DETENTION SYSTEM - 627606-020 1751 DOBBINS DRIVE CHAPEL HILL, NC SITE DESIGNATION: UDS				PROJECT NO: 627606 DESIGNED: JMR CHECKED: JMR SHEET NO: P3 OF 5	DATE: 8/22/2019 DRAWN: JMR APPROVED: JMR
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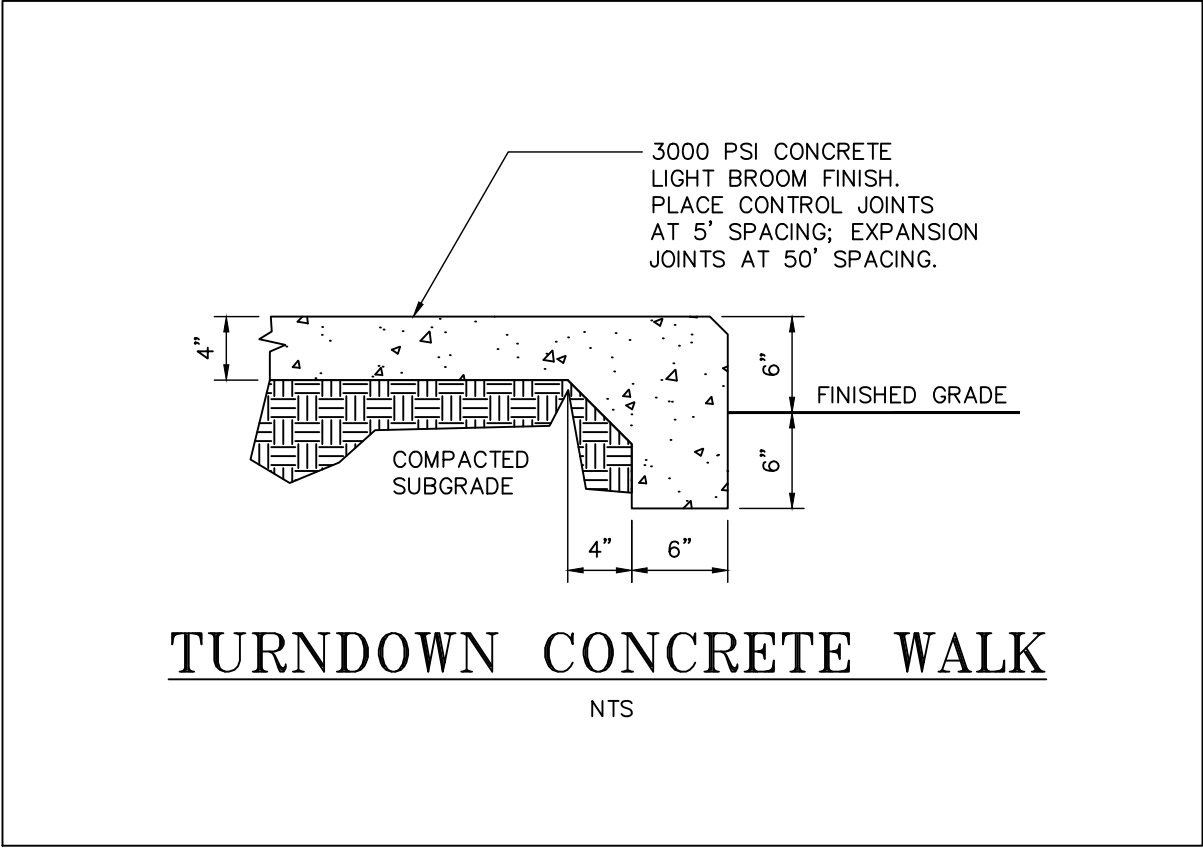
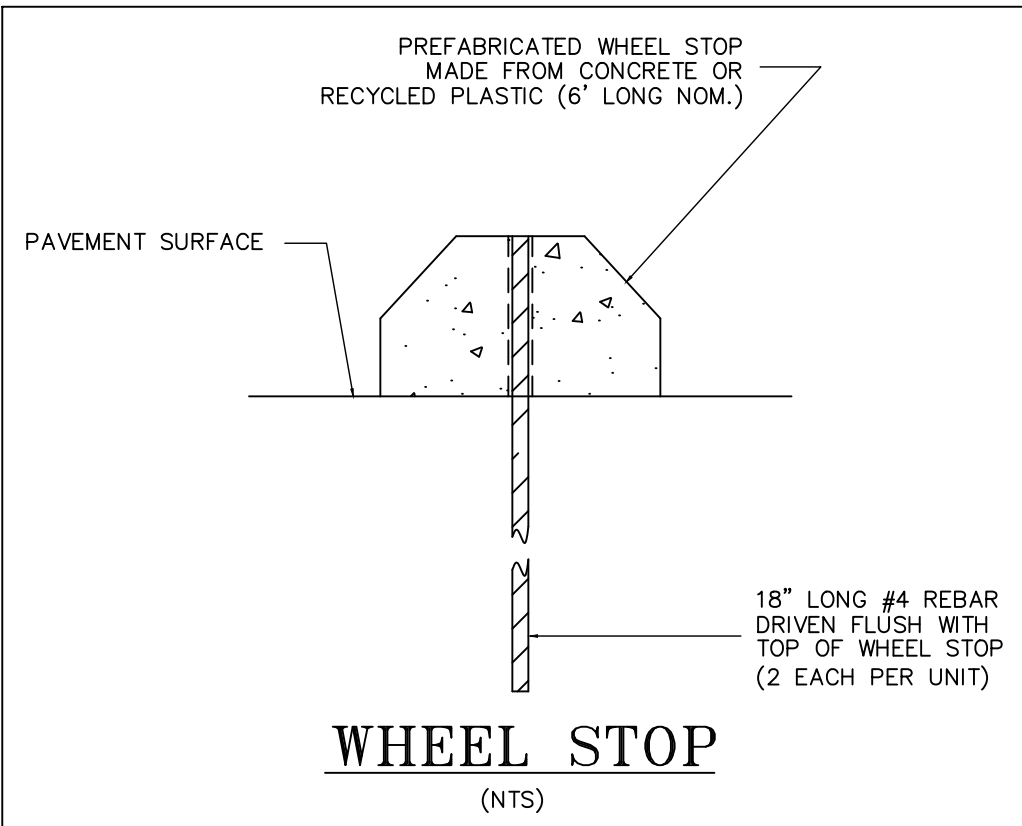
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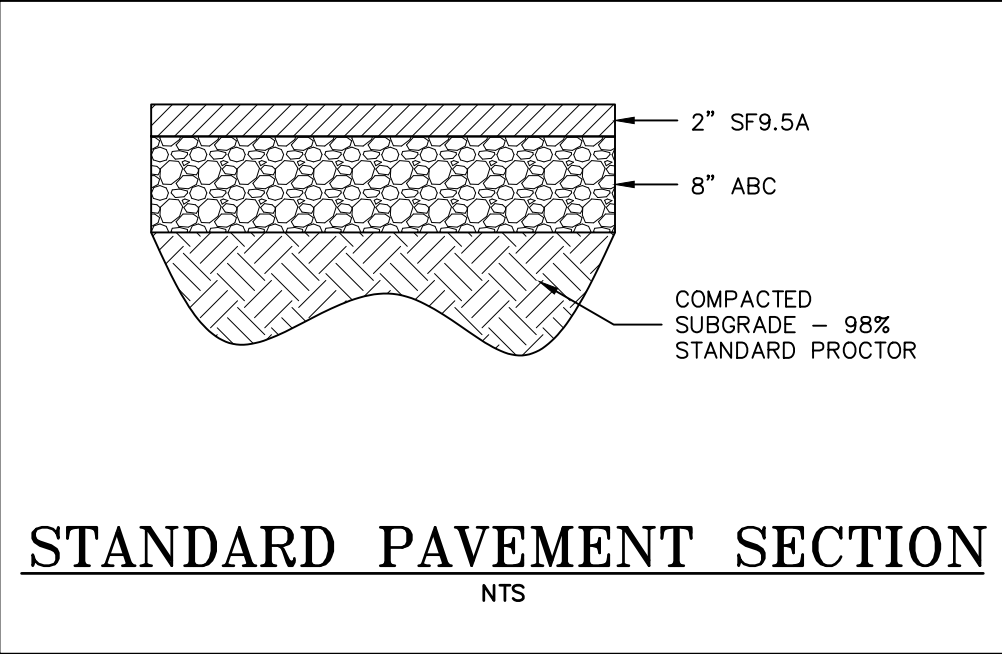
PARKING SIGNAGE DETAILS



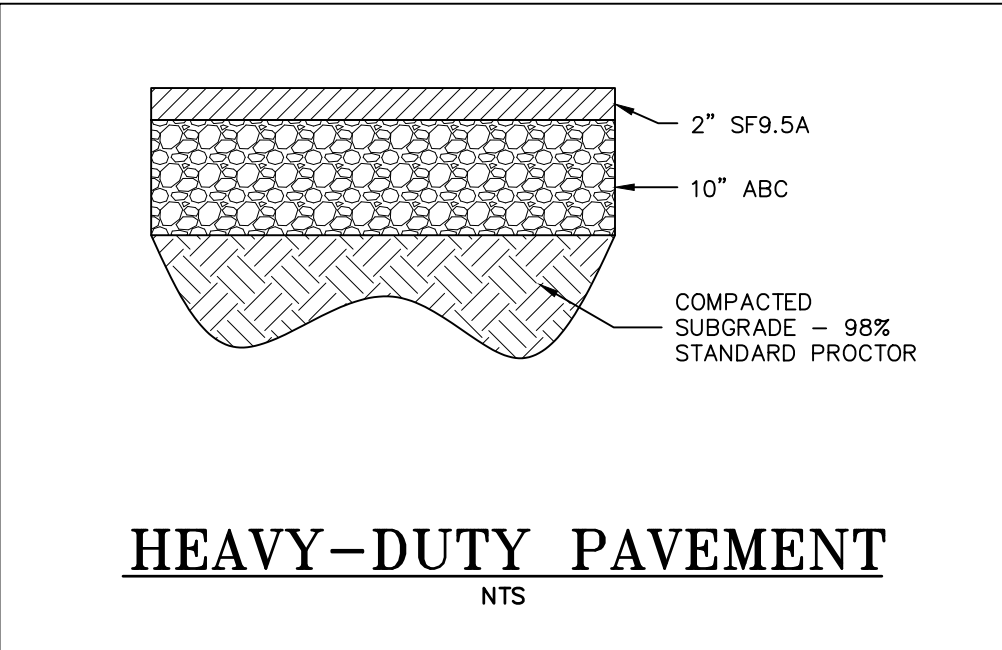
BIKE PARKING DETAIL
NTS



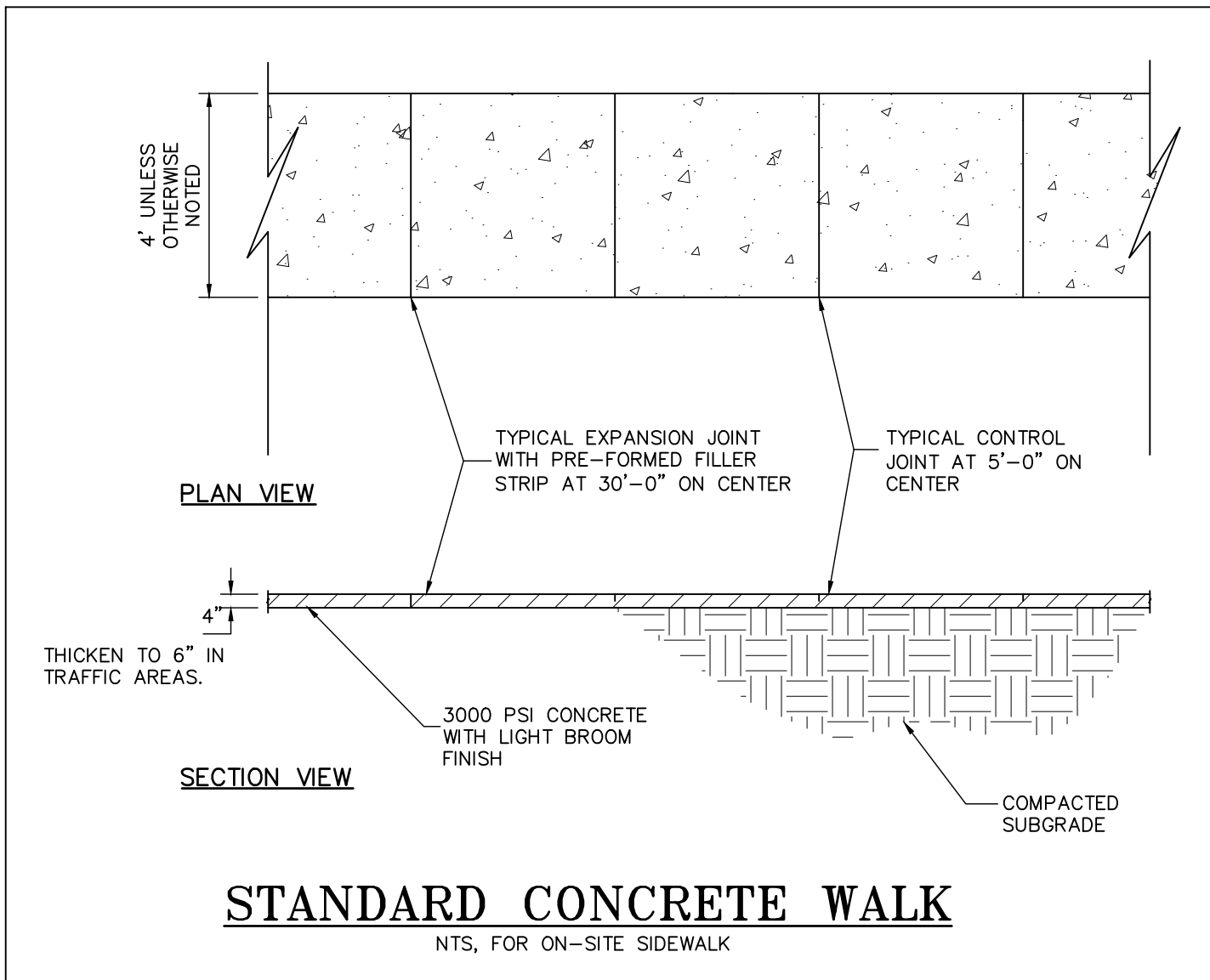
TURNDOWN CONCRETE WALK



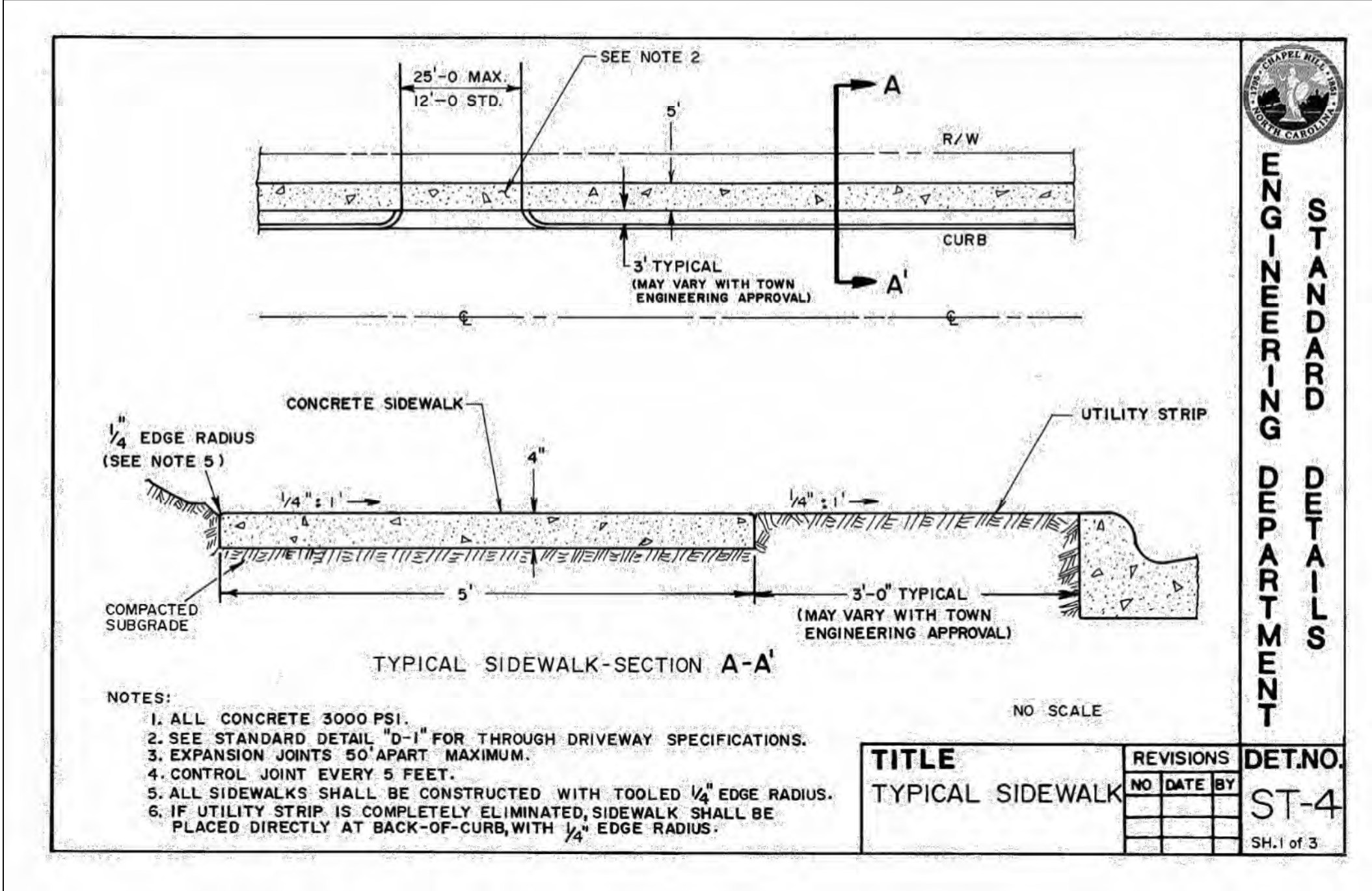
STANDARD PAVEMENT SECTION



HEAVY-DUTY PAVEMENT



STANDARD CONCRETE WALK



EarthCentric Engineering, Inc.

License # C-2638

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E-Mail: Phil.Koch@EarthCentric.com



1751 DOBBINS DRIVE
1751 DOBBINS DRIVE, CHAPEL HILL, NC 27514

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SITE DETAILS

REV.	DATE	DESCRIPTION	BY
1	09/03/2019	PER CITY REVIEW COMMENTS	CPK

DATE:	JULY 24, 2019
HORIZONTAL SCALE:	1" = 10'
VERTICAL SCALE:	N/A
PROJECT MANAGER:	CPK
DRAWN BY:	CPK
PROJECT NO.:	19-011
DRAWING NAME:	19-011 REVIEW

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SHEET NO.

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PRELIMINARY SITE PLAN

PERMANENT SEEDING SCHEDULE:

SEEDING MIXTURE:		
SPECIES	RATE (LB/AC)	
TALL FESCUE	80	
SERICEA LESPEDEZA	20	
KOBE LESPEDEZA	10	
SEEDING NOTES:		
1. AFTER AUGUST 15, USE UN-SCARIFIED SERICEA SEED.		
2. WHERE PERIODIC MOWING IS PLANNED OR A NEAT APPEARANCE IS DESIRED, OMIT SERICEA AND INCREASE KOBE LESPEDEZA TO 40 LB/ACRE.		
3. TO EXTEND SPRING SEEDING DATES INTO JUNE, ADD 15 LB/ACRE HULLED BERMUDA GRASS. HOWEVER, AFTER MID-APRIL IT IS PREFERABLE TO SEED TEMPORARY COVER.		

NURSE PLANTS:
BETWEEN MAY 1 AND AUG. 15, ADD 10 LB/ACRE GERMAN MILLET OF 15 LB/ACRE SUDAN GRASS. PRIOR TO MAY 1 OR AFTER AUG. 15 ADD 40 LB/ACRE RYE (GRAIN).

SEEDING DATES:		
FALL:	BEST	POSSIBLE
AUG. 25 - SEPT. 15		AUG. 20 - OCT. 25
LATE WINTER:	FEB. 15 - MAR. 21	FEB. 1 - APR. 15

FALL IS BEST FOR TALL FESCUE AND LATE WINTER FOR LESPEDEZAS.

SOIL AMENDMENTS:
APPLY LIME AND FERTILIZER ACCORDING TO SOIL TESTS, OR APPLY 4,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE, AND 1,000 LB/ACRE 10-10-10 FERTILIZER, EXCEPT, APPLY NO FERTILIZER TO AREAS WITHIN THE NEUSE RIVER RIPARIAN BUFFERS.

MULCH:
APPLY 4,000 LB/ACRE GRAIN STRAW OR EQUIVALENT COVER OF ANOTHER SUITABLE MULCH. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING, OR ROWING OR BY CRIMPING WITH A MULCH ANCHORING TOOL. A DISK WITH BLADES NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.

TEMPORARY SEEDING SCHEDULES

TABLE 6-10A:
TEMPORARY SEEDING RECOMMENDATIONS FOR LATE WINTER AND EARLY SPRING

SEEDING MIXTURE	
SPECIES	RATE (LB/ACRE)
RYE (GRAIN)	120
ANNUAL LESPEDEZA (KOBE IN PIEDMONT AND COASTAL PLAIN, KOREAN IN MOUNTAINS)	
	50

OMIT ANNUAL LESPEDEZA WHEN DURATION OF TEMPORARY COVER IS NOT TO EXTEND BEYOND JUNE.

SEEDING DATES:
MOUNTAINS - ABOVE 2500 FT: FEB. 15 - MAY 15
BELOW 2500 FT: FEB. 1 - MAY 1
PIEDMONT - JAN. 1 - MAY 1
COASTAL PLAIN - DEC. 1 - APR. 15

SOIL AMENDMENTS
FOLLOW RECOMMENDATIONS OF SOIL TESTS OR APPLY 2,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE AND 750 LB/ACRE 10-10-10 FERTILIZER.

MULCH
APPLY 4,000 LB/ACRE STRAW. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING, OR A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.

MAINTENANCE
RE-FERTILIZE IF GROWTH IS NOT FULLY ADEQUATE. RESEED, RE-FERTILIZE AND MULCH IMMEDIATELY FOLLOWING EROSION OR OTHER DAMAGE.

TABLE 6.10B
TEMPORARY SEEDING RECOMMENDATIONS FOR SUMMER

SEEDING MIXTURE	
SPECIES	RATE (LB/ACRE)
GERMAN MILLET	40

IN THE PIEDMONT AND MOUNTAINS, A SMALL-STEMMED SUDAN GRASS MAY BE SUBSTITUTED AT A RATE OF 50 LB/ACRE.

SEEDING DATES:
MOUNTAINS - MAY 15 - AUG.15
PIEDMONT - MAY 1 - AUG.15
COASTAL PLAIN - APR. 15 - AUG. 15

SOIL AMENDMENTS
FOLLOW RECOMMENDATIONS OF SOIL TESTS OR APPLY 2,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE AND 750 LB/ACRE 10-10-10 FERTILIZER.

MULCH
APPLY 4,000 LB/ACRE STRAW. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING, OR A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.

MAINTENANCE
RE-FERTILIZE IF GROWTH IS NOT FULLY ADEQUATE. RESEED, RE-FERTILIZE AND MULCH IMMEDIATELY FOLLOWING EROSION OR OTHER DAMAGE.

TABLE 6.10C
TEMPORARY SEEDING RECOMMENDATIONS FOR FALL

SEEDING MIXTURE	
SPECIES	RATE (LB/ACRE)
RYE (GRAIN)	120

SEEDING DATES:
MOUNTAINS - AUG. 15 - DEC 15
COASTAL PLAIN AND PIEDMONT - AUG. 15- DEC. 30

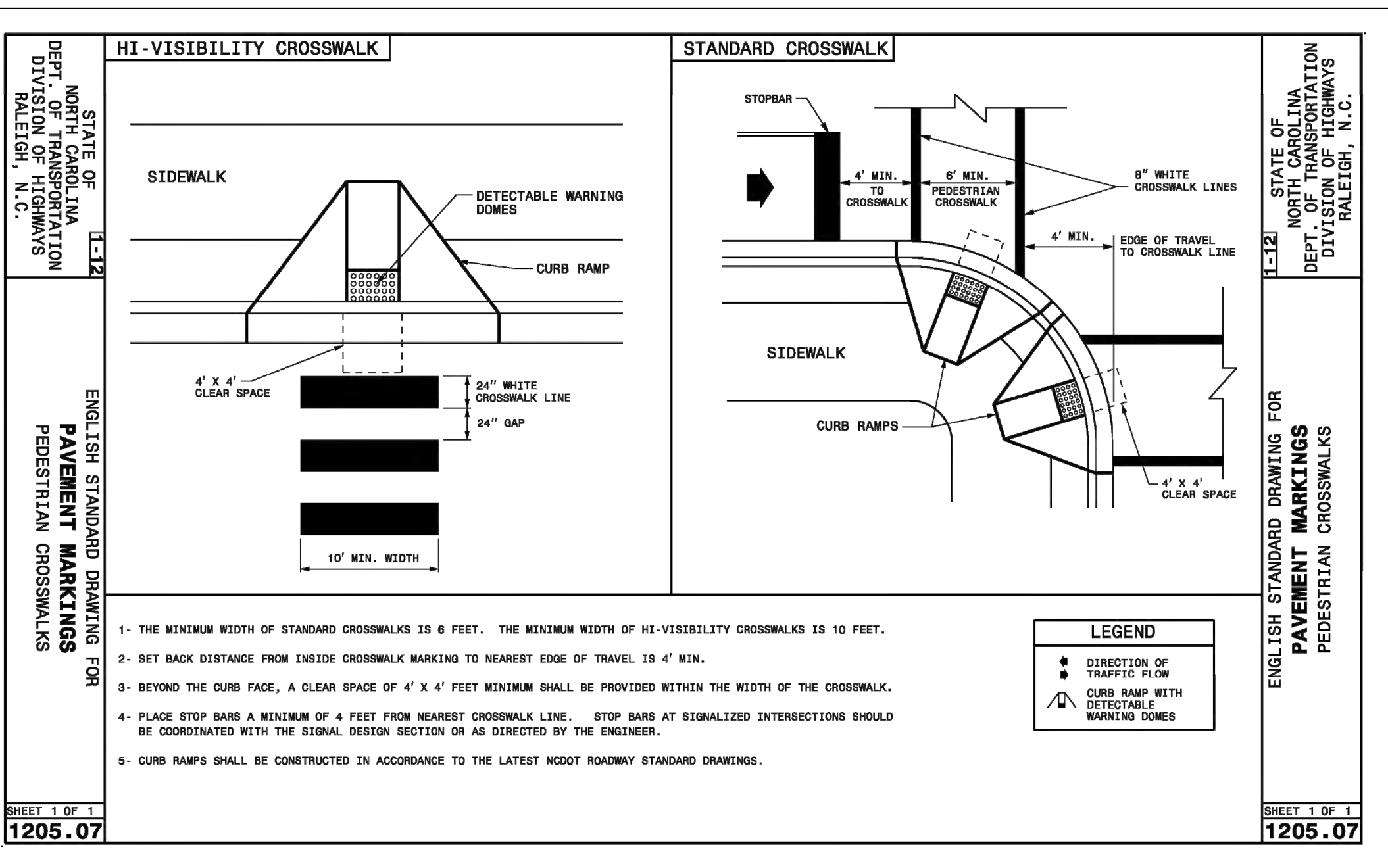
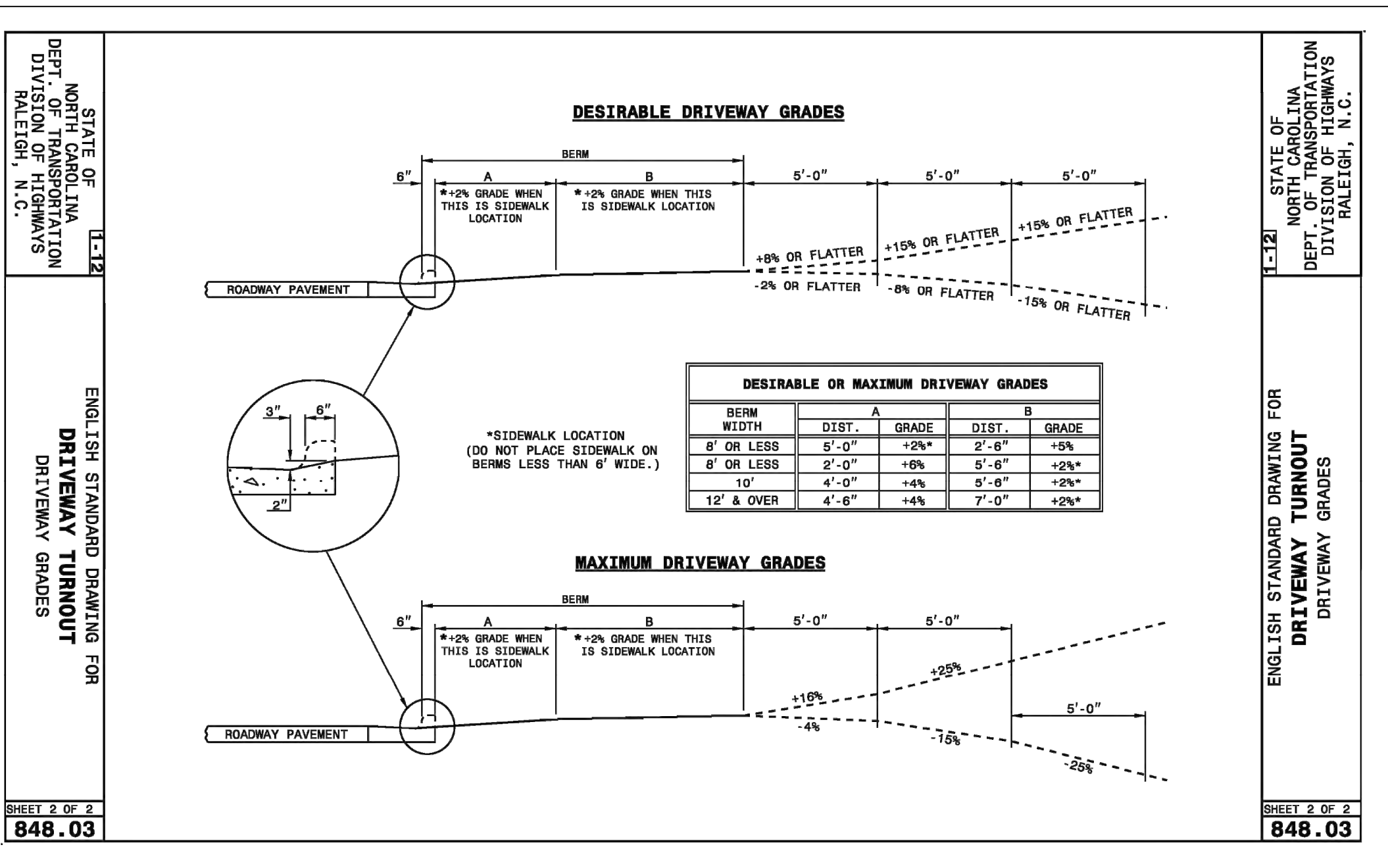
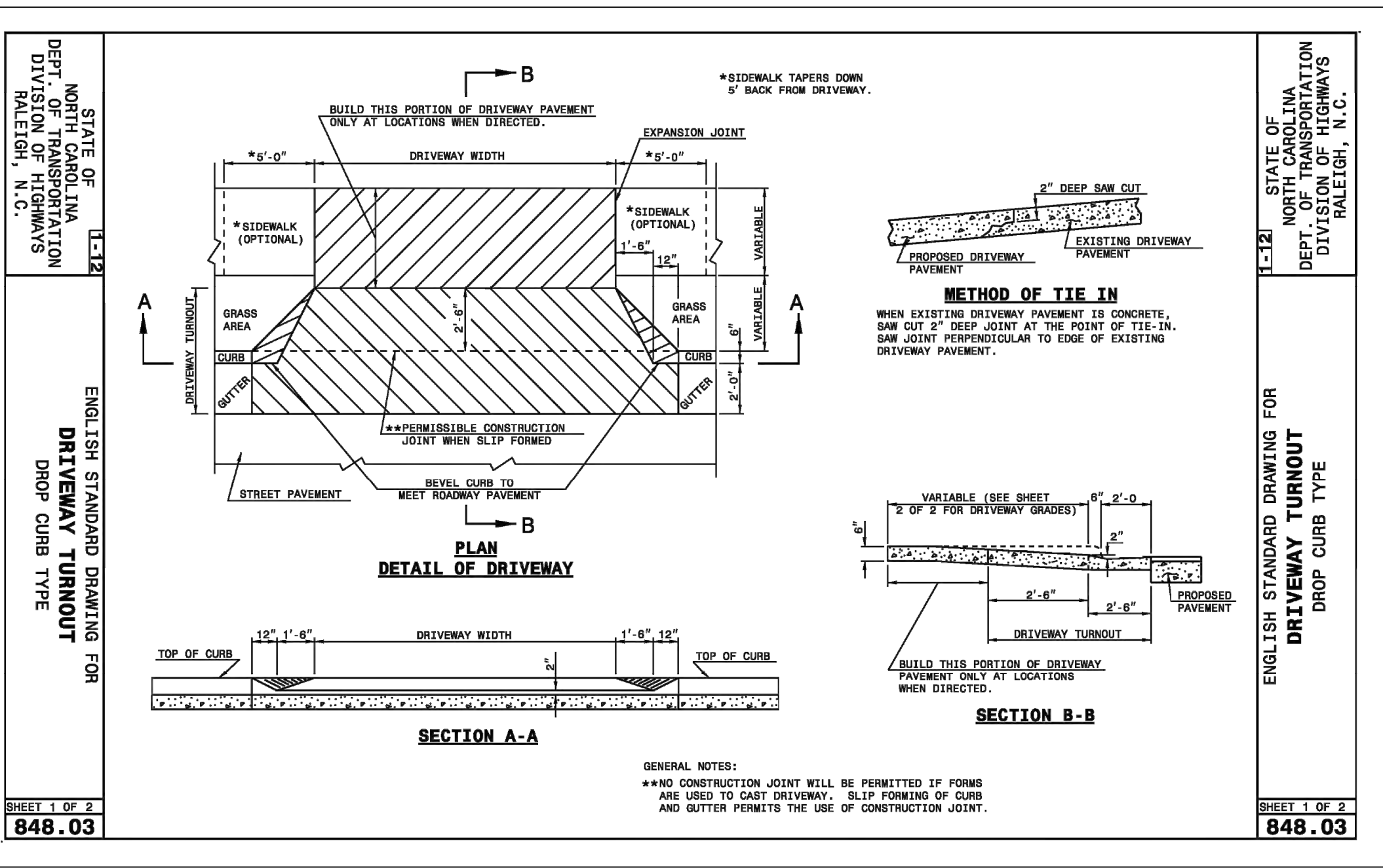
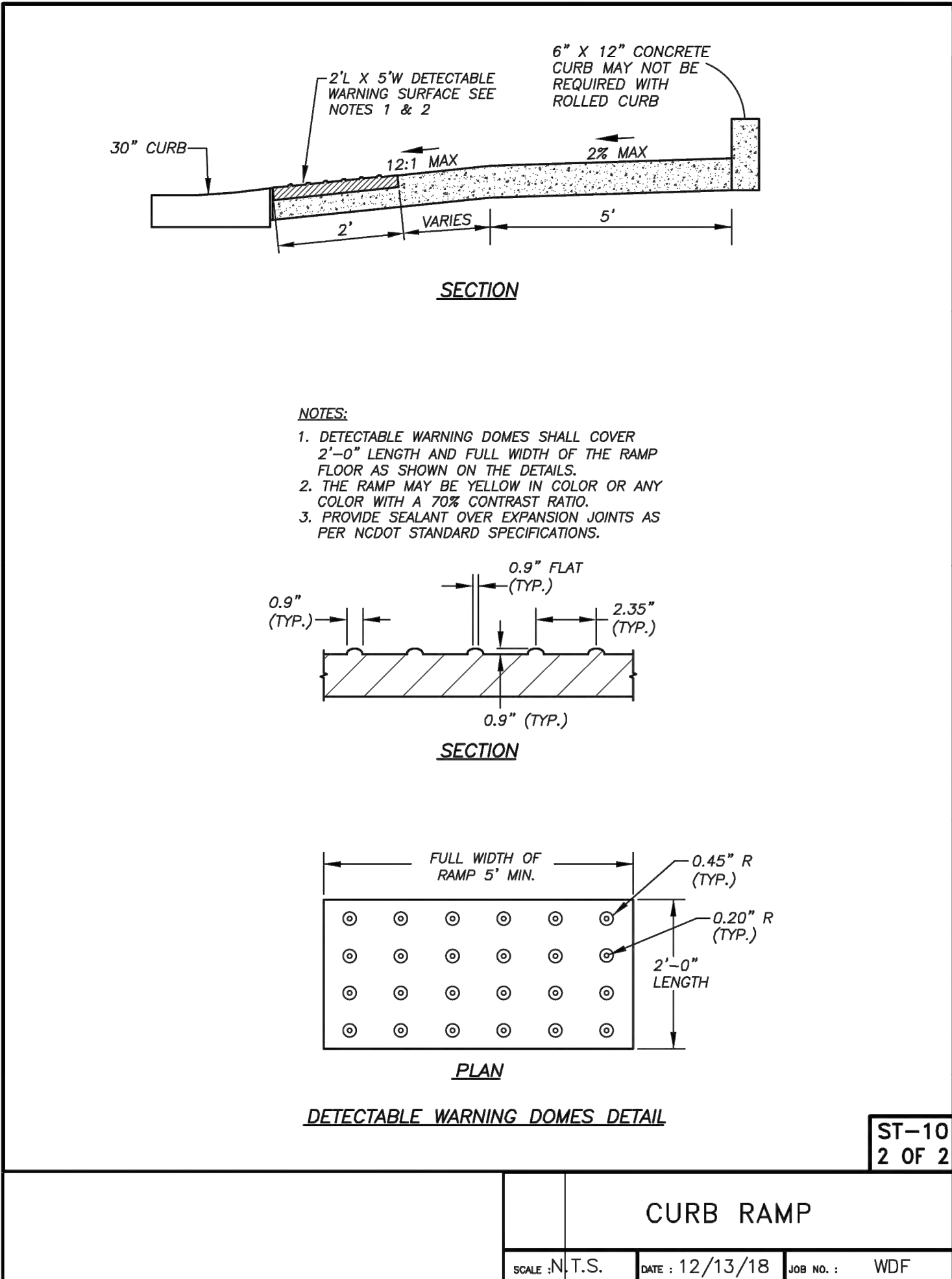
SOIL AMENDMENTS
FOLLOW SOIL TESTS OR APPLY 2,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE AND 1,000 LB/ACRE 10-10-10 FERTILIZER.

MULCH
APPLY 4,000 LB/ACRE STRAW. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING, OR A MULCH ANCHORING TOOL. A DISK WITH BLADES SET NEARLY STRAIGHT CAN BE USED AS A MULCH ANCHORING TOOL.

MAINTENANCE
REPAIR AND RE-FERTILIZE DAMAGED AREAS IMMEDIATELY. TOP-DRESS WITH 50 LB/ACRE OF NITROGEN IN MARCH. IF IT IS NECESSARY TO EXTEND TEMPORARY COVER BEYOND JUNE 15, OVER-SEED WITH 50 LB/ACRE KOBE (PIEDMONT AND COASTAL PLAIN) OR KOREAN (MOUNTAINS) LESPEDEZA IN LATE FEBRUARY OR EARLY MARCH.

STABILIZATION TIME TABLE

SITE AREA DESCRIPTION	STABILIZATION	TIMEFRAME EXCEPTIONS
PERIMETER DIKES, SWALES, DITCHES AND SLOPES	7 DAYS	NONE
HIGH QUALITY WATER (HWQ) ZONES	7 DAYS	NONE
SLOPES STEEPER THAN 3:1	7 DAYS	IF SLOPES ARE 10' IN LENGTH AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED
SLOPES 3:1 OR FLATTER	14 DAYS	7 DAYS FOR SLOPES > 50' IN LENGTH
ALL OTHER AREAS WITH SLOPES THAN 4:1	14 DAYS	NONE, EXCEPT FOR FLATTER PERIMETERS & HWQ ZONES



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1751 DOBBINS DRIVE
1751 DOBBINS DRIVE, CHAPEL HILL, NC 27514
279
SITE DETAILS

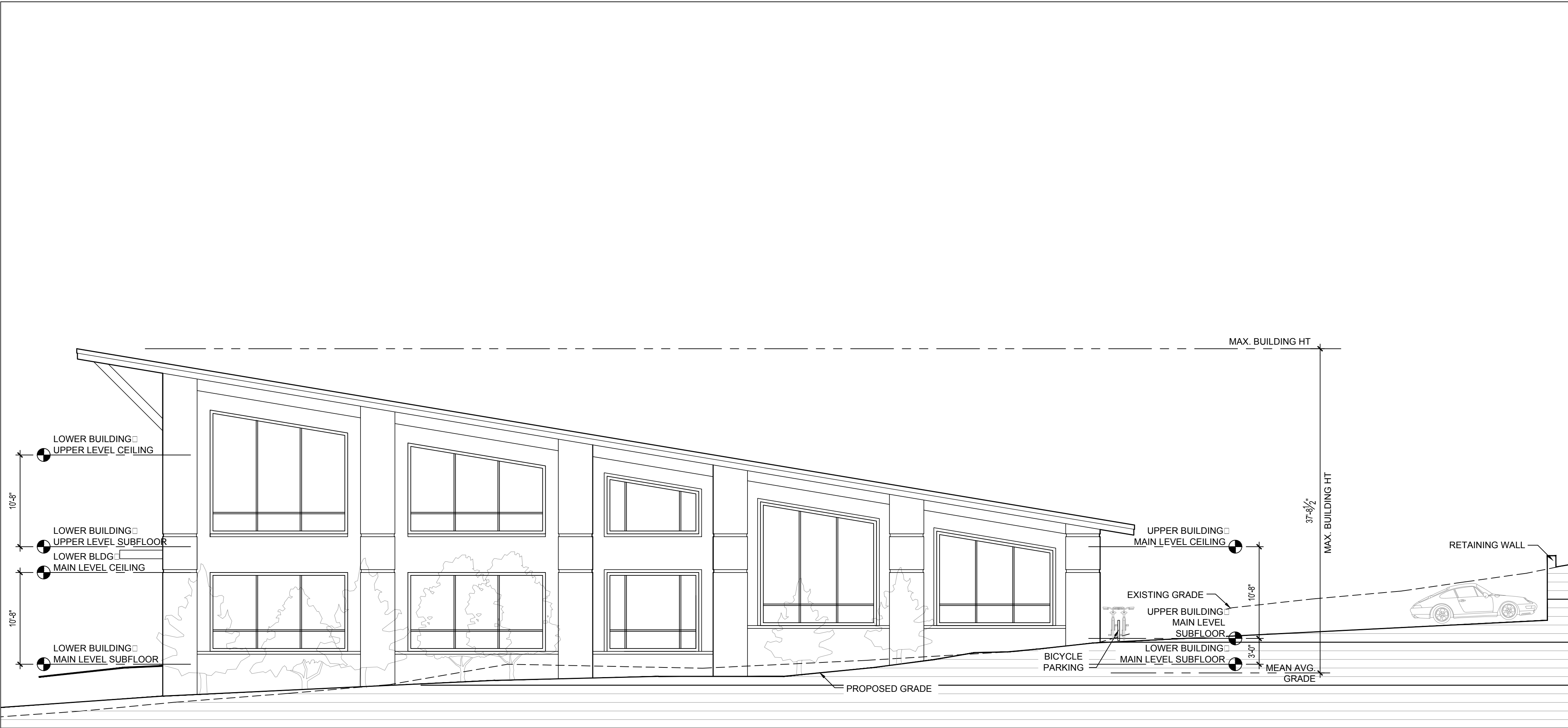
REV.	DATE	DESCRIPTION	BY
1	09/03/2019	PER CITY REVIEW COMMENTS CPK	

DATE: JULY 24, 2019
HORIZONTAL SCALE: 1" = 10'
VERTICAL SCALE: N/A
PROJECT MANAGER: CPK
DRAWN BY: CPK
PROJECT NO.: 19-011
DRAWING NAME: 19-011 REVIEW

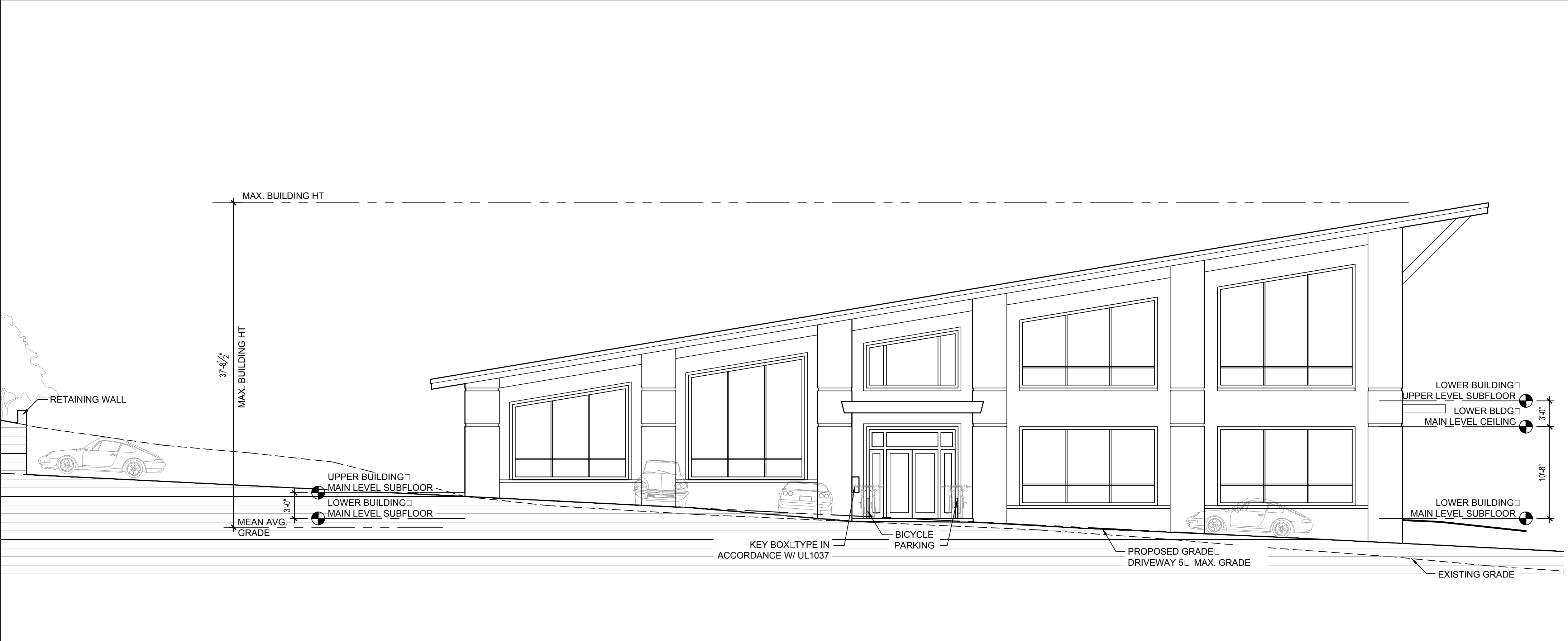
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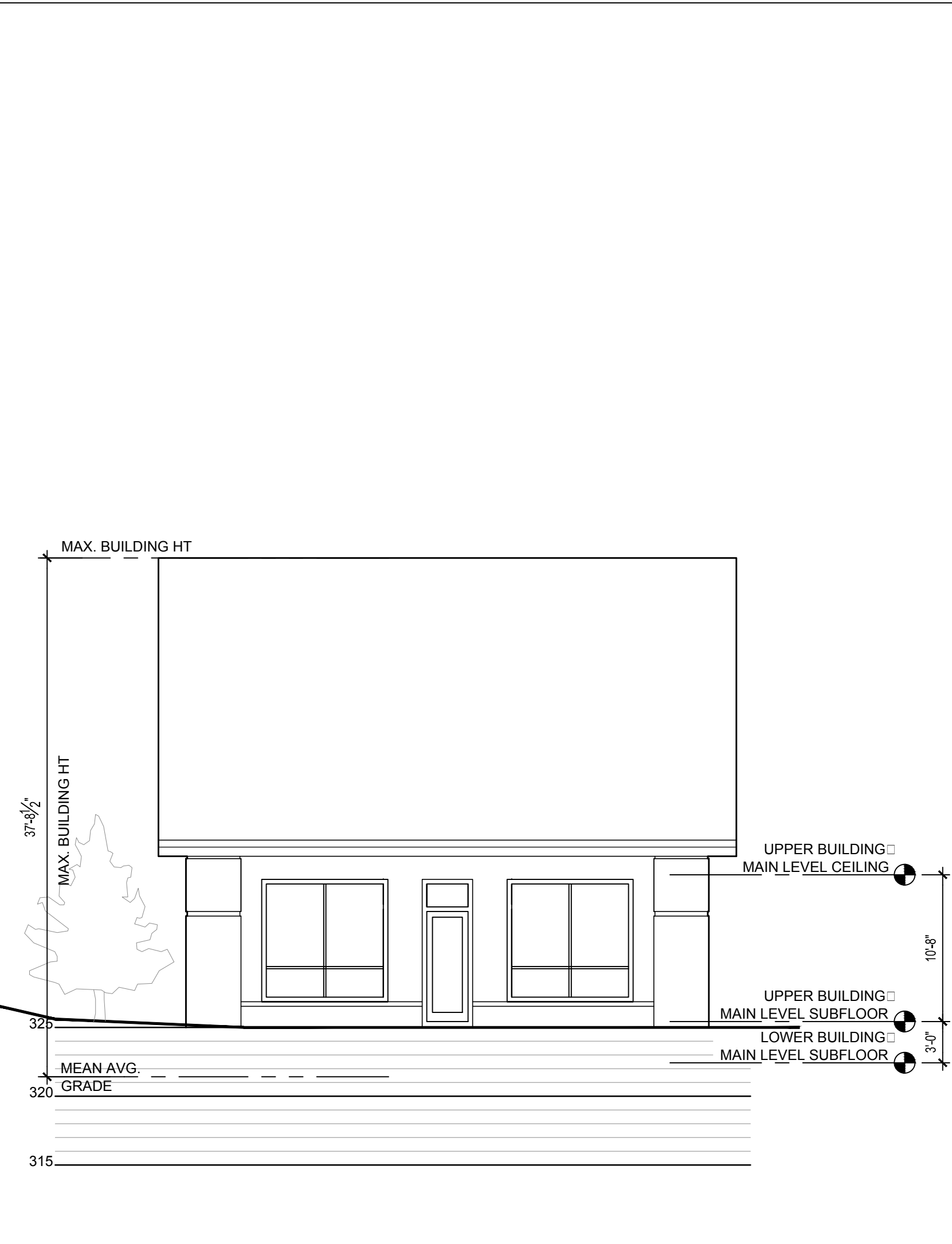
SHEET NO.
D5.1



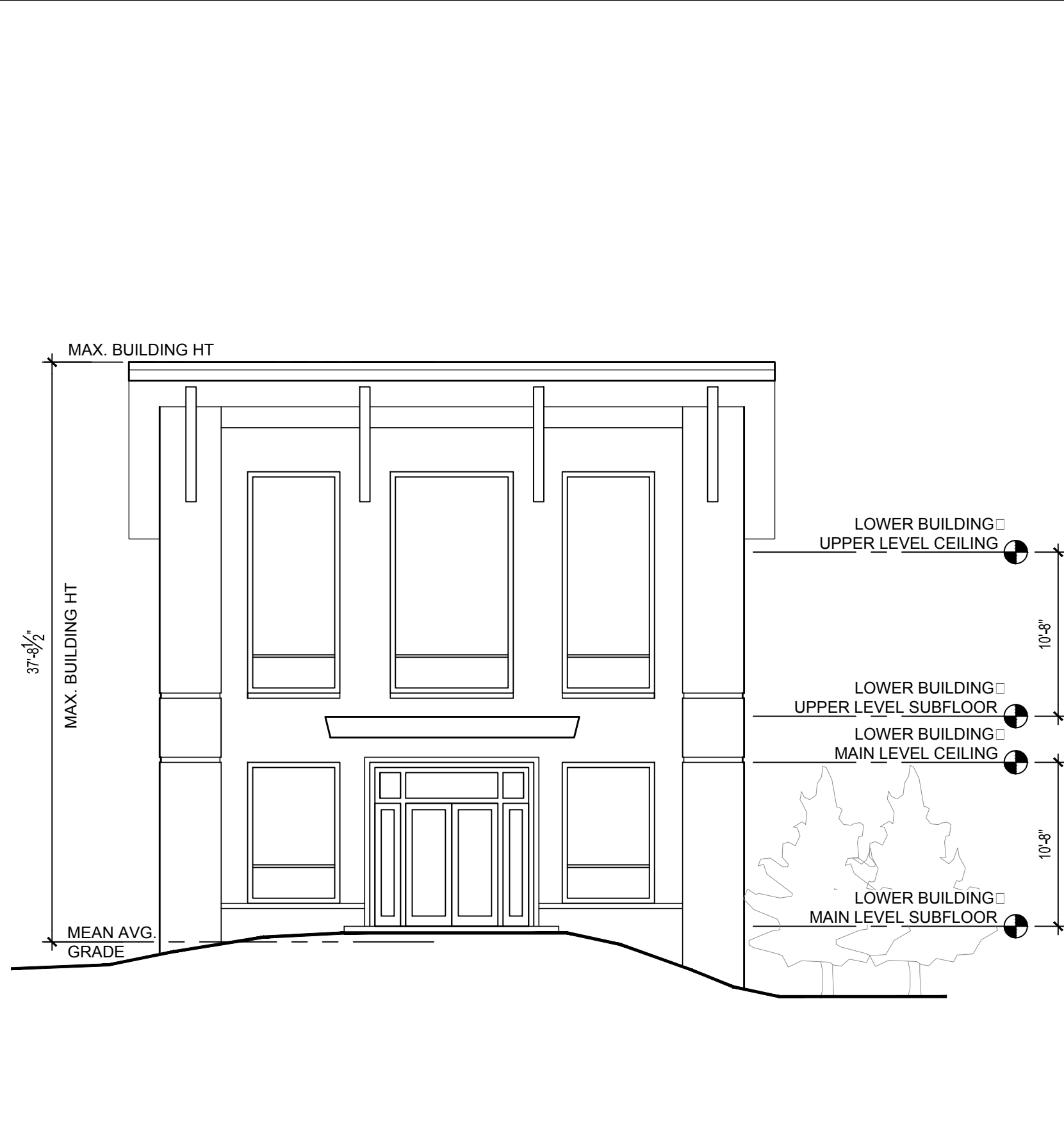
2-A201	LEFT ELEVATION (FACING COMMERCIAL PARKING LOT)
1/8" = 1'-0"	



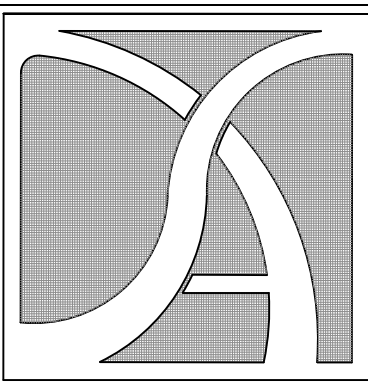
2-A201	LEFT ELEVATION (FACING PRIVATE DR.)
1/8" = 1'-0"	



3-A201	REAR ELEVATION
1/8" = 1'-0"	



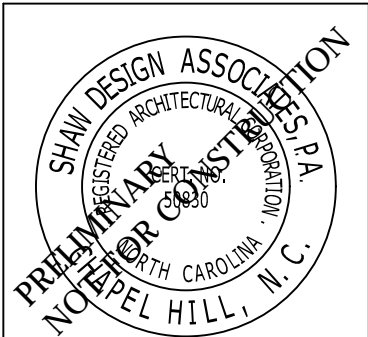
1-A201	FRONT ELEVATION (FACING DOBBINS DR.)
1/8" = 1'-0"	



SHAW DESIGN
ASSOCIATES, P.A.
DESIGN
PLANNING
GRAPHICS
180 PROVIDENCE RD SUITE #8
CHAPEL HILL, NC 27514
(919) 493-0528

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EXTERIOR ELEVATIONS
DOBBINS DRIVE OFFICE BUILDING
1751 DOBBINS DRIVE
CHAPEL HILL, NORTH CAROLINA
280



REVISIONS	
DATE	9/4/2019
DRAWN	-
FILE #	1826

A201
SHEET - OF -

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION FOR CONDITIONAL ZONING FOR 1751 DOBBINS DRIVE

October 15, 2019

Recommendation: **Approval** ☒ **Approval with Conditions** ☐ **Denial** ☐

Motion: Amy Ryan moved and Melissa McCullough seconded a motion to recommend that the Council approve the conditional zoning for 1751 Dobbins Drive as presented, with a recommendation that Town Staff explore the option for a permanent Payment-In-Lieu.

Vote: 6 – 1

Yeas: John Rees (Chair), Neal Bench, Melissa McCullough, Whit Rummel
Amy Ryan, Buffie Webber

Nays: Stephen Whitlow

Prepared by: Michael Sudol, Planner II

TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD

To assist the Chapel Hill Town Council in creating an inclusive connected community by recommending, advocating and planning for comprehensive, safe, effective and sustainable multi-modal transportation and connectivity

RECOMMENDATION

1751 Dobbins Drive Conditional Zoning

1751 Dobbins Drive

(Project #19-023)

September 24, 2019

Recommendation: **Approved** ☐ **Approval with Conditions** ☒ **Denied** ☐

Motion: Brian Hageman moved and Vice-Chair Susanne Kjemtrup seconded to approve the 1751 Dobbins Drive Conditional Zoning with the following conditions:

- a) That the applicant dedicate one electric vehicle charging space.
- b) That the applicant adopt the board's electric vehicle readiness standards - 20% of all total parking spaces will be made electric vehicle ready, which means installation of dedicated conduits for electric vehicle charging spaces.
- c) That if applicant determines that fewer parking spaces are feasible, to incorporate additional green spaces on the property.

Vote: 5-0

Ayes: **Jason Merrill (Chair), Susanne Kjemtrup-Lovelace (Vice Chair),
Eric Allman, Rudy Juliano, and Brian Hageman**

Nays: none

Prepared by: Jason Merrill, Chair, Transportation and Connectivity Advisory Board
Jomar Pastorelle, Transportation Planner I

ENVIRONMENTAL STEWARDSHIP ADVISORY BOARD

The charge of the environmental stewardship advisory board will be to assist the Chapel Hill Town Council in strengthening environmentally responsible practices that protect, promote and nurture our community and the natural world through advice and program support.

RECOMMENDATION FOR CONDITIONAL ZONING FOR 1721 DOBBINS DRIVE

October 8, 2019

Recommendation: Approval ☐ Approval with Conditions ☒ Denial ☐

Motion: John Wallace moved and Greg Ames seconded a motion to recommend that the Council approve the conditional zoning for 1721 Dobbins Drive with the following conditions and special considerations.

Vote: 6-0

Yeas: Adrienne Tucker (Chair), John Wallace, Bruce Sinclair, Gregory Ames,
Noel Myers, Julie McClintock

Nays:

Conditions:

- To support the Board and Council's commitment to reducing carbon emissions that contribute to our changing climate, we recommend that the applicant design a project that meets the fossil fuel reduction targets of Architecture 2030. The Town currently requires that all new municipal buildings follow the same performance standard.

Special Considerations:

- Because of the increase in impervious surfaces, we would like the applicant to investigate with Town staff: (1) alternate ways to provide green infrastructure at the entrance of the property (e.g., demonstration rain garden) and (2) where the proposed stormwater pipes empty. For the same reason above, we also ask that the applicant (3) reevaluate the number of parking spaces due to low occupancy of the proposed use; and (4) add tree islands.
- Because the applicant stated that removal of trees is necessary to construct the desired project, we would like the applicant to reuse materials from existing structure and/or mill/repurpose hardwoods that will be removed as part of project.

Prepared by: Adrienne Tucker, Chair, Environmental Stewardship Advisory Board
John Richardson, Community Resilience Officer, Staff Liaison to ESAB

COMMUNITY DESIGN COMMISSION

To assist the Council in guiding the Town's vision on aesthetics, character, and function to focus community growth through advice, advocacy and implementation of the Council's policies and review of proposed development in key areas of the community.

RECOMMENDATION FOR CONDITIONAL ZONING FOR 1751 DOBBINS DRIVE

September 24, 2019

Recommendation: **Approval** ☒ **Approval with Conditions** ☐ **Denial** ☐

Motion: Polly Van de Velde moved and John Weis seconded a motion to recommend that the Council approve the conditional zoning for 1751 Dobbins Drive as presented.

Vote: 5-0

Yeas: Susana Dancy (Chair), Christine Berndt, Susan Lyons, Megan Patnaik,
 John Weis

Nays:

Prepared by: Adam Nicholson, Senior Planner
 Michael Sudol, Planner II



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 16., **File #:** [19-0890], **Version:** 1

Meeting Date: 10/30/2019

Open the Public Hearing: Application for Special Use Permit Modification - Wegmans Food Market Street Improvements, 1810 Fordham Boulevard.

See the 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: Michael Sudol, Planner II

Swearing of all persons wishing to present evidence

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and preliminary recommendation
- c. Presentation of evidence by the applicant
- d. Recommendation by the Planning Commission
- e. Recommendations by advisory boards and commissions
- f. Presentation of evidence by the public
- g. Comments and questions from the Mayor and Town Council
- h. Applicant's statement regarding proposed conditions
- i. Motion to recess Public Hearing to November 13, 2019
- j. Referral to Manager and Attorney.

RECOMMENDATION: That the Council open the public hearing, receive evidence on the proposed Special Use Permit Modification, and recess the Public Hearing to November 13, 2019.




OPEN THE PUBLIC HEARING: APPLICATION FOR A SPECIAL USE PERMIT MODIFICATION
WEGMANS FOOD MARKET STREET IMPROVEMENTS, 1810 FORDHAM BOULEVARD

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT

Judy Johnson, Interim Director

Michael Sudol, Planner II

<p>PROPERTY ADDRESS 1810 Fordham Boulevard</p>	<p>DATE October 30, 2019</p>	<p>APPLICANT Justin Brown, Pennoni on behalf of LG1810 Fordham Blvd, LLC</p>
<p>STAFF RECOMMENDATION</p> <p>That the Council open the public hearing, receive evidence on the proposed Special Use Permit Modification, and recess the Public Hearing to November 13, 2019.</p>		
<p>STAFF ANALYSIS</p> <p>The Council adopted a resolution¹ on October 2, 2019 limiting the scope of the Special Use Permit Modification to the new road access. See attached Key Considerations for additional information.</p>		
<p>PROCESS</p> <p>The application before Council is for approval of a Special Use Permit Modification. The Council must consider the four findings for approval, which indicate that the use or development:</p> <ol style="list-style-type: none"> 1. is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare; 2. would comply with all required regulations and standards of the Land Use Management Ordinance; 3. is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and 4. conforms to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the Comprehensive Plan. 	<p>DECISION POINTS</p> <ul style="list-style-type: none"> • Does the proposal satisfy the four findings of fact required for the Council to approve a Special Use Permit Modification? • The revised Transportation Impact Analysis indicates the traffic will be accommodated with the proposed Service Road connection. • Neighborhood traffic calming information will be brought for the Council's consideration at the November 13, 2019 meeting as well. 	
<p>PROJECT OVERVIEW</p> <p>The applicant proposes a realignment of the US 15-501 Service Road across the adjacent State Employees Credit Union property, creating a full-access connection from the Wegmans development at 1810 Fordham Boulevard to US 15-501. The former Service Road location would be repurposed as a multi-use path.</p> <p>Additional information from the Transportation Impact Analysis² will be provided at the Public Hearing on October 30, 2019.</p>	<p>PROJECT LOCATION</p> 	
<p>ATTACHMENTS</p>	<ol style="list-style-type: none"> 1. Key Considerations and Technical Report 2. Draft Staff Presentation 3. Resolution A 4. Resolution B 5. Advisory Board Recommendations 6. Applicant's Materials 7. Submitted Plans 	

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4148998&GUID=EDE1C694-F720-454F-92AE-5D70AF54B821&Options=&Search=>

² <https://www.townofchapelhill.org/home/showdocument?id=44212>

KEY CONSIDERATIONS

Planning Commission Recommendation:

At its October 15, 2019 meeting, the Planning Commission recommended approval adding a condition to include the Transportation and Connectivity Advisory Board's recommendation for a fourth crosswalk at the intersection of Eastowne Drive and US 15-501.

Staff response: We agree and have added the following stipulation to Resolution A:

Transportation and Connectivity Advisory Board Recommendation:

At its September 24, 2019 meeting, the Transportation and Connectivity Advisory Board recommended approval with the following condition:

- That the applicant add a fourth crosswalk on the western side of the Eastowne Drive and US 15-501 signalized intersection.

Staff response: We agree and have added the following stipulation to Resolution A:

Pedestrian Crosswalk: Prior to issuance of a Zoning Final Inspection, the developer shall add a pedestrian crosswalk on the western side of Eastowne Drive and US 15-501 intersection.

TECHNICAL REPORT

October 25, 2017 Council approved a Special Use Permit Modification for construction of a 130,000 square foot grocery store and 750 parking spaces.

September 22, 2019 Council heard and provided comments on a Concept Plan for a Special Use Permit Modification to provide access to the Wegmans site from US 15-501.

October 2, 2019 Council adopted a resolution to limit the scope of a Special Use Permit Modification to the realignment of the US 15-501 Service Road across the State Employees Credit Union property; connection from the Wegmans development at 1810 Fordham Boulevard to the realigned Service Road; and review by the Transportation and Connectivity Advisory Board and the Planning Commission.

Connections to other Documents:

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)³, the standards of the [Land Use Management Ordinance](#)⁴, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)⁵ and offers the following evaluation:

Comprehensive Plan Themes: The following are themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

³ <http://www.townofchapelhill.org/home/showdocument?id=15001>

⁴ https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA

⁵ <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

<input checked="" type="checkbox"/>		Create a Place for Everyone	<input checked="" type="checkbox"/>		Develop Good Places, New Spaces
<input checked="" type="checkbox"/>		Support Community Prosperity	<input checked="" type="checkbox"/>		Nurture Our Community
<input checked="" type="checkbox"/>		Facilitate Getting Around	<input checked="" type="checkbox"/>		Grow Town and Gown Collaboration

Staff believes the Wegmans Special Use Permit Modification proposal complies with the above themes of the 2020 Comprehensive Plan.

Land Use Plan: The [2020 Land Use Plan](http://www.townofchapelhill.org/home/showdocument?id=1215)⁶, a component of the 2020 Comprehensive Plan, designates this site for Commercial use. The site is also included in Future Focus Area 5: North 15-501.

⁶ <http://www.townofchapelhill.org/home/showdocument?id=1215>











Project Details


Overview

Site Description	
Project Name	Wegmans Food Market Street Improvements
Address	1810 Fordham Boulevard
Property Description	640,824 sq. ft. (14.7 acres)
Existing	Grocery store under construction (previous site of Performance Auto Mall)
Orange County Parcel Identifier Numbers	9799-78-2879 & 9799-78-1484
Zoning	Office/Institutional-2 (OI-2) and Community Commercial-Conditional (CC-C)
	No change proposed.

Development Intensity		
Topic	Comment	Status
Use/Density (Sec. 3.7)	No change proposed.	✓
Dimensional Standards (Sec. 3.8)	No change proposed.	✓
Floor area (Sec. 3.8)	No change proposed.	✓
Modifications to Regulations (Sec. 4.5.6)	No new modifications proposed.	✓
Adequate Public Schools (Sec. 5.16)	Not applicable	N/A
Inclusionary Zoning (Sec. 3.10)	Not applicable	N/A
Landscape		
Buffer – North (Sec. 5.6.2)	No change proposed.	N/A
Buffer – East (Sec. 5.6.2)	No change proposed.	N/A
Buffer – South (Sec. 5.6.2)	No change proposed.	N/A
Buffer - West (Sec. 5.6.2)	No change proposed.	N/A
Tree Canopy (Sec. 5.7)	No change proposed.	N/A
Landscape Standards (Sec. 5.9.6)	No change proposed.	N/A

Environment		
Resource Conservation District (Sec. 3.6)	Not applicable	N/A
Erosion Control (Sec. 5.3.1)	More than 1 acre of land disturbance proposed; Performance bond required.	FP
Steep Slopes (Sec. 5.3.2)	No change proposed.	N/A
Stormwater Management (Sec. 5.4)	No change proposed.	N/A
Land Disturbance	256,377 sq. ft. (Off-site work)	
Impervious Surface (Sec. 3.8)	No change proposed onsite; all new impervious will be within NCDOT Right-of-Way.	
Solid Waste & Recycling	No change proposed.	N/A
Jordan Riparian Buffer (Sec. 5.18)	Not applicable	N/A
Access and Circulation		
Road Improvements (Sec. 5.8)	Realignment of US 15-501 Service Road and construction of multi-use path.	
Vehicular Access (Sec. 5.8)	New access point at US 15-501/Eastowne Dr. intersection.	
Bicycle Improvements (Sec. 5.8)	Multi-use path proposed along current Service Road alignment.	
Pedestrian Improvements (Sec. 5.8)	Sidewalk along Service Road realignment and multi-use path along current alignment.	
Traffic Impact Analysis (Sec. 5.9)	Under Review.	
Transit (Sec. 5.8)	No change proposed.	N/A
Bicycle Parking (Sec. 5.9)	No change proposed.	N/A
Parking Lot Standards (Sec. 5.9)	No change proposed.	N/A
Technical		
Fire	No change proposed.	N/A
Site Improvements	Driveway access and connection to adjoining SECU property.	
Recreation Area (Sec. 5.5)	Not applicable	N/A
Lighting Plan (Sec. 5.11)	No change proposed.	N/A
Homeowners Association (Sec. 4.6)	Not applicable	N/A

Project Summary Legend

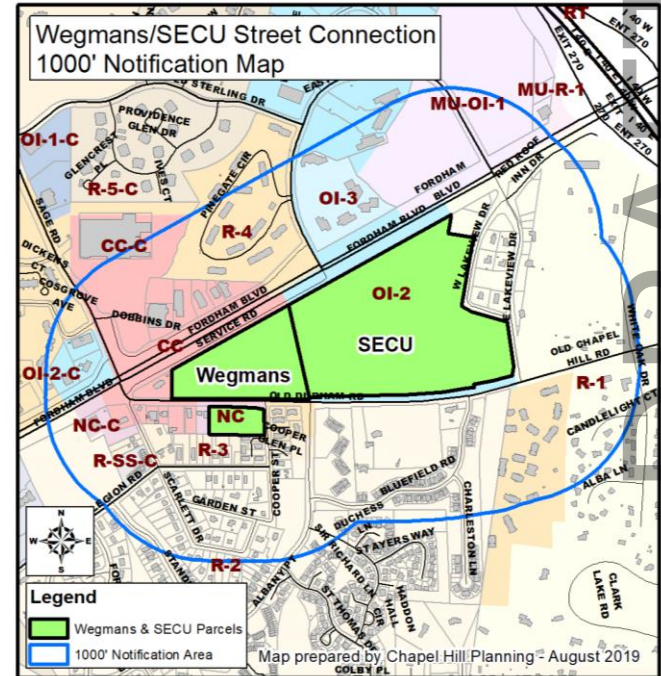
Symbol	Meaning	Symbol	Meaning
	Meets Requirements	CDC	Community Design Commission
M	Seeking Modification	HAB	Housing Advisory Board
C	Requires Council Endorsement	TCAB	Transportation and Connectivity Board
FP	Required at Final Plan;	ESAB	Environmental and Sustainability Board
NA	Not Applicable	OCSW	Orange County Solid Waste
PC	Planning Commission	NCDOT	North Carolina Department of Transportation



Wegmans Street Improvements SUP Modification

Town Council
Public Hearing

October 30, 2019



- On October 2, 2019, Council adopted a resolution limiting the scope of the Special Use Permit Modification to:
 - New street improvements; and
 - Review by the Transportation and Connectivity Advisory Board and the Planning Commission.

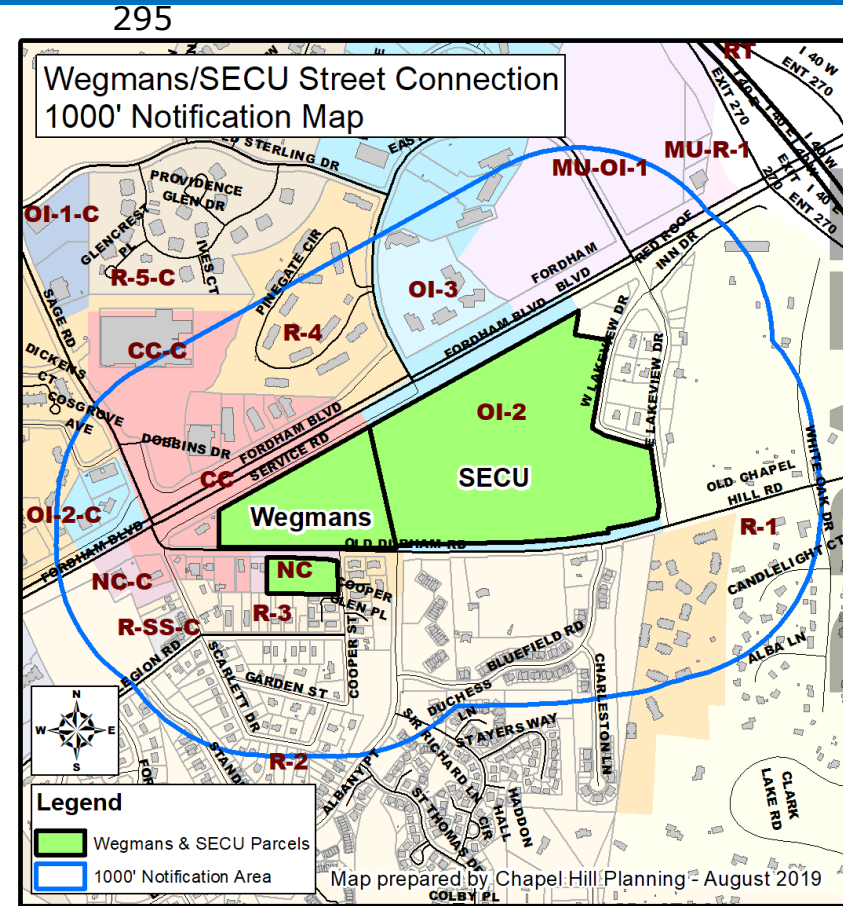
DRAFT

- Open the Public Hearing, receive evidence on the proposed Special Use Permit Modification, and recess the Public Hearing to November 20, 2019.

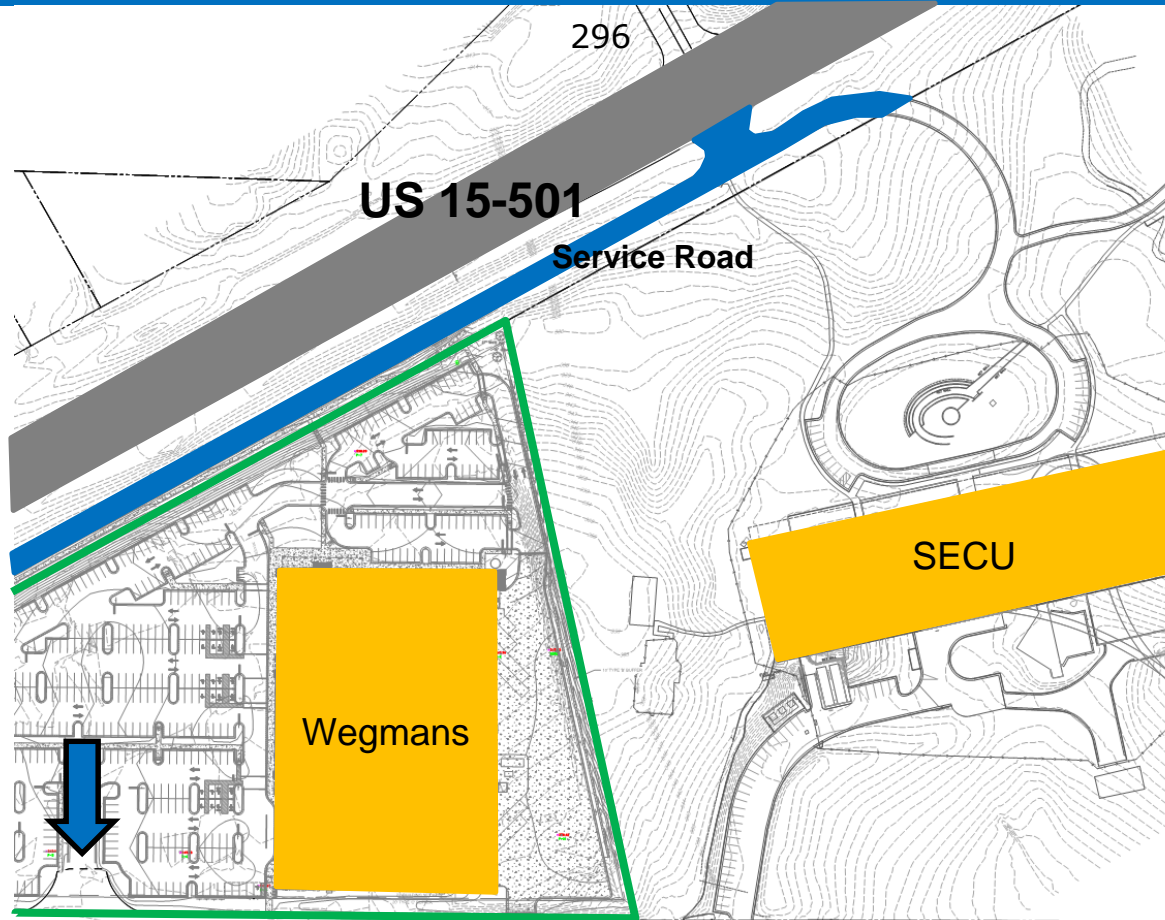
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Wegmans Street Improvements – Project Summary

- Wegmans SUP approved in October 2017
 - 130,000 SF building
 - 750 parking spaces
- Full access limited to Old Durham Rd traffic circle
- Traffic calming measures required on adjacent streets

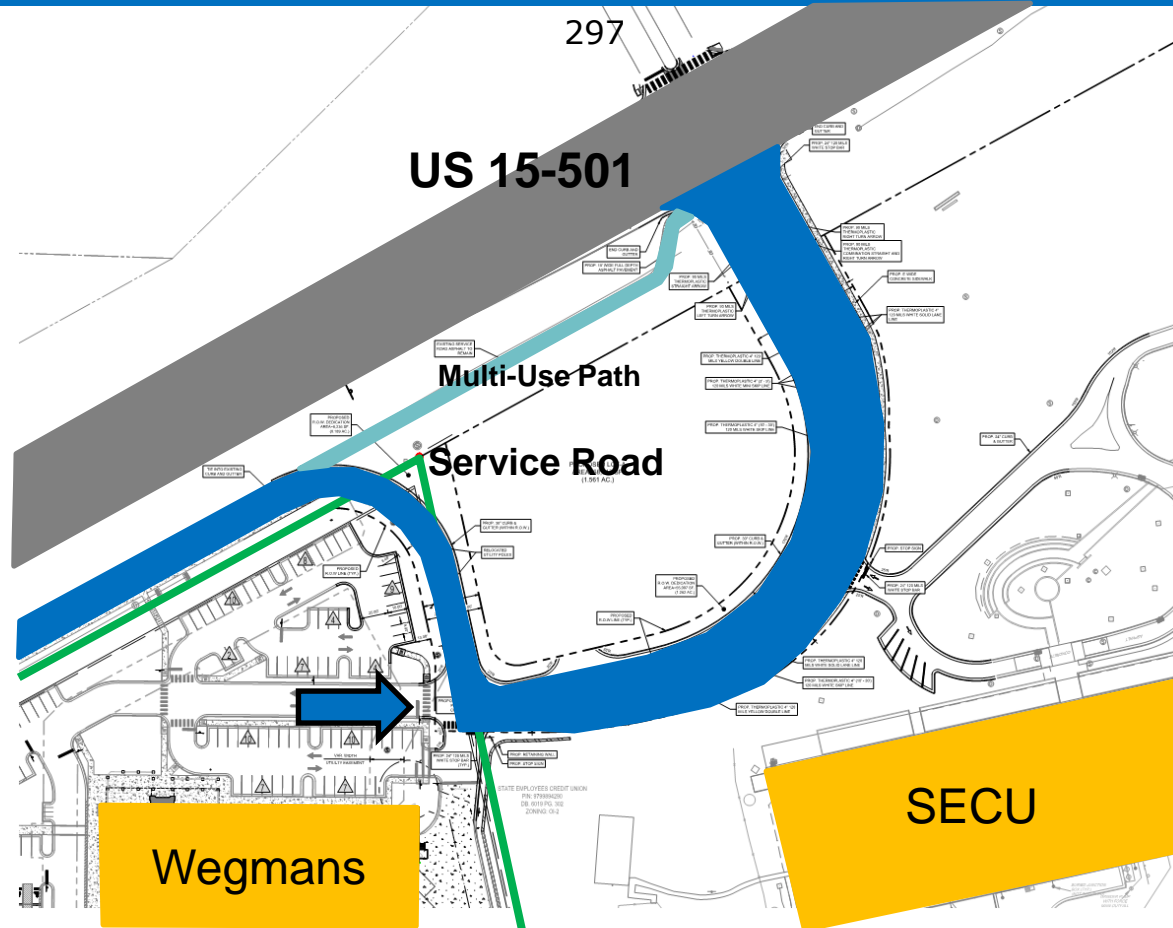


Wegmans Street Improvements – Existing Conditions



DRAFT

Wegmans Street Improvements – Site Plan



DRAFT

Wegmans Street Improvements – Advisory Boards

298

Advisory Boards/Commissions	Recommendation
Planning Commission	TO BE ADDED
Transportation and Connectivity Board	Approval with conditions

- Open the Public Hearing, receive evidence on the proposed Special Use Permit Modification, and recess the Public Hearing to November 20, 2019.

DRAFT

RESOLUTION A
(Approving the Special Use Permit Modification Application)

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT
MODIFICATION FOR WEGMANS FOOD MARKET (PROJECT #19-117)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Justin Brown of Pennoni on behalf of LG1810 Fordham Blvd, LLC, located at 1810 Fordham Boulevard on property identified as Orange County Property Identifier Numbers 9799-78-2879 and 9799-78-1484, if developed according to the Site Plan dated September 16, 2019 and the conditions listed below would:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. Comply with all required regulations and standards of the Land Use Management Ordinance;
3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and
4. Conform with the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the 2020 Comprehensive Plan.

STIPULATIONS SPECIFIC TO WEGMANS

1. Land Use Intensity: This Special Use Permit Modification authorizes the following:

Use: Commercial	
Additional Land Disturbance	256,377 sq. ft.

2. Existing Permit: The existing Special Use Permit Modification dated October 25, 2017 on file at the Town of Chapel Hill Planning Department, and recorded in the Orange County Registry (Book 6536, page 399) remains in effect except as modified by these stipulations.
3. US 15-501 and Service Road Intersection Improvements: The Service Road is to be extended as shown on the plan sheets dated September 16, 2019. No additional driveway cuts are permitted on the adjacent State Employees Credit Union property. All improvements are subject to NCDOT approval.
4. Dedication of Right-of-Way: Prior to conducting a Zoning Final Inspection, a right-of-way plat dedicating the relocated Service Road shall be recorded in the Orange County Registry.
5. Pedestrian Crosswalk: Prior to issuance of a Zoning Final Inspection, the developer shall add a pedestrian crosswalk on the western side of the Eastowne Drive and US 15-501 intersection.
6. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.

7. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit Modification for 1810 Fordham Blvd.

This the ____ day of _____, 2019.

RESOLUTION B
(Denying the Special Use Permit Modification)

A RESOLUTION DENYING AN APPLICATION FOR A SPECIAL USE PERMIT
MODIFICATION FOR WEGMANS FOOD MARKET (PROJECT #19-117)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Justin Brown of Pennoni on behalf of LG1810 Fordham Blvd, LLC, located at 1810 Fordham Boulevard on property identified as Orange County Property Identifier Numbers 9799-78-2879 and 9799-78-1484, if developed according to the Site Plan dated September 16, 2019 and the conditions listed below would not:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. Comply with all required regulations and standards of the Land Use Management Ordinance;
3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and
4. Conform with the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the 2020 Comprehensive Plan.

BE IT FURTHER RESOLVED that the Council hereby denies the application for a Special Use Permit Modification for 1810 Fordham Boulevard.

This the ____ day of _____, 2019.

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION FOR SPECIAL USE PERMIT MODIFICATION FOR WEGMANS, 1820 FORDHAM BLVD

October 15, 2019

Recommendation: Approval ☐ Approval with Conditions ☒ Denial ☐

Motion: Whit Rummel moved and Buffie Webber seconded a motion to recommend that the Council approve a Special Use Permit Modification for Wegmans, with a condition to include the Transportation and Connectivity Advisory Board recommendation for a fourth crosswalk at the intersection of Eastowne Drive and US 15-501.

Vote: 6 – 1

Yeas: John Rees (Chair), Neal Bench, Melissa McCullough, Whit Rummel
Amy Ryan, Buffie Webber

Nays: Stephen Whitlow

Prepared by: Michael Sudol, Planner II

TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD

To assist the Chapel Hill Town Council in creating an inclusive connected community by recommending, advocating and planning for comprehensive, safe, effective and sustainable multi-modal transportation and connectivity

RECOMMENDATION Wegmans SUP Modification 1820 Fordham Blvd. (Project #19-117) September 24, 2019

Recommendation: **Approved** ☐ **Approval with Conditions** ☒ **Denied** ☐

Motion: Brian Hageman moved and Eric Allman seconded to approve the Wegmans Special Use Permit Modification with the following condition:

- a) That the applicant add a fourth crosswalk on the western side of the Eastowne Drive and US 15-501 signalized intersection.

Vote: **5-0**

Ayes: **Jason Merrill (Chair), Susanne Kjemtrup-Lovelace (Vice Chair),
Eric Allman, Rudy Juliano, and Brian Hageman**

Nays: **none**

Prepared by: Jason Merrill, Chair, Transportation and Connectivity Advisory Board
Jomar Pastorelle, Transportation Planner I

SPECIAL USE PERMIT APPLICATION



TOWN OF CHAPEL HILL
Planning Department
 405 Martin Luther King Jr. Blvd
 Chapel Hill, NC 27514
 phone (919) 968-2728 fax (919) 969-2014
 www.townofchapelhill.org

Parcel Identifier Number (PIN): 9799782879 & 9799781484

Date: 9/10/19

Section A: Project Information

Project Name: Wegmans Food Market Street Improvements

Property Address: 1810 Fordham Boulevard - Chapel Hill, NC Zip Code: 27514

Use Groups (A, B, and/or C): C Existing Zoning District: OI-2 / CC-C

Project Description: Development of a street section to provide access to SECU and Wegmans Development

Section B: Applicant, Owner and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed)

Name: Pennoni - Justin Brown, PE

Address: 5430 Wade Park Blvd, Suite 106

City: Raleigh State: NC Zip Code: 27607

Phone: 919-230-9211 Email: jjbrown@pennoni.com

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature:  Date: 9/13/19

Owner/Contract Purchaser Information:

☒ **Owner** ☐ **Contract Purchaser**

Name: LG1810 Fordham Blvd, LLC. c/o Will Tolliver

Address: 3500 Maple Avenue, Suite 1600

City: Dallas State: TX Zip Code: 75219

Phone: 214-865-8090 Email: wtolliver@leoncapitalgroup.com

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature:  Date: 9/13/19



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section A: Project Information

Application type: Special Use Permit Modification Date: 9/10/19

Project Name: Wegmans - Driveway Modification

Use Type: (check/list all that apply)

☐ Office/Institutional ☐ Residential ☐ Mixed-Use ☒ Other: Grocery Store

Overlay District: (check all those that apply)

☐ Historic District ☐ Neighborhood Conservation District ☐ Airport Hazard Zone

Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	582,567	sq. ft.
Choose one, or both, of the following (a or b,) not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=	58,257	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	0	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	640,824	sq. ft.

Section C: Special Protection Areas, Land Disturbance, and Impervious Area

Special Protection Areas: (check all those that apply)

☐ Jordan Buffer ☐ Resource Conservation District ☐ 100 Year Floodplain ☐ Watershed Protection District

Land Disturbance	Total (sq ft)
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, all grading, including off-site clearing)	256,377
Area of Land Disturbance within RCD	N/A
Area of Land Disturbance within Jordan Buffer	N/A

Impervious Areas	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Impervious Surface Area (ISA)	464,546	464,546	462,657	462,657
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %	76.9%	76.9%	72.2%	72.2%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	N/A	N/A	N/A	N/A



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section D: Dimensions

Dimensional Unit (sq ft)	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Number of Buildings	N/A		N/A	
Number of Floors	N/A		N/A	
Recreational Space	N/A		N/A	

Residential Space

Dimensional Unit (sq ft)	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Floor Area (all floors – heated and unheated)				
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units				
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

Non-Residential Space (Gross Floor Area in Square Feet)

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	103,733	102,010			
Restaurant	N/A	N/A	# of Seats		
Government	N/A	N/A			
Institutional	N/A	N/A			
Medical	N/A	N/A			
Office	N/A	N/A			
Hotel	N/A	N/A	# of Rooms		
Industrial	N/A	N/A			
Place of Worship	N/A	N/A	# of Seats		
Other	N/A	N/A			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22 ft and 20 ft	40.98 ft.	31.26 ft.
	Interior (neighboring property lines)	8 ft.	74.80 ft.	65.46 ft.
	Solar (northern property line)			
Height (maximum)	Primary	34 ft.	N/A	28.67 ft.
	Secondary	60 ft.	N/A	80.00 ft.
Streets	Frontages			
	Widths			



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section F: Adjoining or Connecting Streets and Sidewalks

(Note: For approval of proposed street names, contact the Engineering Department)

Street Name	Right-of-way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing curb/gutter
Fordham Blvd - Service Rd.	Variable	24'	2	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Old Durham Chapel Hill Blvd.	Variable	48'	3	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes

List Proposed Points of Access (Ex: Number, Street Name):

*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	332	741	711
Handicap Spaces	X	9	25
Total Spaces	340	750	736
Loading Spaces	2	N/A	5
Bicycle Spaces	13	N/A	14
Surface Type	Asphalt and concrete		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
Service Road	20'	8.48'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Old Durham Road	20'	6.00'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
East	10'	20.12'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
West	10'	10'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Overflow Lot				
North (Old Durham)	20 ft	5.05 ft	X Yes	X Yes
West	10 ft	4.38 ft	X Yes	X Yes
South	20 ft	20.23 ft	Yes	Yes
East (Cooper)	20 ft	12 ft	X Yes	X Yes



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section I: Land Use Intensity

Existing Zoning District:

Proposed Zoning Change (if any):

Note: Refer to Table 3.8-1 (Dimensional Matrix) in the Land Use Management Ordinance for help completing this table.

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	Floor Area Ratio (FAR)	Recreation Space Ratio (RSR)	Low Density Residential (0.24)	High Density Residential (0.50)	Non-Residential (0.70)	Maximum Floor Area (MFA) = FAR x GLA	Minimum Recreation Space (MSR) = RSR x GLA
CC	0.429						
TOTAL	0.429					274,913	N/A
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

Section J: Utility Service

Check all that apply

Water	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
Sewer	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
Electrical	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Telephone	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Solid Waste	<input type="checkbox"/> Town	<input checked="" type="checkbox"/> Private		



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919)968-2728 or at planning@townofchapelhill.org.

X	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid \$	8,175.00
X	Pre-application meeting – with appropriate staff		
X	Digital Files - provide digital files of all plans and documents		
X	Recorded Plat or Deed of Property		
X	Project Fact Sheet		
	Traffic Impact Statement – completed by Town's consultant (or exemption)		
N/A	Description of Public Art Proposal		
X	Statement of Justification		
X	Response to Community Design Commission and Town Council Concept Plan comments		
N/A	Affordable Housing Proposal, if applicable		
X	Provide existing Special Use Permit, if Modification		
X	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)		
X	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid \$	139.00
X	Written Narrative describing the proposal		
X	Resource Conservation District, Floodplain, & Jordan Buffers Determination - necessary for all submittals		
N/A	Jurisdictional Wetland Determination – if applicable		
N/A	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)		
N/A	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)		
X	Reduced Site Plan Set (reduced to 8.5"x11")		

Stormwater Impact Statement (1 copy to be submitted)

- Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
- Description of land uses and area (in square footage)
- Existing and proposed Impervious surface area in square feet for all subareas and project area
- Ground cover and uses information
- Soil information (classification, infiltration rates, depth to groundwater and bedrock)
- Time of concentration calculations and assumptions
- Topography (2-foot contours)
- Pertinent on-site and off-site drainage conditions
- Upstream and/or downstream volumes
- Discharges and velocities
- Backwater elevations and effects on existing drainage conveyance facilities
- Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas

**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**



- m) Water quality volume calculations
- n) Drainage areas and sub-areas delineated
- o) Peak discharge calculations and rates (1, 2, and 25-year storms)
- p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
- q) Volume calculations and documentation of retention for 2-year storm
- r) 85% TSS removal for post-development stormwater run-off
- s) Nutrient loading calculations
- t) BMP sizing calculations
- u) Pipe sizing calculations and schedule (include HGL & EGL calculations and profiles)

Plan Sets (10 copies to be submitted no larger than 24"x36")

Plans should be legible and clearly drawn. All plan sets sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable
- Revision dates and professional seals and signatures, as applicable

Cover Sheet

- a) Include Project Name, Project fact information, PIN, Design team

Area Map

- a) Project name, applicant, contact information, location, PIN, & legend
- b) Dedicated open space, parks, greenways
- c) Overlay Districts, if applicable
- d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names.
- f) 1,000' notification boundary

Existing Conditions Plan

- a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
- b) Location of all existing structures and uses
- c) Existing property line and right-of-way lines

**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**



- d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
- e) Nearest fire hydrants
- f) Nearest bus shelters and transit facilities
- g) Existing topography at minimum 2-foot intervals and finished grade
- h) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries

Detailed Site Plan

- a) Existing and proposed building locations
- b) Description & analysis of adjacent land uses, roads, topography, soils, drainage patterns, environmental constraints, features, existing vegetation, vistas (on & off-site)
- c) Location, arrangement, & dimension of vehicular parking, width of aisles and bays, angle of parking, number of spaces, handicapped parking, bicycle parking . Typical pavement sections & surface type
- d) Location of existing and proposed fire hydrants
- e) Location and dimension of all vehicle entrances, exits, and drives
- f) Dimensioned street cross-sections and rights-of-way widths
- g) Pavement and curb & gutter construction details
- h) Dimensioned sidewalk and tree lawn cross-sections
- i) Proposed transit improvements including bus pull-off and/or bus shelter
- j) Required landscape buffers (or proposed alternate/modified buffers)
- k) Required recreation area/space (including written statement of recreation plans)
- l) Refuse collection facilities (existing and proposed) or shared dumpster agreement
- m) Construction parking, staging, storage area, and construction trailer location
- n) Sight distance triangles at intersections
- o) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
- p) Easements
- q) Clearing and construction limits
- r) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan

Stormwater Management Plan

- a) Topography (2-foot contours)
- b) Existing drainage conditions
- c) RCD and Jordan Riparian Buffer delineation and boundary (perennial & intermittent streams, note ephemeral streams on site)
- d) Proposed drainage and stormwater conditions
- e) Drainage conveyance system (piping)
- f) Roof drains
- g) Easements
- h) BMP plans, dimensions, details, and cross-sections
- i) Planting and stabilization plans and specifications



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

Landscape Protection Plan

- a) Rare, specimen, and significant tree survey within 50 feet of construction area
- b) Rare and specimen tree critical root zones
- c) Rare and specimen trees proposed to be removed
- d) Certified arborist tree evaluation, if applicable
- e) Significant tree stand survey
- f) Clearing limit line
- g) Proposed tree protection /silt fence location
- h) Pre-construction/demolition conference note
- j) Landscape protection supervisor note
- k) Existing and proposed tree canopy calculations, if applicable

Planting Plan

- a) Dimensioned and labeled perimeter landscape bufferyard
- b) Off-site buffer
- c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement)

Steep Slope Plan

- a) Classify and quantify slopes 0-10%, 10-15%, 15-25% and 25% and greater
- b) Show and quantify areas of disturbance in each slope category
- c) Provide/show specialized site design and construction techniques

Grading and Erosion Control Plan

- a) Topography (2-foot contours)
- b) Limits of Disturbance
- c) Pertinent off-site drainage features
- d) Existing and proposed impervious surface tallies

Streetscape Plan, if applicable

- a) Public right-of-way existing conditions plan
- b) Streetscape demolition plan
- c) Streetscape proposed improvement plan
- d) Streetscape proposed utility plan and details
- e) Streetscape proposed pavement/sidewalk details
- f) Streetscape proposed furnishing details
- g) Streetscape proposed lighting details



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

Solid Waste Plan

- a) Preliminary Solid Waste Management Plan
- b) Existing and proposed dumpster pads
- c) Proposed dumpster pad layout design
- d) Proposed heavy duty pavement locations and pavement construction detail

Construction Management Plan

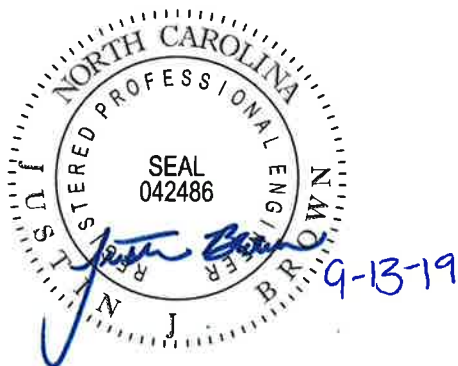
- a) Construction trailer location
- b) Location of construction personnel parking and construction equipment parking
- c) Location and size of staging and materials storage area
- d) Description of emergency vehicle access to and around project site during construction
- e) Delivery truck routes shown or noted on plan sheets

Energy Management Plan

- a) Description of how project will be 20% more energy efficient than ASHRAE Standards
- b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
- c) Participation in NC GreenPower program
- d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
- e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

Exterior Elevations

- a) An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade).

Proposed Wegmans Grocery Store Development**Town of Chapel Hill****Orange County, North Carolina****STATEMENT OF JUSTIFICATION****SPECIAL USE PERMIT MODIFICATION****Prepared By:****Pennoni Associates****5430 Wade Park Blvd., Suite 106****Raleigh, NC 27607****(919) 929-1173****Firm License: F-1267****Project #WGMNS19001****Date: September 13, 2019****Professional Engineer: Justin J. Brown, PE****NC License #042486**

General Project Description

The subject property is located along the Town of Chapel Hill's northeastern gateway on 15/501 (Fordham Boulevard). The site is situated to the north of the intersection of Scarlett Drive and Old Durham Chapel Hill Road. The existing site consists of a Hendrick automobile dealership, commonly known as The Performance Auto Mall. Leon Capital Group proposes to redevelop the existing Performance Auto Mall dealership (PIN: 9799782879) and the adjoining parcels across Old Durham Chapel Hill Road (PIN: 9799781484). The proposed development will consist of the demolition and removal of all existing buildings and infrastructure within the site, and the construction of a +/- 102,010 SF Wegmans grocery store development. The construction will also include the installation of landscaping, lighting, stormwater management and utilities necessary to support the development as well as providing driveway access to the adjacent State Employee Credit Union site (SECU) to the east. This driveway will provide access to 15-501 through the SECU property via a dedicated right-of-way to NCDOT. The development on the south side of Old Durham Chapel Hill Road will be the construction of a surface parking field to support the intended development.

Project Surroundings

The main Hendrick automobile dealership site is currently zoned partially CC – Community Commercial (western portion of property) and CC-C – Community Commercial – Conditional (remaining property). The existing Hendrick automobile dealership employee parking lot across Old Durham Road (PIN: 9799782464) is zoned NC – Neighborhood Commercial. The property directly to the west of the employee parking lot (PIN: 9799780316) is zoned NC- Neighborhood Commercial.

The main development portion of the site is bounded to the north by the Service Road and US 15/501 (Fordham Boulevard); to the west by an existing Hardees restaurant with drive-thru; to the east by the previous Blue Cross/Blue Shield building which is now owned by State Employee Credit Union; and to the south by Old Durham Chapel Hill Road.

The overflow parking field is adjacent to Old Durham Road to the north; to the west by an existing violin shop that is currently under contract by the developer; to the east by Cooper Street; and to the south by existing residential (R-3) structures.

Findings of Fact

The applicant hereby justifies the request for Special Use Permit Modification application as per the Town of Chapel Hill's Land Use Management Ordinance, Appendix A, section 4.5.2(a):

- ***Finding #1: That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.***

General Statement – The Wegmans will promote the redevelopment of an existing auto dealership that is scheduled to be relocated to their existing South Point facility in Durham County. This redevelopment will include the cleanup of an environmentally contaminated site.

Emergency Services – The nearest fire station (Station #3) is located less than 2 miles from the proposed development site. It is anticipated that fire protection and first responder response will be provided by the Town of Chapel Hill. The Wegmans grocery store will include provisions for a sprinkler system and will be designed in accordance with applicable safety and fire codes as part of the building permit review and approval.

Utilities – The existing development is served by public water and sewer services of Orange County Water & Sewer Authority (OWASA). It is anticipated that the existing water and sewer services that surround the development will be adequate to support the proposed development. The refuse will

be collected by the Town of Chapel Hill and the recycling will be collected by the Orange County Solid Waste Management. The development has been designed in accordance with the OWASA, the Town of Chapel Hill and Orange County Solid Waste regulations and requirements.

Transportation and Pedestrian Movements – The development will provide roadway improvements that will offset the traffic that the use will generate. Additionally, pedestrian connections (sidewalks and bicycle lanes) will be provided to link retail with the surrounding neighborhood areas in connection with the Old Durham Chapel Hill Road roadway improvements and the future proposed light-rail transit development. The developer has collaborated with the Town of Chapel Hill Public Works, NCDOT and the Town's traffic consultant (HNTB) to review and analyze the existing surrounding roadway networks. Additionally, a conceptual plan has been developed that mitigates the additional traffic associated with the development. The off-site roadway improvements are shown on the Special Use Permit Plans, dated 11/22/16. The applicant coordinated with the adjoining property to the east (State Employee Credit Union) for an alternative approach to mitigate the traffic at the intersection of US 15/501 and the Eastowne Drive (Service Road) intersection. (Information concerning the transportation analysis can be found in the Gateway Grocery Draft Traffic Impact Study, prepared by HNTB, dated August 2016; Technical Memo – Draft, prepared by HNTB, dated 8/24/16 and the Option "B" minimum design level of service results, dated 8/30/16). This effort has resulted in an agreement between Wegmans and SECU so that driveway access to 15-501 can be provide through SECU's property (via a dedicated NCDOT ROW), consequently Wegmans is requesting to modify the SUP currently in place.

Parking – The current development has space to accommodate approximately 790 vehicles (taken from a plan entitled, "Site Plan - Performance BMW ZCP Plan", prepared by Philip Post & Associates, dated 08/23/04, last revised 08/31/06), including the employee parking lot. The proposed development requires a minimum of 736 spaces (7.22 spaces/ 1,000 SF GFA) in accordance with the Wegmans criteria. This request is above the maximum permitted parking spaces within the LUMO that permit a maximum of 5 spaces/ 1,000 SF GFA (102,010SF x 5 spaces/1,000 SF = 510 spaces). Fourteen (14) bicycle parking spaces will be provided in connection with the development.

Stormwater – As illustrated in FEMA FIRM 3710979900, the site is located in Zone X. A Stream Determination request has been filed with the Town of Chapel Hill. It is anticipated that the site will not include a regulated stream and associated buffers and RCD. The proposed stormwater will maintain existing drainage patterns. The stormwater conveyance is proposed to be connected to the existing stormwater conveyance facilities that exist along the Service Road roadway. The development proposed a reduction in overall impervious surfaces associated with the development. Therefore, peak flow attenuation, TSS and Nutrient requirements will be met through the implementation of additional pervious surfaces associated with the development.

Public Art – The applicant is currently coordinating with Wegmans Food Markets to discuss implementing certain artistic schemes associated with the building.

- ***Finding #2: That the use or development complies with all required regulations and standards of this chapter, including all applicable provisions of articles 3 and 5, the applicable specific standards contained in the supplemental use regulations (article 6), and with all other applicable regulations.***

General – It is intended that all improvements will be coordinated to meet or exceed, to the best of the development’s capabilities, the intent of the current Town of Chapel Hill Design Manual and the Chapel Hill Land Use Management Ordinance. The proposed development will require a Special Use Permit associated with the underlying zoning district of the subject property (CC-C and NC). It is intended that the proposed development will be in accordance with the following LUMO criteria:

- Building setbacks and coverage
- Impervious surface threshold
- Tree canopy coverage
- Stormwater will be designed to mimic the existing drainage patterns
- All utilities will be underground

Modifications to Landscape Requirements – The following modification(s) to the landscape requirements for Interior planting and buffers have been previously approved (Project 16-121) on 10/25/17.

Sustainability – The new building and infrastructure improvements will be designed and implemented to enhance the existing environmental impact. The development will include the removal of several underground storage tanks that currently hold contaminants associated with the current use of the property. Furthermore, the site will require environmental cleanup associated with the under lying soils and groundwater of the site.

Demolition and Construction Waste – The development requires the demolition of the existing buildings and infrastructure in order to clear the site for environmental cleanup. Waste materials associated with the demolition will be handled in accordance with local and State requirements.

- ***Finding #3: That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity.***

The current use of the property consists of three (3) automobile dealerships and associated service departments. With the departure of the Performance Auto Mall to their South Point mall facility in Durham County, this property has the ability to remain vacant or developed into a used-car dealership.

The development will provide a retail destination for the surrounding community, in addition to patrons from other counties. The Wegmans development will attempt to partner with local, family farms near the store to provide fresh produce in addition to providing local beef, pork and cheese. Furthermore, the Marketplace Café and Pub restaurant will provide access to a wide variety of lunch and dinner options. The store’s proximity to the local office parks and residences will provide walkability to the surrounding development and neighborhoods. Lastly, the project will provide a significant increase in commercial tax base and sales revenue.

- ***Finding #4: That the use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.***

The Chapel Hill 2020 Comprehensive Plan adopted six (6) themes. Below is a list of each theme is integrated within the proposed development:

1. **A Place for Everyone** – The Wegmans development offers up a wide array of career opportunities; inclusive of part-time, entry-level positions for high school and college students. Additionally, full-time employment opportunities will be available, including management-level positions.

Wegmans also strives to support the community through feeding the hungry, encouragement of healthy eating & activities, enrichment of neighborhoods in which they serve, helping young people succeed and supporting the United Way.

2. **Community Prosperity and Engagement** – The Wegmans development will attempt to partner with local, family farms near the store to provide fresh produce in addition to providing local beef, pork and cheese. Additionally, the project will provide a significant increase in commercial tax base and sales revenue.
3. **Getting Around** – The Wegmans development will provide pedestrian connection to link retail with the surrounding neighborhood areas to the south of the property and office to the north and east of the site. Additionally, the planned Old Durham Road roadway improvements near the Interstate 40 interchange will provide future pedestrian links to the subject development and surrounding community.
4. **Good Places, New Spaces** – The Wegmans development will replace the relocation efforts of Performance Auto Mall to their Southpoint Mall existing auto dealerships. The project will consist of the redevelopment of a currently under-utilized commercial development (Performance Auto) into a community and regional specialty grocery store development.
5. **Nurturing Our Community** – The Wegmans will promote the redevelopment of an existing auto dealership that is scheduled to be relocated with or without the development of the Wegmans store. This redevelopment will also include the cleanup of an environmentally contaminated site.
6. **Town and Gown Collaboration** – The Wegmans development is proposed to the south of the current location of UNC Healthcare Eastowne Campus. The development will provide a retail destination for the employees within the Eastowne Campus. Furthermore, the Marketplace Café and Pub restaurant will provide access to a wide variety of lunch and dinner options for employers and employees.

The project is located within the North 15/501 Focus Area. The proposed development will provide and enhance this area in accordance with the goals stated within the focus area. Specifically, the development will employ the following:

1. Redevelopment of a currently underutilized commercial development (Performance Auto) into a community and regional grocery store development
2. Provides pedestrian connection to link retail with the surrounding neighborhood areas in connection with the Old Durham Chapel Hill Road roadway improvements.

OWNER'S CERTIFICATE

THE UNDERSIGNED PARTY, BEING DULY SWORN, CERTIFIES THAT HE/SHE IS THE OWNER OR DULY AUTHORIZED REPRESENTATIVE OF THE OWNER OF THE PROPERTY DESIGNATED ON THIS PLAT AS DESCRIBED BELOW, AND HE/SHE HEREBY FREELY DEDICATES ALL RIGHTS-OF-WAY, EASEMENTS, STREETS, RECREATION AREA, OPEN SPACE, COMMON AREA, UTILITIES, AND OTHER IMPROVEMENTS TO PUBLIC OR PRIVATE COMMON USE AS NOTED ON THIS PLAT, AND FURTHER ASSUMES FULL RESPONSIBILITY FOR THE MAINTENANCE AND CONTROL BY AN APPROPRIATE PUBLIC BODY OR, BY AN INCORPORATED NEIGHBORHOOD OR HOMEOWNER'S ASSOCIATION OR SIMILAR LEGAL ENTITY.

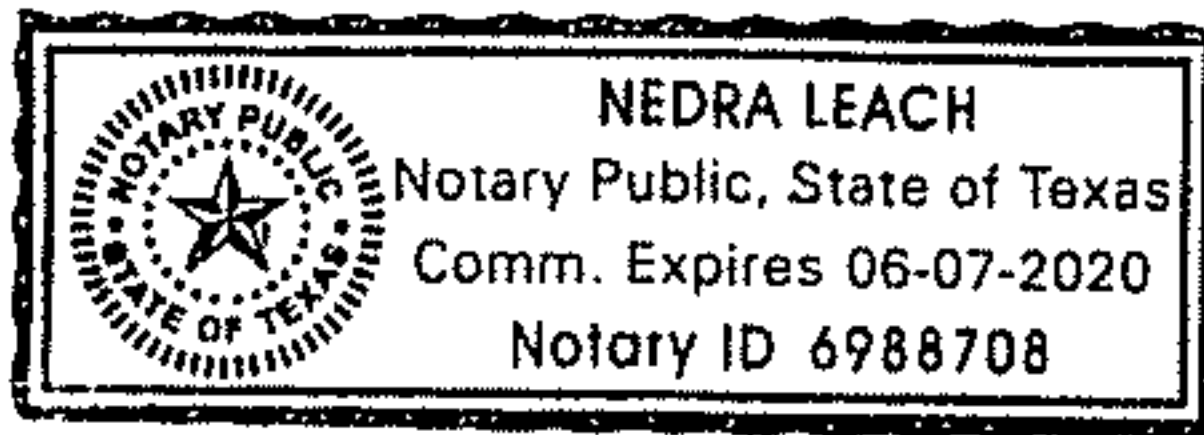
PIN: 9799-78-2879

Will Toliver 12/1/18
DATE
LG 1810 FORDHAM BLVD. LLC

NOTARY CERTIFICATE

Texas STATE
Dallas COUNTY
I, Nedra Leach, A NOTARY PUBIC OF SAID COUNTY, DO
HEREBY CERTIFY THAT Will Toliver DID PERSONALLY
APPEAR BEFORE ME THIS THE 7th DAY OF December, 2018.

Nedra Leach
NOTARY PUBLIC (SIGNATURE)
MY COMMISSION EXPIRES: 6/17/2020



STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, REVIEW OFFICER OF ORANGE COUNTY, CERTIFY
THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS
ALL STATUTORY REQUIREMENTS FOR RECORDING FOR WHICH THE REVIEW
OFFICER HAS RESPONSIBILITY AS PROVIDED BY LAW.

REVIEW OFFICER
ORANGE COUNTY LAND RECORDS/GIS

DATE OF CERTIFICATION:

RECORDING OF THIS DOCUMENT DOES NOT REQUIRE
SUBDIVISION APPROVAL OF THE TOWN OF CHAPEL HILL, AS
PROVIDED IN SECTION 4.6.1 OF THE CHAPEL HILL LAND USE
MANAGEMENT ORDINANCE.

[Signature]
12/12/2018 DATE

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY
MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS RECORDED IN DEED BOOK AND PAGE
6253-243 & PLAT BOOK AND PAGE 100-37; THAT THE BOUNDARIES NOT SURVEYED ARE
INDICATED AS DRAWN FROM SOURCES NOTED HEREON; THAT THE RATIO OF PRECISION IS
MAXIMUM OF 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS
AMENDED.

FURTHER CERTIFY:
THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING
PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF
SUBDIVISION.

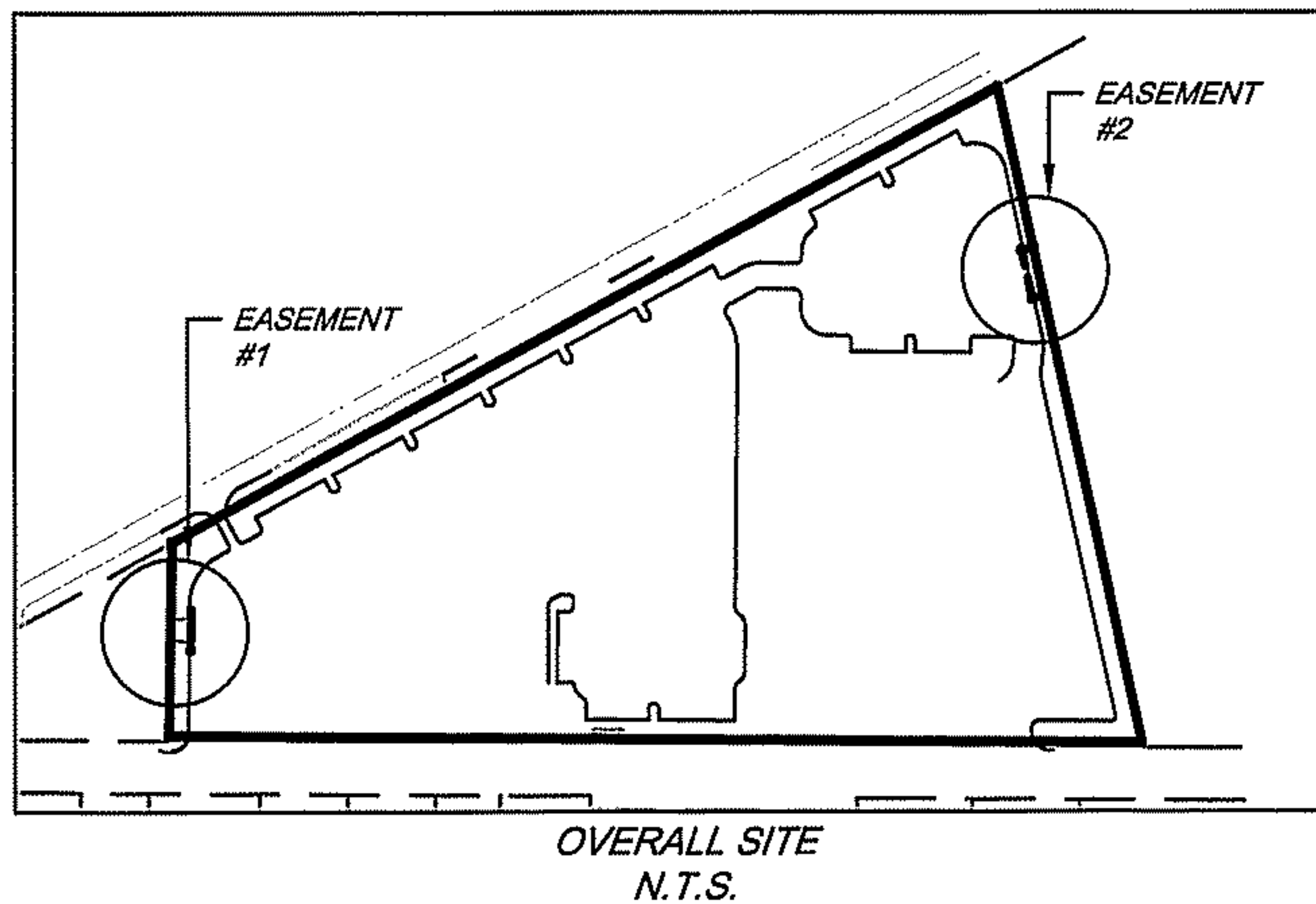
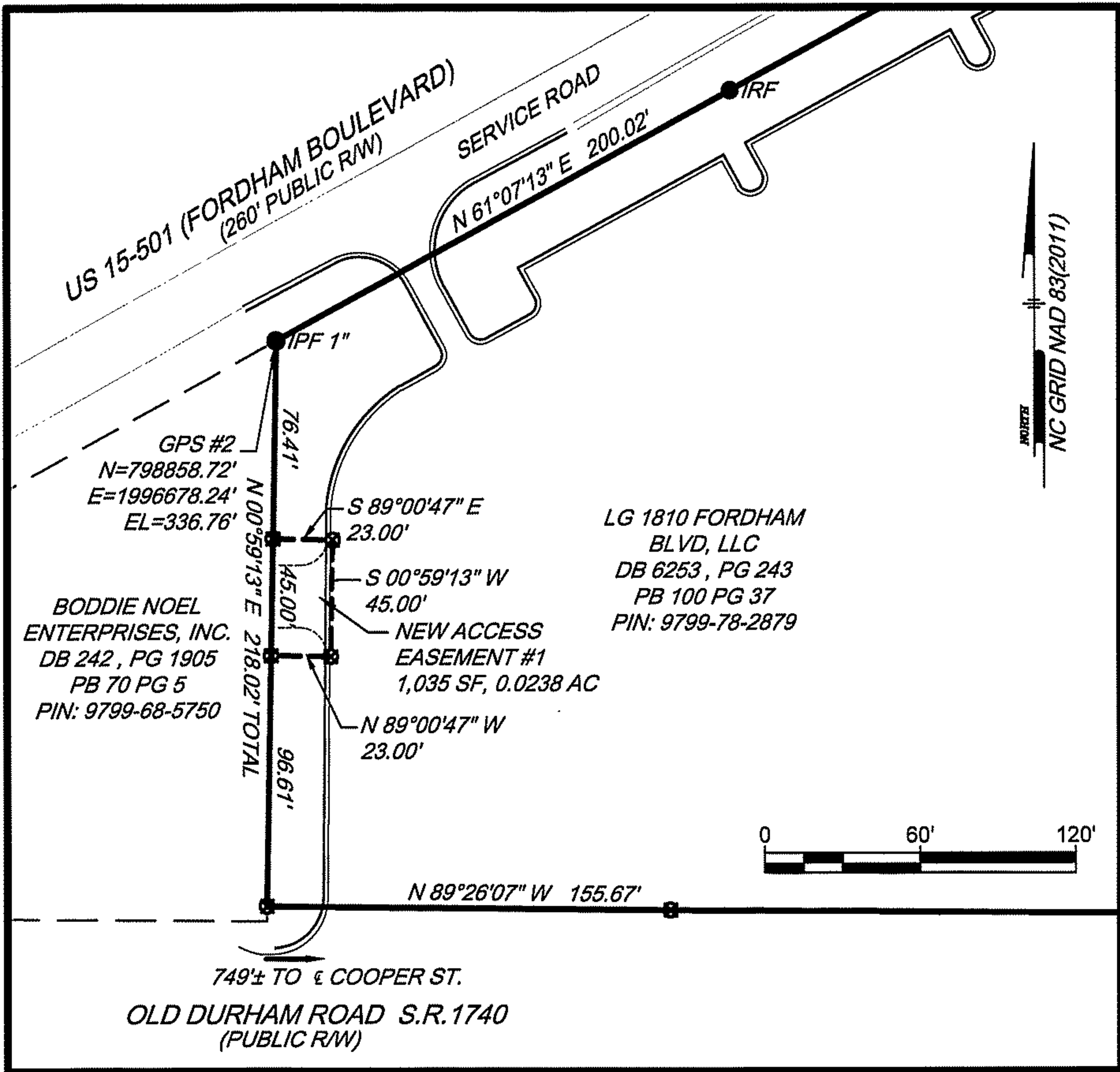
WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER,
AND SEAL THIS 8TH DAY OF NOVEMBER, 2018.

Bruce J. Frederick
BRUCE J. FREDERICK PROFESSIONAL LAND SURVEYOR
L-4246



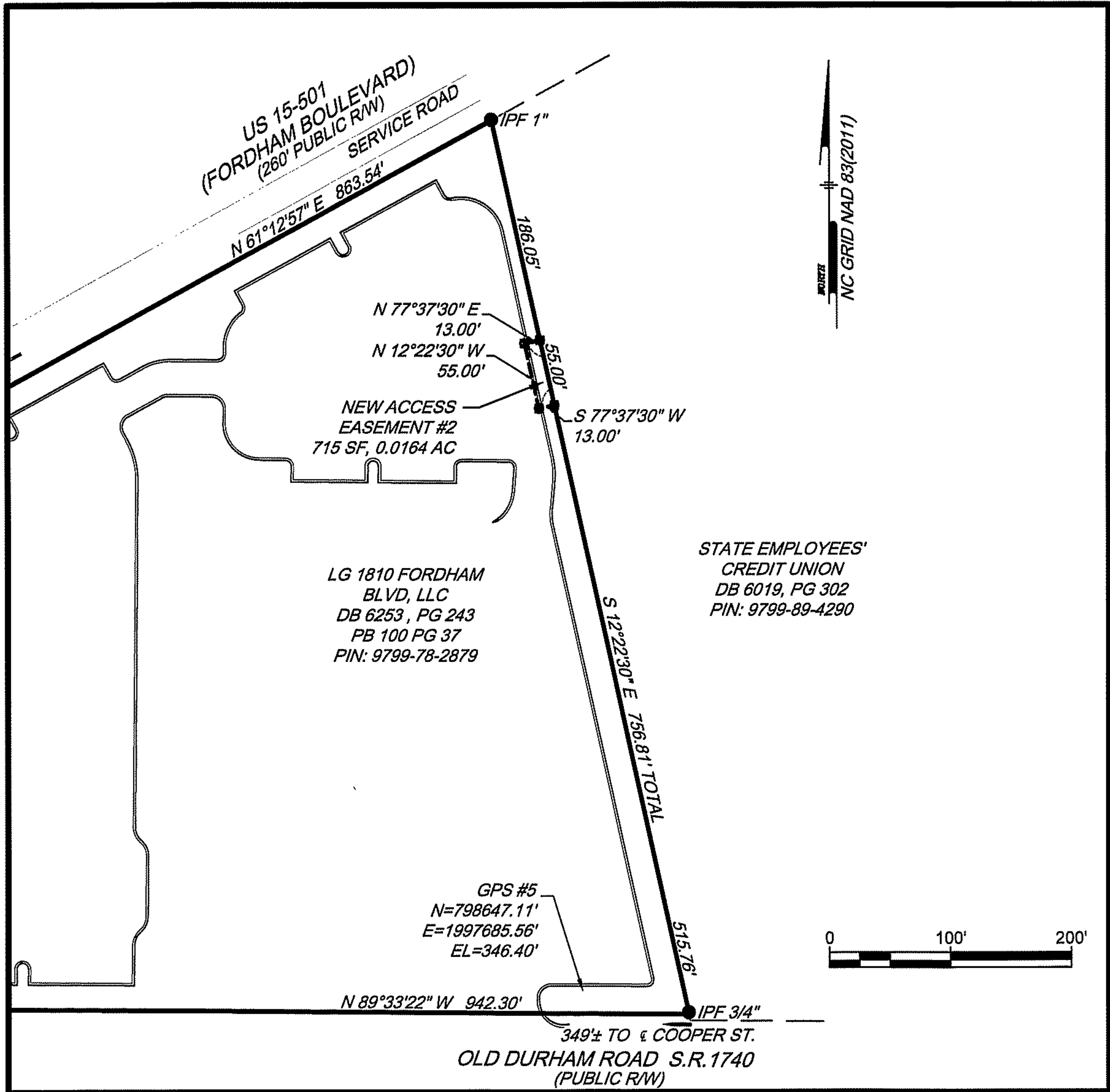
NOTES:

- THIS PLAT IS INTENDED TO REPRESENT A NEW ACCESS EASEMENT ON THE PROPERTY OF LG 1810 FORDHAM BLVD, LLC AND IS NOT INTENDED TO BE A BOUNDARY SURVEY.
- HORIZONTAL DATUM - NC NAD 83 (2011) BASED ON GPS OBSERVATIONS USING THE NORTH CAROLINA GNSS REAL TIME NETWORK.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US SURVEY FEET UNLESS SHOWN OTHERWISE.
- AREA BY COORDINATE METHOD.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS SURVEY IS SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
- THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, BUFFERS AND RESTRICTIONS SHOWN HEREON AND ALL OTHERS OF RECORD NOT SHOWN HEREON.



LEGEND

- PROPERTY LINE SURVEYED
- PROPERTY LINE NOT SURVEYED
- EASEMENT LINE
- IRF IRON ROD FOUND
- IPF IRON PIPE FOUND
- COMPUTED POINT



20181212000232080 PLAT
Bk: PL 119 Pg: 119
12/12/2018 02:53:27 PM 1/1

FILED Mark Chilton
Register of Deeds, Orange Co., NC
Recording Fee: \$21.00
NC Real Estate TX: \$ 00



PENNONI ASSOCIATES INC.
5430 WADE PARK BOULEVARD
SUITE 106
RALEIGH, NC 27607
T 919.929.1173 F 919.493.6548

ACCESS EASEMENT PLAT
FOR
LG 1810 FORDHAM BLVD, LLC
DB 6253, PG 243
PIN 9799782879
Chapel Hill Township
125 OLD DURHAM RD & 1820 FORDHAM BLVD
CHAPEL HILL, ORANGE COUNTY, NC

320

NO.	DATE	REVISIONS	BY

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES
ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE
PROJECT. THEY ARE NOT INTENDED OR REPRESENTED
TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON
THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER
PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION
OR ADAPTATION BY PENNONI ASSOCIATES FOR THE
SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS
SOLE RISK AND WITHOUT LIABILITY OR LEGAL
EXPOSURE TO PENNONI ASSOCIATES; AND OWNER
SHALL INDEMNIFY AND HOLD HARMLESS PENNONI
ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND
EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	LCGR1601
DATE	2018-08-28
DRAWING SCALE	AS SHOWN
DRAWN BY	RWP
APPROVED BY	RWP
LCGR-VF-EASE-PLAT	
SHEET	1 OF 1



7291	3"	ORNAMENTAL
7292	3"	ORNAMENTAL
7293	3"	ORNAMENTAL
7294	3"	ORNAMENTAL
7295	3"	ORNAMENTAL
7296	3"	ORNAMENTAL
7333	18"	PINE
7334	18"	PINE
7335	21"	PINE
7336	24"	PINE
7337	18"	PINE
7339	21"	PINE
7340	20"	PINE
7341	20"	PINE
7342	18"	PINE
7343	18"	PINE
7344	20"	PINE
7345	18"	PINE
7346	24"	PINE
7347	20"	PINE
7348	21"	PINE
7350	24"	PINE
7351	26"	PINE
7352	24"	PINE
7353	23"	PINE
7354	21"	PINE
7355	18"	PINE
7356	19"	PINE
7357	21"	PINE
7358	18"	PINE
7359	20"	ORNAMENTAL
7360	20"	PINE
7361	21"	PINE
7362	18"	PINE
7363	19"	PINE
7364	22"	PINE
7365	22"	PINE
7366	24"	PINE
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7368	22"	PINE
7369	18"	PINE
7370	20"	PINE
7371	20"	PINE
7372	20"	PINE
7373	20"	PINE
7374	19"	PINE
7375	19"	PINE
7376	20"	PINE
7377	19"	PINE
7378	18"	PINE
7379	19"	PINE
7380	24"	PINE
7381	19"	PINE
7382	18"	PINE
7383	18"	PINE
7384	20"	PINE
7385	20"	PINE
7387	26"	PINE
7388	20"	PINE
7390	25"	PINE
7391	19"	PINE
7392	19"	PINE
7393	24"	PINE
7394	19"	PINE
7395	18"	PINE
7396	27"	PINE
7397	20"	PINE
7398	19"	PINE
7399	18"	PINE
7400	23"	PINE
7401	28"	PINE
7402	18"	PINE
7403	19"	PINE
7404	20"	PINE
7405	20"	PINE
7406	22"	PINE
7407	24"	PINE
7408	24"	PINE
7409	18"	PINE
7411	26"	PINE
7412	25"	PINE
7413	29"	PINE
7414	28"	PINE
7427	33"	POPLAR
7428	12"	RED BUD
7429	10"	RED BUD
7432	20"	WHITE OAK
7433	15"	WHITE OAK
7434	16"	WHITE OAK
7435	14"	WHITE OAK
7436	16"	WHITE OAK
7438	25"	WHITE OAK
7440	32"	WHITE OAK
7441	48"	WHITE OAK
7443	14"	WHITE OAK
7456	30"	BASSWOOD

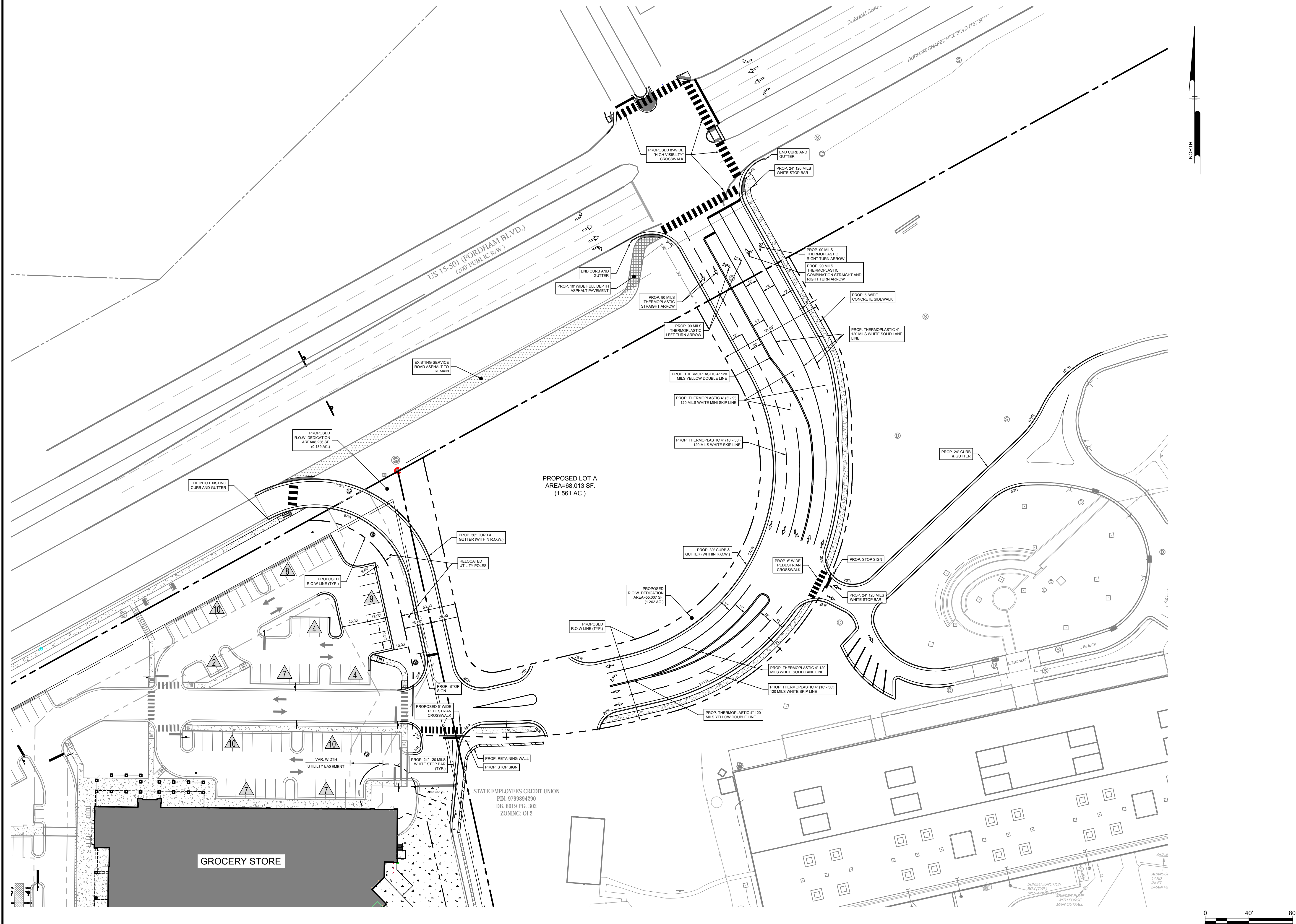
323

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PROJECT: **WCMNS10001**

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SHEET 3 OF 10



ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR
AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORK

1810 FORDHAM BLVD

1810 FORDHAM BLVD
CHAPEL HILL, NC 27514

SITE PLAN

WEGMANS FOOD MARKET

The Pennoni logo, featuring the word "Pennoni" in a bold, sans-serif font, enclosed within a tilted oval border.

ENN **N** **SS** **C** **ES NC.**
Firm License F-1267
5430 Wade Park Boulevard, #106
Raleigh, NC 27607
T 919.929.1173 F 919.493.6548

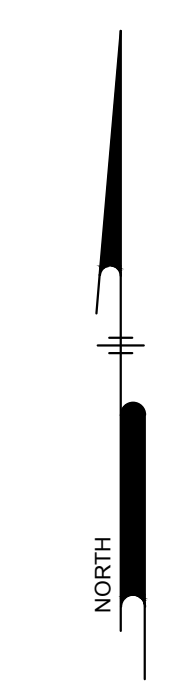
DATE	NO.	REVISIONS	BY
01/01/2018	000001		
01/01/2018	000002		
01/01/2018	000003		
01/01/2018	000004		
01/01/2018	000005		
01/01/2018	000006		
01/01/2018	000007		
01/01/2018	000008		
01/01/2018	000009		
01/01/2018	000010		

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PROJECT	WGMNS19001
DATE	2019-09-16
DRAWING SCALE	1"=40'
DRAWN BY	CJJ
APPROVED BY	JJB

[illegible]

SHEET 4 OF 10



N **C** **N** **C** **I** **N**

WEGMANS FOOD MARKET

1500 BROOKS AVE.
ROCHESTER, NY 14624

ENN ☐ **N** ☐ **SS** ☐ **C** ☐ **ES NC.**
5430 Wade Park Boulevard, #106
Raleigh, NC 27607
T 919.929.1173 **F** 919.493.6548

DATE	NO.	REVISIONS	BY
01/11/2011	000001		
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01/11/2011	000100		

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PROJECT	WGMNS19001
DATE	2019-09-16
DRAWING SCALE	1"=40'
DRAWN BY	CJJ
APPROVED BY	JJJ

C ☐ ☐ ☐ ☐ ☐
SHEET 5 OF 10

U:\projects\highway\wgms\wgms19001 - wgmns driveway with road design\wgms19001 - wgmns driveway with road design.dwg PLOTTED: 4/25/16 4:40 PM BY: Justin Brown PLOT STYLE: Pennon VCS.dwg PROJECT STATUS: SPECIAL USE PERMIT SUBMISSION



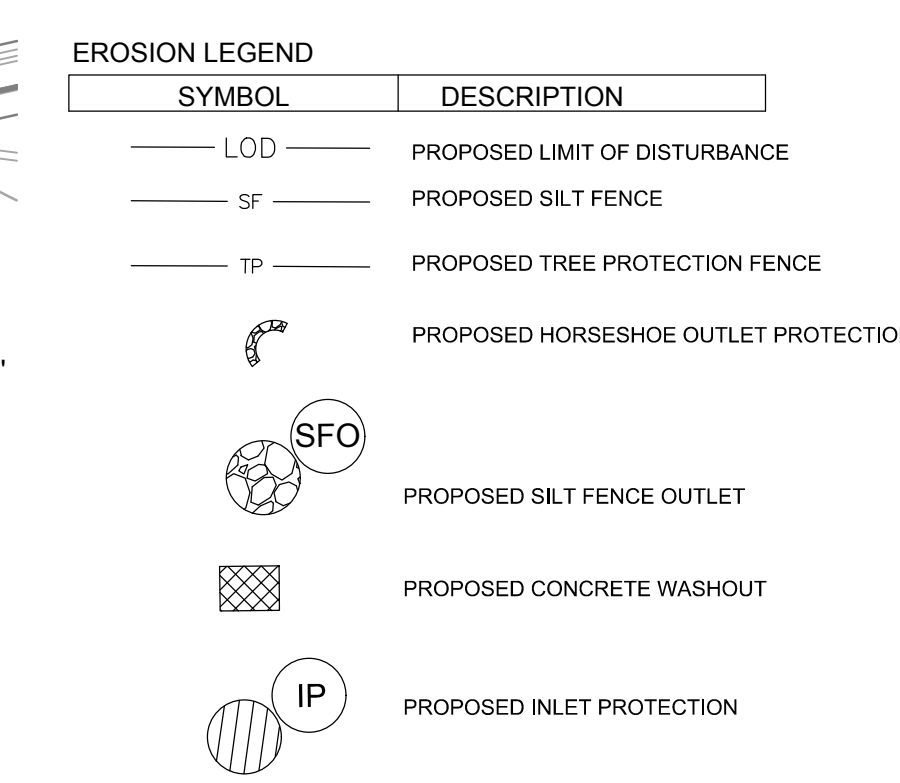
ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR
AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORK

WEGMANS/SECU DRIVEWAY IMPROVEMENTS 327
LANDSCAPE PLAN
WEGMANS FOOD MARKET
1500 BROOKS AVE.
ROCHESTER, NY 14624

NO.	DATE	REVISIONS	BY
1	2019-09-16	1	HSW
2	2019-09-16	2	HSW
3	2019-09-16	3	HSW
4	2019-09-16	4	HSW
5	2019-09-16	5	HSW
6	2019-09-16	6	HSW
7	2019-09-16	7	HSW
8	2019-09-16	8	HSW
9	2019-09-16	9	HSW
10	2019-09-16	10	HSW

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SOLE RISK AND WITHOUT LIABILITY OR LEGAL
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SHALL INDEMNIFY AND HOLD HARMLESS PENNONI
ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND
EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT WGMNS19001
DATE 2019-09-16
DRAWING SCALE 1" = 20'
DRAWN BY HSW
APPROVED BY HSW



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NORTH

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR
AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORK



WEGMANS/SECU DRIVEWAY IMPROVEMENTS

328

EROSION CONTROL PLAN

1810 FORDHAM BLVD
CHAPEL HILL, NC 27514

WEGMANS FOOD MARKET

1530 BROOKS AVE.

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
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PROJECT	WGMNS19001
DATE	2019-09-16
DRAWING SCALE	1"=40'
DRAWN BY	CJJ
APPROVED BY	JJB

C ☐ ☐ ☐ ☐ ☐
SHEET 8 OF 10

U:\Accounts\WG\WGNS\WGMS19001 - Wegmans Driveway with SEC\DESIGN\CS\WGMS - CS - GRADING BASE.dwg PLOTTED: 4/6/2016 4:40 PM, BY: Justin Brown PLOTSTYLE: Pennoni NCS.ctb PROJECT STATUS: SPECIAL USE PERMIT SUBMISSION



CONCRETE WASHOUT
TYPE "ABOVE GRADE" WITH EARTHEN
BERMS

N **C** **N** **C** **I** **N**

ALL DOCUMENTS PREPARED BY PENNION ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTERLODGED OR REPRESENTED AS SUCH. THEY ARE NOT TO BE REPRODUCED OR EXTENDED TO THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNION ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS RISK. PENNION ASSOCIATES ASSUMES NO LIABILITY FOR EXPOSURE TO PENNION ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNION ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	WGMNS19001
DATE	2019-09-16
DRAWING SCALE	1"=40'
DRAWN BY	CJJ
APPROVED BY	JUB



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 17., **File #:** [19-0891], **Version:** 1

Meeting Date: 10/30/2019

Concept Plan Review: Putt-Putt Fun Center and Storage Facility, 2200 Eubanks Road.

See the 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: Judy Johnson, Interim Planning Director

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

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



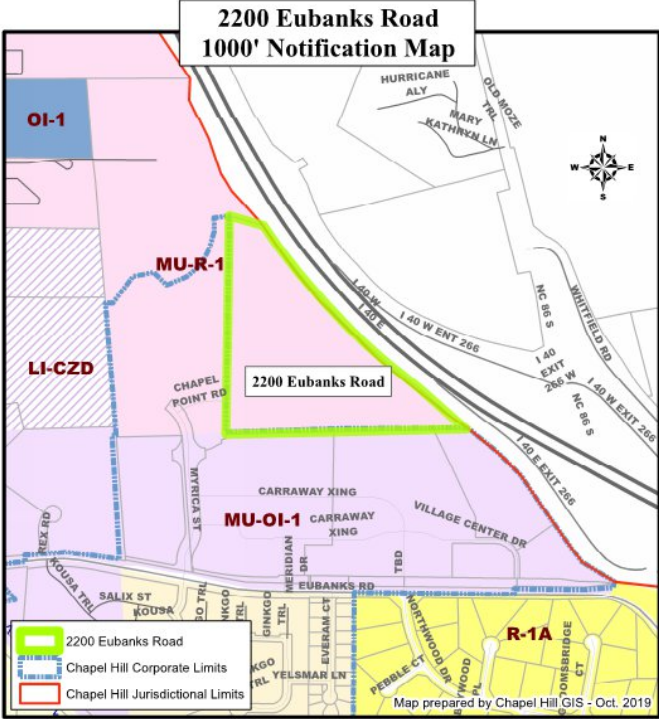
CONCEPT PLAN REVIEW: Putt-Putt Fun Center and Storage Facility, 2200 Eubanks Road

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT

Judy Johnson, Interim Director

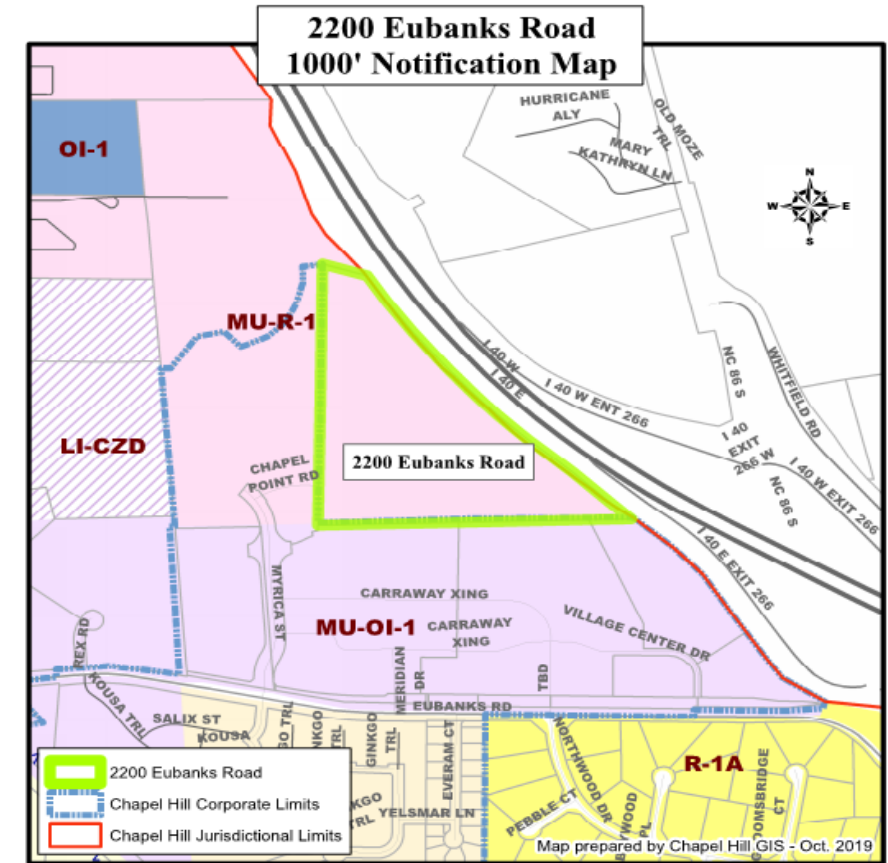
Kari Grace, Senior Planner

ADDRESS 2200 Eubanks Road	DATE October 30, 2019	APPLICANT Wendi Ramsden, Coulter Jewell Thames PA as agent for Optimal Ventures LLC
STAFF'S RECOMMENDATION That the Council adopt the resolution transmitting comments to the applicant.		
PROCESS <ul style="list-style-type: none"> Hear the applicant's presentation Receive Community Design Commission input (August 27, 2019 meeting) Hear public comments tonight Offer suggestions to the applicant <p>Comments Statements by individual Council members on a concept plan are not a commitment on an official position for a formal application.</p>	DECISION POINTS Staff advised the applicant to discuss their preferred process with Council.	
PROJECT OVERVIEW The Concept Plan includes: <ul style="list-style-type: none"> Rezoning Indoor recreation facility Outdoor recreation facility Conditioned self-storage facility <p>Proposed floor area: approximately 100,000 square feet Acres: approximately 19.4 acres Current zoning district: Mixed Use R-1 (MU-R-1) Proposed zoning district: Office Institutional- 2 (OI-2) with Planned Development-Mixed Use (PD-MU) overlay</p>	PROJECT LOCATION 	
ATTACHMENTS	<ol style="list-style-type: none"> Draft Staff Presentation Resolution A Community Design Commission Comments from August 27, 2019 Application Developer's Program and Statements of Compliance Plan Set 	

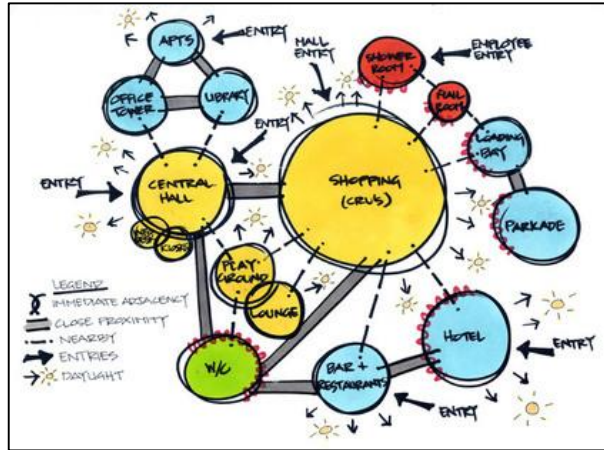


Putt-Putt Fun Center and Storage Facility Concept Plan

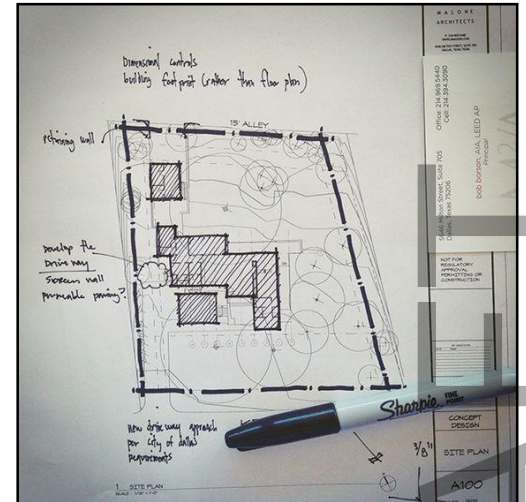
Town Council
October 30, 2019



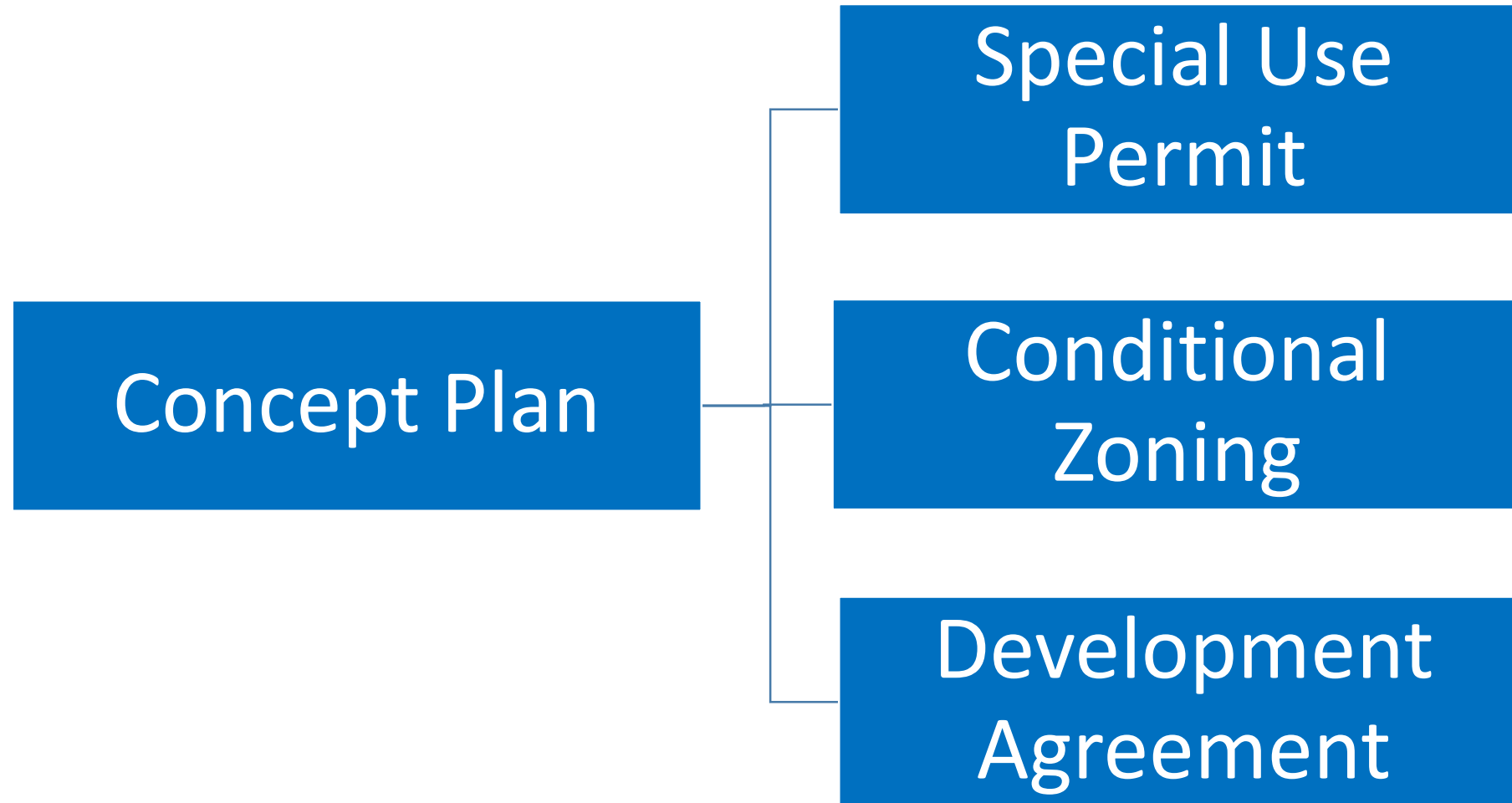
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Concept Plans



- No Decision; Feedback Only
 - Applicant presents rough initial sketch
 - Staff does not conduct formal review of concept
 - Instead forwards sketch for preliminary feedback



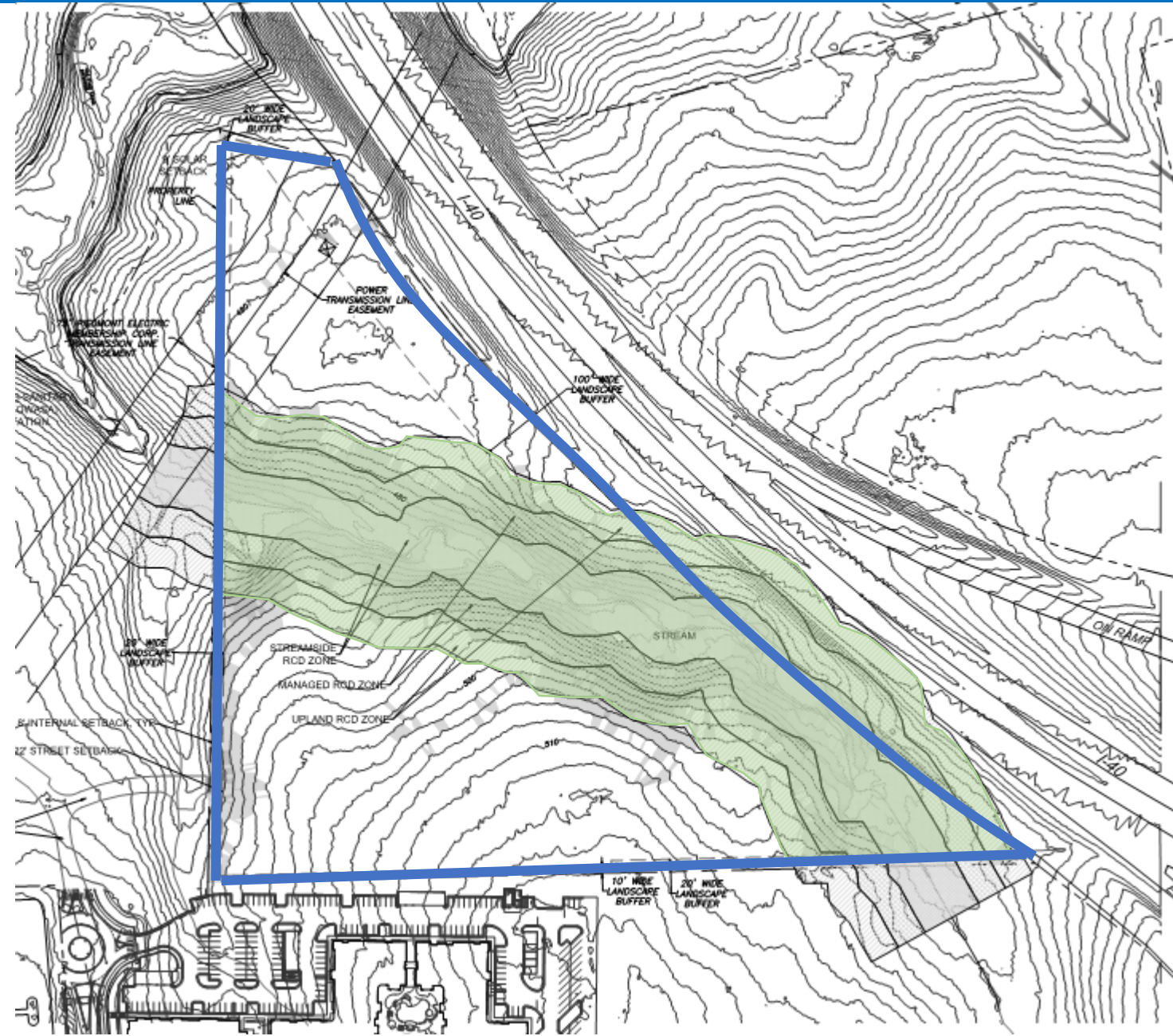
DRAFT

- Adopt Resolution, transmitting comments to the Applicant regarding the proposed development.

DRAFT

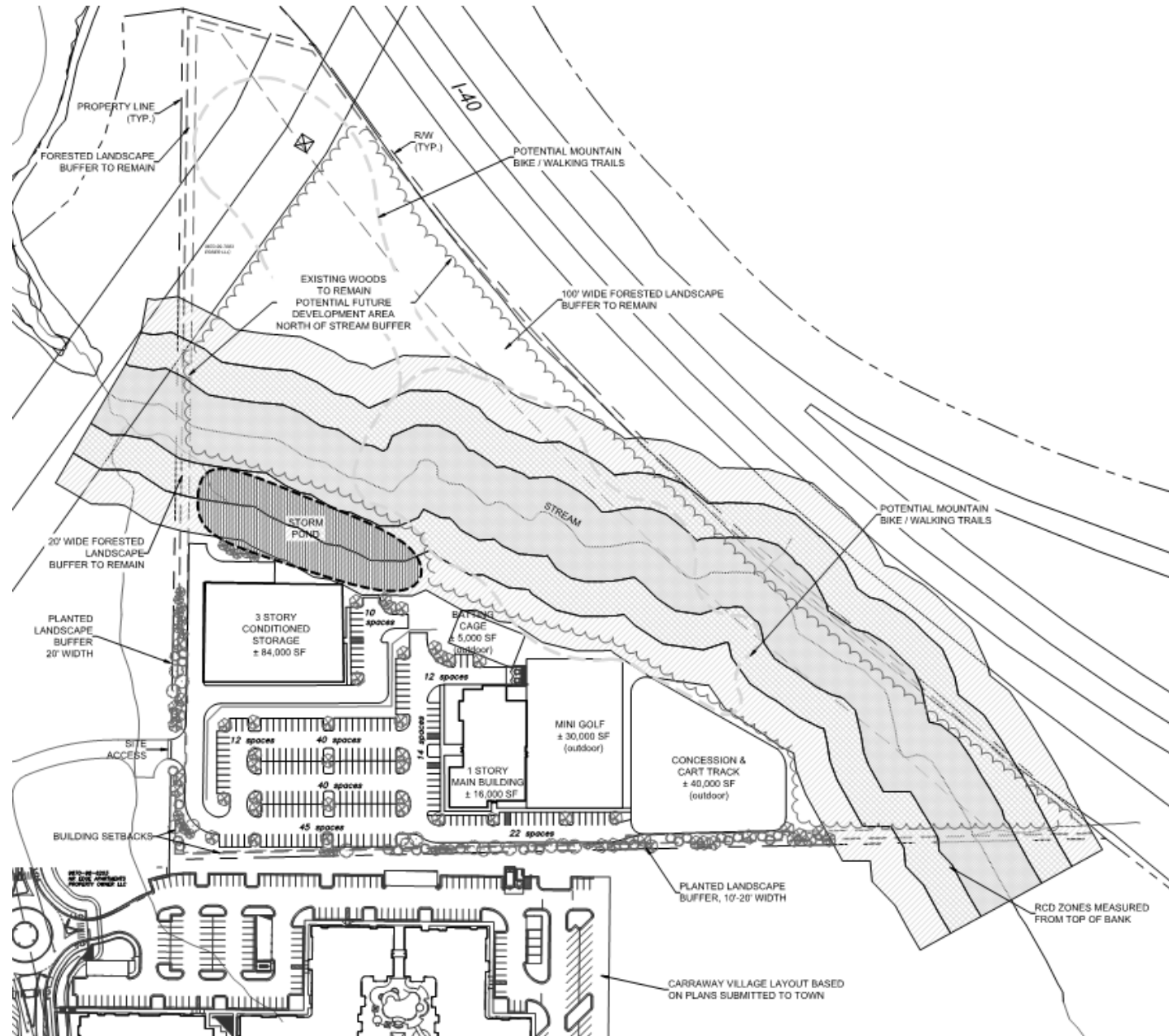
- Zoning:
 - Current: MU-R-1
 - Proposed: OI-2 with PD-MU
- Indoor and Outdoor Recreation Facility
 - ex. Laser tag, mini golf, go-kart, batting cages, bumper cars, bike and walking trails
- Conditioned Self-Storage Facility
- Approx. 100,000 SF total floor area

DRAFT



- Vacant, wooded
- Resource Conservation District (RCD)
- Transmission Power Line Easement
- Abuts I-40
- North of Carraway Village

DRAFT



DRAFT

- Community Design Commission – August 27th

DRAFT

- Adopt Resolution, transmitting comments to the Applicant regarding the proposed development.

DRAFT

A RESOLUTION TRANSMITTING COUNCIL COMMENTS ON A CONCEPT PLAN FOR PUTT-PUTT FUN CENTER AND STORAGE FACILITY, 2200 EUBANKS ROAD (2019-10-30/R-10)

WHEREAS, a Concept Plan has been submitted for review by the Council of the Town of Chapel Hill for the Putt-Putt Fun Center, PIN 9870-99-7083; and

WHEREAS, the Council has the opportunity tonight to hear this applicant's presentation, receive a set of comments from the Community Design Commission, hear public comments, and offer suggestions to the applicant; and

WHEREAS, the Council has heard presentations from the applicant and members of the public; and

WHEREAS, statements by individual Council members this evening are not an official position or commitment on the part of a Council member with respect to the position he or she may take when and if a formal application for development is subsequently submitted to the Council for formal consideration; and

WHEREAS, the Council has discussed the proposal, with Council members offering reactions and suggestions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council transmits comments to the applicant regarding this proposal, as expressed by Council members during discussions on October 30, 2019 and reflected in minutes of that meeting.

This the 30th day of October, 2019.

SUMMARY OF A CONCEPT PLAN REVIEW-Putt-Putt Fun Center COMMUNITY DESIGN COMMISSION

August 27th, 2019

The Community Design Commission conducted a concept plan review for Putt-Putt Fun Center on August 27th, 2019. The project proposes an entertainment venue. Key points made by members of the Commission about the concept plan include:

- Multiple members expressed appreciation for the recreational uses on site.
- Multiple members expressed concern over the noise and potential light spillage into the adjoining residential areas
- One member mentioned embracing the forested nature of the site. Instead of clearing the site, using the trees as an interesting design feature.
- Multiple members expressed concern over the size of the proposed buffers adjoining residential areas, citing inadequate size.
- Multiple members would like to see a strong pedestrian connection through Carraway Village and the Park and Ride.
- One member noted the desire to make the BMP a destination space for pedestrians.
- One member encouraged the use of pervious paving.
- Multiple members expressed appreciation for keeping the 100' buffer along I-40 intact.
- Multiple members felt surface parking was too dominant. One member suggested investigating underground parking.
- One member would like to see RCD and tree preservation areas put into a permanent conservation easement.
- One member recommended the applicant implement the Greenways Master Plan trails for this site and connect them to the trails at the nearby Town operations centers.



CONCEPT PLAN APPLICATION

Parcel Identifier Number (PIN): 9870997083

Date: 23 July 2019

Section A: Project Information

Project Name: Putt-Putt Fun Center

Property Address: none assigned

Zip Code: 27516

Use Groups (A, B, and/or C): B & C

Existing Zoning District: MU-R-1

Project Description: Development of a recreation center including mini golf, batting cages, go-kart area, and similar. Also a stand alone conditioned self storage facility

Section B: Applicant, Owner and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed)

Name: Wendi Ramsden, Coulter Jewell Thames PA

Address: 111 W Main Street

City: Durham

State: NC

Zip Code: 27701

Phone: 919-682-0368

Email: wramsden@cjtpa.com

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature:

Date:

7.23.2019

Owner/Contract Purchaser Information:

☐ Owner

☒ Contract Purchaser

Name: Optimal Ventures LLC, Attn Scott Morris

Address: 194 Finley Golf Course Road, Suite 102

City: Chapel Hill

State: NC

Zip Code: 27517

Phone: 919-942-1141

Email: smorris@morriscommercial.com

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature:

Date:

7/22/19



Concept Plan Project Fact Sheet

Site Description	
Project Name	Putt-Putt Fun Center
Address	undesignated
Property Description	Triangular parcel fronting I-40 north of new Carraway Village development
Existing Land Use	Vacant, forested
Proposed Land Use	Indoor and outdoor recreation, and conditioned self-storage facility
Orange County Parcel Identifier Numbers	9870997083
Existing Zoning	MU-R-1
Proposed Zoning	OI-2 with PD-MU overlay
Application Process	Concept Plan
Comprehensive Plan Elements	
Overlay Districts	

Topic	Requirement	Proposal	Status
Use/Density (Sec. 3.7)	Both uses allowed with the overlay	Rezone to OI-2 (to allow self storage) with PD-MU to allow recreation	
Dimensional Standards (Sec. 3.8)	OI-2 standards Street min 22' setback Interior min 8' setback Solar min 9' setback Height max 34', secondary 60'	Layout will meet OI-2 LUMO standards	
Floor area (Sec. 3.8)	OI-2 allows .264, or approximately 174,275 sf	100,000 sf building space shown	
Modifications to Regulations (Sec. 4.5.6)	As requested	No modifications expected at this time	Not required
Adequate Public Schools (Sec. 5.16)	N/A	No residential uses proposed	N/A
Inclusionary Zoning (Sec. 3.10)	N/A	No residential uses proposed	N/A
Landscape Sec. 5.6.2			
Buffer – North	20'	20'	
Buffer – East	100'	100'	
Buffer – South	10'-20'	10'-20'	
Buffer - West (Sec. 5.6.2)	20'	20'	



Tree Canopy (Sec. 5.7)	40%	Minimum 40% retained coverage	
Landscape Standards (Sec. 5.9.6)	Required	Landscaping will meet LUMO standards	
Environment			
Resource Conservation District (Sec. 3.6)	Present	Shown on plans. The stream determination will be updated at SUP phase, RCD zones will be provided	
Erosion Control (Sec. 5.3.1)	Required	Permit will be obtained	
Steep Slopes (Sec. 5.3.2)	Present	Expect <25% disturbance of steep slopes. Shown on plans.	
Stormwater Management (Sec. 5.4)	Required	Will be provided	
Land Disturbance		Will exceed 1 acre. Permit will be obtained	
Impervious Surface (Sec. 3.8)	.5/.7	Impervious surface will be less than .5	
Solid Waste & Recycling	Required	Will meet Town standards	
Jordan Riparian Buffer (Sec. 5.18)			
Access and Circulation			
Road Improvements	unknown	unknown	unknown
Vehicular Access (Sec. 5.8)	Required	Will be provided	
Bicycle Improvements (Sec. 5.8)	Required	Will be provided to meet the ordinance minimum requirements	
Pedestrian Improvements (Sec. 5.8)	Unknown	Unknown	
Traffic Impact Analysis (Sec. 5.9)	Unknown	Will be arranged at SUP phase as necessary	Will be done at SUP phase
Vehicular Parking (Sec. 5.9)	Undetermined	180-200 spaces	To be finalized at SUP phase
Transit (Sec. 5.8)	Distance from bus stop	1000' to park & ride	N/A
Bicycle Parking (Sec. 5.9)	Required	Will be provided to meet ordinance	
Parking Lot Standards (Sec. 5.9)	Yes	Parking design will meet Town standards	
Technical			



Fire	Required	Will be provided.	
Site Improvements			
Schools Adequate Public Facilities (Sec. 5.16)	N/A	N/A	N/A
Recreation Area (Sec. 5.5)	N/A	N/A	N/A
Lighting Plan (Sec. 5.11)	Required	Will be provided at SUP phase	UNK
Homeowners Association (Sec. 4.6)	N/A	N/A	N/A

Symbol	Meaning	Symbol	Meaning
	Meets Standard	M	Modification necessary
NA	Not Applicable	UNK	Not known at this time



Checklist

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning and Sustainability at (919)968-2728 or at planning@townofchapelhill.org.

X	Application fee (refer to fee schedule)	Amount Paid \$	380.00
X	Pre-application meeting – with appropriate staff		
X	Digital Files - provide digital files of all plans and documents		
X	Concept Project Fact Sheet		
X	Statement of Compliance with Design Guidelines (1 copies)		
X	Statement of Compliance with Comprehensive Plan (1 copies)		
N/A	Affordable Housing Proposal, if applicable (Rezoning Policy or Inclusionary Ordinance)		
X	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)		
X	Mailing fee for above mailing list	Amount Paid \$	23.00
X	Developer's Program – brief written statement explaining how the existing conditions impact the site design. Including but not limited to:		
	<ul style="list-style-type: none"> • Natural features of site • Access, circulation, and mitigation of traffic impacts • Arrangement and orientation of buildings • Natural vegetation and landscaping • Impact on neighboring properties • Erosion, sedimentation, and stormwater 		
X	Resource Conservation District, Floodplain, & Jordan Buffers Determination - necessary for all submittals		
X	Reduced Site Plan Set (reduced to 8.5"x11")		

Plan Sets (1 copies to be submitted no larger than 24"x36")

Plans should be legible and clearly drawn. All plan sets sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks and buffers
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable



Area Map

- a) Project name, applicant, contact information, location, PIN, & legend
- b) Dedicated open space, parks, greenways
- c) Overlay Districts, if applicable
- d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names.
- f) 1,000' notification boundary

Existing Conditions Plan

- a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
- b) Location of all existing structures and uses
- c) Existing property line and right-of-way lines
- d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
- e) Nearest fire hydrants
- f) Nearest bus shelters and transit facilities
- g) Existing topography at minimum 2-foot intervals and finished grade
- h) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries

Proposed Site Plan

- a) Existing building locations
- b) General location of proposed structures
- c) Parking areas
- d) Open spaces and landscaped areas
- e) Access points and circulation patterns for all modes of transportation
- f) Approximate locations of trails, pedestrian and bicycle connections, transit amenities, and parking areas
- g) Approximate location of major site elements including buildings, open areas, natural features including stream buffers, wetlands, tree stands, and steep slopes
- h) Proposed land uses and approximate location

Putt-Putt Fun Center

Concept Plan Application

23 July 2019

Developer's Program

The proposed Putt-Putt Fun Center project seeks to provide a variety of recreational uses including mini-golf, laser tag, bumper cars, an arcade/redemption prize area, a go-kart track and related facilities, batting cages, and other indoor and outdoor participatory facilities and activities in a tobacco-, smoke-, and alcohol-free atmosphere. It will also include dining space and event rooms. We are confident this location, until recently without public utilities or physical road access, is a very suitable and desirable geographic location within Chapel Hill to provide family-friendly amusement and entertainment activities which are not offered elsewhere locally.

The site will also provide a conditioned self-storage building, a use which is in demand by residents and business owners alike.

The parcel fronts the highway (I-40) and is easily accessible to Chapel Hill residents, as well as visitors from nearby centers via the new roads being built in Carraway Village. The site is a few minutes' walk to the existing Town Park & Ride facility and therefore accessible to town residents by public transit as well as other transportation options.

The property is a triangular parcel almost 19 acres in size with a stream and related buffer in the northern third. It has not historically had vehicular access as it fronts the I-40 but no other streets. With the construction of the Carraway Village project and construction of new public streets and right of way dedications, this parcel is now accessible and suitable for development.

The current concept includes plans for the development of the approximately 8 acres south of the stream and related buffer zones. It is intended that the outdoor facilities such as the go-kart area will be located adjacent to the non-residential buildings in Carraway Village. The uses adjacent to the residential parts of Carraway will be parking and indoor facilities. There will also be a conditioned self-storage building located along the western property line, currently adjacent to vacant land.

There are no current plans to develop the 4.5 acres of buildable area north of the stream but that may be developed in the future in a compatible use. As part of the current development plan, bike and walking trails may be incorporated into the outdoor recreation offerings and would be field located to minimize large tree removal, and tree clearing in general.

Putt-Putt Fun Center

Concept Plan Application

23 July 2019

Statement of Compliance with Comprehensive Plan

The proposed Putt-Putt Fun Center project is being designed to comply with the Town's 2020 Comprehensive Plan. We believe the development will meet 5 of the 6 goals identified and will not contradict the 6th.

- **A Place for Everyone**

Putt-Putt Fun Center will provide in Town a unique and inclusive indoor and outdoor recreational and participatory experience for all age ranges of individuals, groups, organizations, schools (public, charter, and private)/faith-based centers, and families including such activities as go-karts, mini-golf, batting cages, laser tag, bumper cars, an arcade and redemption/prize area, as well as accessory uses such as dining and event spaces in a wholesome environment free of tobacco, smoke and alcohol.(PFE.1) .

- **Community Prosperity and Engagement**

Putt-Putt Fun Center will provide recreation and entertainment facilities which are generally not offered elsewhere in town. Currently Chapel Hill residents travel to Durham, RTP and beyond for the proposed combination of activities. The project will apply for annexation into the Town and will be served by utilities from Eubanks Road and from the west. The project parcel is located outside Town limits but within the Urban Services boundary. The project will apply for annexation (CPE.1).

The project will provide wholesome and positive employment opportunities for teens and adults in the community, as well as provide access for local organizations to increase their fundraising and awareness efforts and outreach. area.

- **Getting Around**

Putt-Putt Fun Center will be located near the new Carraway Village development. There will be sidewalks on site which connect to the new pedestrian systems recently constructed here. The site is a few minutes' walk to the Town Park & Ride lot providing public transit access throughout Town and also to adjacent cities via the regional bus system. (GA.1, GA.2)

No greenway trails currently exist, but the project site would be designed to connect to planned greenways nearby and to the trails and pedestrian system within Carraway Village. There is also a possibility of bike and walking trails within the site.

- **Good Places, New Spaces**

This property has until recently lacked access to public utilities and was considered a rural (although not in the rural buffer) part of Chapel Hill. With the fairly recent construction of the CHCT Maintenance and CH Public Works operations center northwest of the site, and construction of Carraway Village to the south, the property now provides an opportunity to create an entertainment accessory use for the other developments and a destination use for the rest of the Town population. (GPNS.6 and GPNS.8)

- **Nurturing Our Community**

The project will implement sustainable design measures in an effort to lower the negative impact and maximize the long-term life cycle benefits to the Owner. These will include, but not be limited to the building materials, HVAC systems, lighting, and preservation of at least half of the existing forest. The project will install stormwater mitigation facility to treat runoff from impervious surfaces and will also protect the buffer adjacent to the jurisdictional stream on site (NOC.2). The project will retain more than the required amount of tree coverage as well as installing additional plantings. (NOC.3)

In addition to the sustainable building and development efforts, the project will incorporate eco-friendly amusement attractions as the majority of these small-scale attractions are electric and battery-powered. The preferred go-kart attraction equipment utilizes a gas-powered Honda engine with reduced engine noise and is CARB and EPA certified. This gas-powered engine was the test subject for a sound study completed in 2013 (which remains relevant to the current engine technology) that presented the findings that estimated overall daytime noise levels should be 15 dB(A) or more below the maximum allowable levels, while the estimated overall nighttime noise levels should be 10 dB(A) or more below the maximum allowable levels. The study tested the worst-case scenario (maximum number of karts operational for the maximum amount of time, which was 10 karts operational for 45 minutes per hour). The acceptable sound levels applicable for this study were defined as noise shall not exceed in any one hour between the hours of 7:00 a.m. and 10:00 p.m.: L_{50} - 55 dB(A), L_{10} - 60 dB(A), and L_{01} - 75 dB(A). The acceptable sound levels applicable for this study were defined as noise shall not exceed in any one hour between the hours of 10:00 p.m. and 7:00 a.m.: L_{50} - 50 dB(A), L_{10} - 55 dB(A), and L_{01} - 60 dB(A).

- **Town and Gown Collaboration**

The sixth goal does not apply to the proposed project. It is neither located near nor affiliated with the University. However, we anticipate and encourage a level of participation as applicable with UNC Chapel Hill in the form of employment opportunities, educational and organizational-related events/meetings, as well as other opportunities to promote collaboration and activity and leisure opportunities amongst the university's students, faculty, and staff.

Putt-Putt Fun Center

Concept Plan Application

23 July 2019

Statement of Compliance with Design Guidelines

The project site is a triangular parcel located on I-40 frontage just outside the Town limits in the northwest extents of Chapel Hill's jurisdiction. With the development of Carraway Village nearly complete, the parcel now has vehicular access from a new street known as Myrica Street and a short connector right of way still to be dedicated.

The Town has a Design Manual which regulates site design as it relates to services, utilities and landscaping.

Stormwater Treatment - The project will meet stormwater quantity and quality controls at the time of final plan development and approval. At the least it is expected that a surface pond will be required and this facility has been accommodated on the proposed layout plan.

Landscaping and tree protection - The project will meet all parts of this guideline including but not limited to: total tree coverage, parking lot screening, perimeter landscape buffers, landscaping around the building, street tree installation where needed, and storm pond plantings. It is expected that the retained tree coverage on site will be about 50%, exceeding the minimum requirement. Possible proposed uses for the RCD area and land to the north of the stream currently include trail uses which would be field located to avoid tree removal and grading. That area may be developed in compatible uses in the future, but tree coverage would be maintained to meet ordinance requirements.

Access and circulation - The project will be designed to comply with Town standards for circulation, parking, emergency access, and access for services such as utility maintenance and trash collection.

Parking and loading - The LUMO does not specify parking requirements for indoor and outdoor recreation uses. The owners expect the Putt-Putt Fun Center to function with 150-180 parking spaces, and the self-storage building to function with 10-20 parking spaces. The concept plan shows 195 parking spaces total.

Street lights, signs and markings - It is not anticipated that public street improvements will be required.

Utilities and easements - There is a major electric service corridor running diagonally through the northwest corner of the site. Development is not expected to intrude into that existing easement except for pedestrian and bike trails as allowed by Duke Energy and Piedmont Energy. New easements will be recorded as necessary for utility mains and stormwater mitigation facilities on site.

Solid waste management - Trash and recycling collection facilities will be provided on site and the facility and access to the facility will meet Town and County access and collection requirements. It is expected that the self-storage building will share trash and recycling facilities located on the Putt-Putt Fun Center portion of the site.

Surface Stormwater Management Facilities will be constructed to handle runoff from the Development and will meet the current storm management requirements.

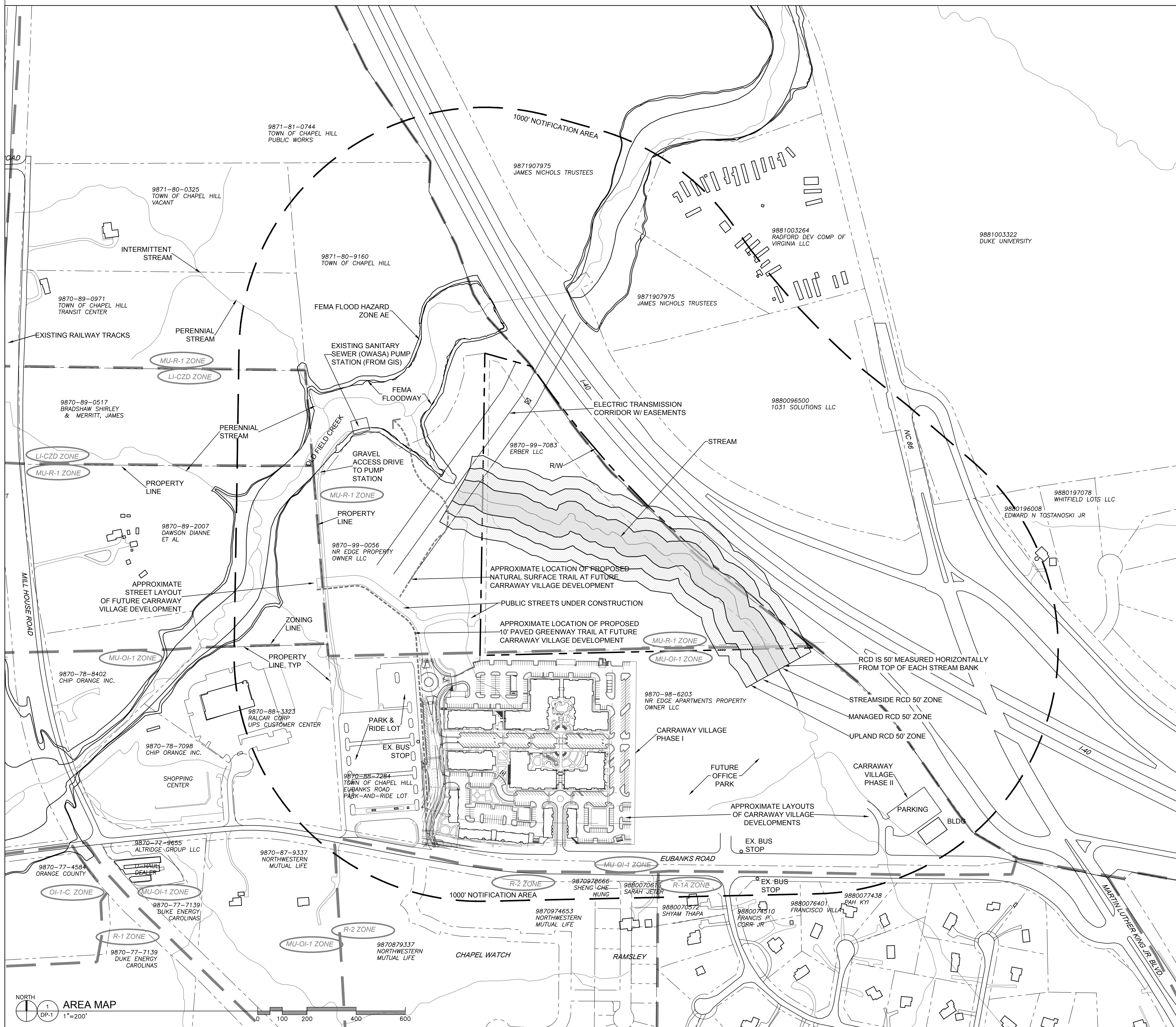
The majority of the RCD zones will remain forested and the minimum requirement of 40% tree coverage will be exceeded by existing forest to remain. It is expected that at least half the site will remain forested. Required buffers would be 10'-20' wide and the project design includes constructed buffers to meet those requirements. The buffer along the I-40 frontage would be 100' wide and is expected to remain in forest.

We look forward to working with the town in obtaining approvals of this new recreational facility to serve the Chapel Hill community.

PUTT-PUTT FUN CENTER

CHAPEL HILL, NC

CONCEPT PLAN APPLICATION



SITE DATA

PIN *9870997083*

ENVIRONMENTAL *JORDAN BUFFER*
CONSTRAINTS *RESOURCE CONSERVATION DISTRICT*

NET LAND AREA *844,031 SF / 19.376 AC*

EXISTING ZONING: *MU-R-1*
PROPOSED ZONING: *O1-2 WITH PD-MU OVERLAY*

EXISTING USE: *VACANT, WOODED*
PROPOSED USES: *INDOOR / OUTDOOR RECREATION SPACE*
CONDITIONED SELF-STORAGE

CONTACT INFORMATION

OWNER
ERBER LLC
3055 BIG RIDGE ROAD
BAKER, WV 26801

CONTRACT PURCHASER / DEVELOPER
OPTIMAL VENTURES LLC
194 FINLEY GOLF COURSE ROAD, SUITE 102
CHAPEL HILL, NC 27517
CONTACT: SCOTT MORRIS
smorris@morriscommercial.com
919-942-1141

APPLICANT / LANDSCAPE ARCHITECT
COULTER JEWELL THAMES PA
111 WEST MAIN STREET, DURHAM NC 27701
919-682-0368
CONTACT: WENDI RAMSDEN
wramsdenc@cjtpa.com

LIST OF SHEETS

- DP-1 COVER & AREA MAP
DP-2 EXISTING CONDITIONS PLAN
DP-3 CONCEPT PLAN



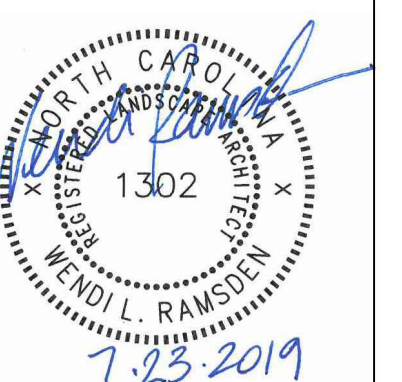
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Jewell
Thames P.A.

11 West Main Street
Durham, N.C. 27701
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919.688.5646
www.cjtpa.com

C BOARD OF EXAMINERS FOR
ENGINEERS AND SURVEYORS
C# C-1209

C BOARD OF LANDSCAPE
ARCHITECTS LIC#C-104

357



Project

Putt-Putt Fun Center

40 Fronta□e north o□
ubanks Road
hapel Hill, NC

N 9870997083

Job Number 1952

Drawn	WLR, MTC
Checked	WLR
Date	7/23/2019
Revisions	

CONCEPT PLAN APPLICATION
NOT ISSUED
FOR CONSTRUCTION

Sheet Title

COVER &
AREA MAP

Sheet Number

DP-1

LEGEND

- PROPERTY LINE
- BUILDING ENVELOPE
- · — PERENNIAL STREAM
- · · — INTERMITTENT STREAM
- BREAKPOINT BETWEEN PERENNIAL/INTERMIT. STREAM
- FEMA FLOODWAY OR FLOOD HAZARD AREA
- ▨ RESOURCE CONSERVATION DISTRICT STREAMSIDE ZONE
- ▨ RESOURCE CONSERVATION DISTRICT MANAGED ZONE
- ▨ RESOURCE CONSERVATION DISTRICT UPLAND ZONE

PIN 9870997083

ENVIRONMENTAL CONSTRAINTS JORDAN BUFFER RESOURCE CONSERVATION DISTRICT

NET LAND AREA 844,031 SF / 19.376 AC

EXISTING ZONING: MU-R-1

PROPOSED ZONING: OI-2 WITH PD-MU OVERLAY

2 DP-2 PARCEL DATA

- POTABLE WATER IS AVAILABLE TO THE PARCEL WITH A WATER MAIN EXTENSION.
- SANITARY SEWER IS AVAILABLE TO THE PARCEL WITH A SEWER MAIN EXTENSION.
- NATURAL GAS IS AVAILABLE TO THE SITE.
- ELECTRIC SERVICE IS AVAILABLE TO THE SITE.

3 DP-2 EXISTING SERVICES

The parcel is bisected by a perennial stream with floodplain and an RCD zone, 150' wide horizontally from the top of each stream bank. The developable land includes approximately 7 acres between the stream and the south property line, with a smaller buildable area approximately 2.5 acres north of the stream buffer.

Slopes: The steepest slopes are in the stream buffer and RCD zones. The south developable area has slopes of 5-15% with the steepest area located where the new public street meets the property. The area north of the stream buffer has slopes of 5-10%.

Vegetation: Site is entirely wooded except for the electric transmission corridor.

4 DP-2 SITE ANALYSIS

LEGEND

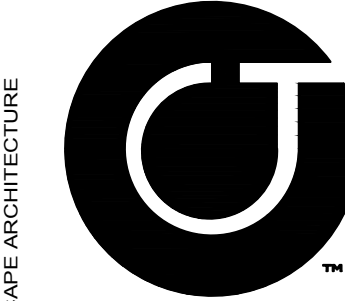
- ▨ SLOPES > 25%
14,240 SF
MINIMAL PROPOSED DISTURBANCE OF SLOPES >25%
- ▨ SLOPES 15%-25%
106,279 SF
PROPOSED 21,000 SF ESTIMATED DISTURBANCE (20%) OF SLOPES 15%-25%
- ▨ SLOPES 10%-15%
153,160 SF
PROPOSED 50,000 SF ESTIMATED DISTURBANCE (33%) OF SLOPES 10%-15%
- AREA NOT HATCHED
REPRESENTS SLOPES <10%
570,352 SF

5 DP-2 SLOPE SUMMARY

BASE NOTED TOPOGRAPHIC, PARCEL, AND SURROUNDING INFORMATION FROM ORANGE COUNTY AND CHAPEL HILL GIS AND FROM PLANS EITHER APPROVED OR CURRENTLY UNDER REVIEW BY THE TOWN OF CHAPEL HILL.

NORTH 1 DP-2 EXISTING CONDITIONS PLAN 1"=100'

0 50 100 200 300



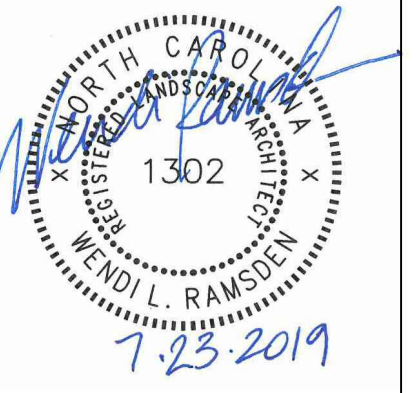
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Durham, N.C. 27701
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f 919.688.5646
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NC BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS
LIC# C-1209

NC BOARD OF LANDSCAPE ARCHITECTS
LIC#C-104

358



Project
Putt-Putt Fun Center

I-40 Frontage north of Eubanks Road
Chapel Hill, NC

PIN 9870997083

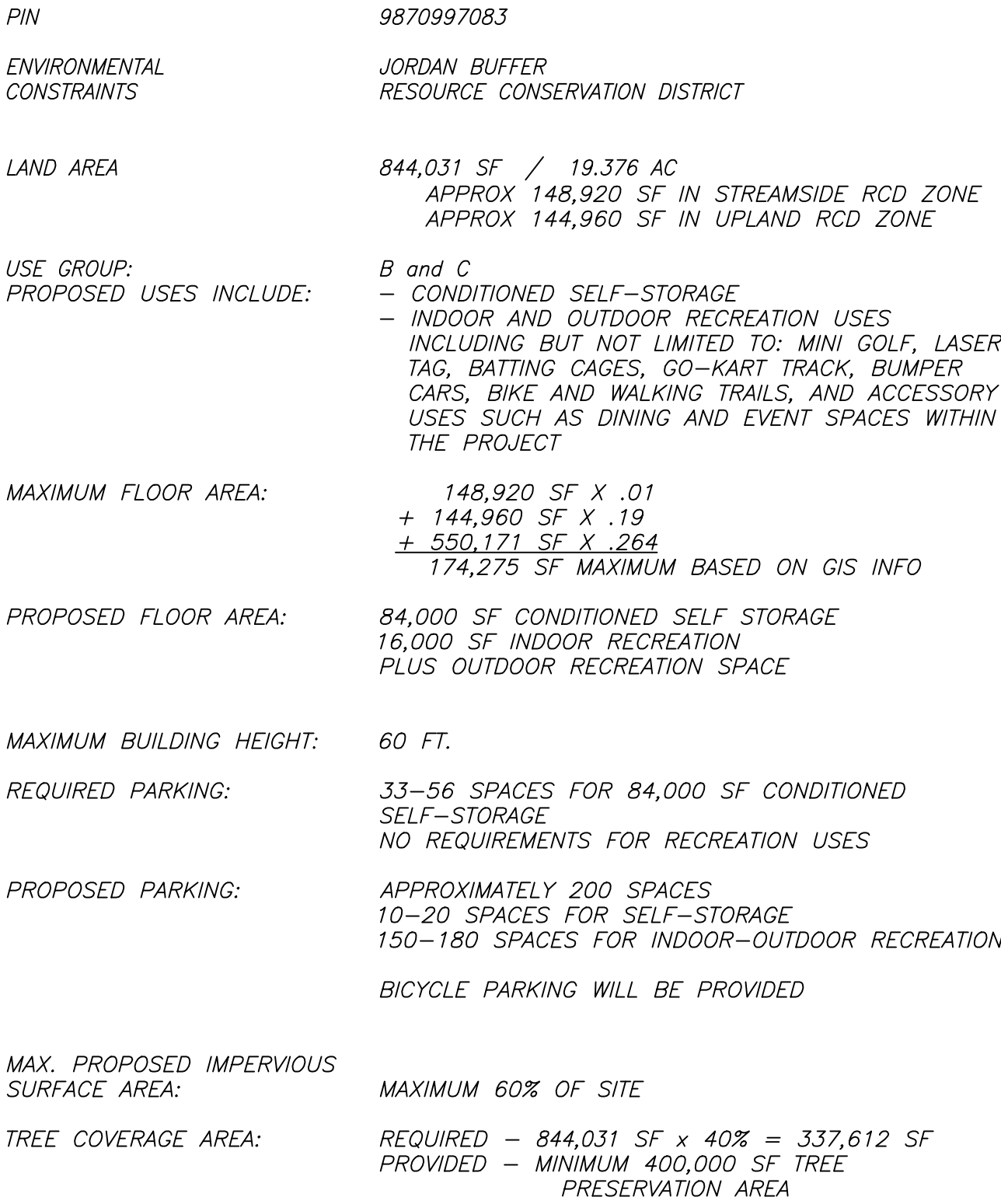
Job Number 1952

Drawn WLR, MTC
Checked WLR
Date 7/23/2019
Revisions

CONCEPT PLAN APPLICATION
NOT ISSUED
FOR CONSTRUCTION

Sheet Title
EXISTING CONDITIONS

Sheet Number
DP-2





TOWN OF CHAPEL HILL

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

Item Overview

Item #: 18., **File #:** [19-0892], **Version:** 1

Meeting Date: 10/30/2019

Appointments to the Transportation and Connectivity Advisory Board.

Staff:

Sabrina Oliver, Director/Town Clerk
Amy Harvey, Deputy Town Clerk
Alisha Cordell, Administrative Assistant

Department:

Communications and Public Affairs

Technology Solutions and CaPA

**Recommendation(s):**

That the Council make appointments to the Transportation and Connectivity Advisory Board for two (2) seats.

**Attachments:**

- Recommendation
- Ballot
- Applications

Note: Applications submitted prior to February 20, 2018 were completed before changes were made to the application and may appear incomplete.

MEMORANDUM

TO: Mayor and Town Council

FROM: Jason Merrill, Transportation and Connectivity Advisory Board Chair

SUBJECT: Recommendation for the vacancy(s)

DATE: September 24, 2019

RECOMMENDATION: The Transportation and Connectivity Advisory Board met on Tuesday, September 24, 2019 and by a unanimous vote made the following recommendation to the Town Council for consideration:

- Heather Brutz, Appointment, Bicycle Advocate

The Transportation and Connectivity Advisory Board met on Tuesday, September 24, 2019 and by a 4 to 1 vote made the following recommendation to the Town Council for consideration:

- Josh Mayo, Appointment, Town Resident

SPECIAL REQUEST(s): No comment.

BACKGROUND: There were five members of the Transportation and Connectivity Advisory Board present. Heather Brutz received a unanimous vote. Josh Mayo received 4 of 5 votes and Jack Whaley received one vote.

Note: Communications and Public Affairs notes that the Transportation and Connectivity Advisory Board reviewed the following applications: Heather Brutz, Josh Mayo, Rahi Patel, and Jack Whaley. Two additional applications were received between September 24, 2019 and October 23, 2019 from Nathan A Boucher and Neal Wolgin for the Transportation and Connectivity Advisory Board.

BALLOT

TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD

OCTOBER 30, 2019

Total Membership: 9 (Four (4) Town Residents, one (1) Bicycle Advocate, one (1) Greenways Advocate, two (2) Residents from Orange, Durham, Alamance, or Chatham county. In addition, one (1) will be appointed by the UNC Chapel Hill Student Body President.)

Current Membership: 7 (1 Female, 6 Male; 6 Caucasian and 1 Unknown; [1] 25-34, [4] 35-54), [1] over 55, and [1] Unknown)

Current Vacancies: 2 (1 Bicycle Advocate and 1 Chapel Hill Resident)

Number of Applicants: 6

Bicycle Advocate
Please vote for up to one (1) applicant.

_____ Heather Brutz
_____ Other; please list _____

Chapel Hill Resident
Please vote for up to one (1) applicant.

_____ Nathan Boucher	_____ Jack Whaley
_____ Josh Mayo	_____ Neal Wolgin
_____ Rahi Patel	
_____ Other; please list _____	

Council Member Signature

Profile

Whenever possible, applications should be submitted prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

bouchermailbox@gmail.com

Email Address

Nathan

First Name

A

Middle Initial

Boucher

Last Name

201 Westbury Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (919) 717-0555

Primary Phone

Home:

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Housing Advisory Board: Eligible

Transportation and Connectivity Advisory Board: Eligible

Question applies to Housing Advisory Board

Select a Seat Category for the Housing Advisory Board *

☒ Housing, Planning or Public Policy Expert

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Housing Advisory Board

How did you find out about this opportunity? (select all that apply by holding down the shift key)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

Veterans Administration and Duke U. School of Public Policy researcher focused social determinants of health, housing as healthcare, and care issues in aging. I am active on a local non-profit board, and municipal and state aging and serious illness steering committees.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Research scientist with VA Public policy professor I teach organizational ethics Experienced in grant writing Experienced administrator I am raising my family in Chapel Hill

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Social Scientist and Professor

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

Profile

Whenever possible, applications should be submitted prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

brutzh@gmail.com

Email Address

Heather

First Name

Brutz

Middle Initial

Last Name

303 Copperline Dr.

Street Address

Apt. G

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (240) 281-0234

Primary Phone

Business: (919) 515-0277

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Housing Advisory Board: Eligible

Transportation and Connectivity Advisory Board: Appointed

Question applies to Housing Advisory Board

Select a Seat Category for the Housing Advisory Board *

☒ Homeowner or Tenant

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply by holding down the shift key)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I used to work for the Transportation for America campaign within Smart Growth America. I was the Field Director for the campaign and worked to engage stakeholders that were supportive of transportation policies that promoted a transportation system that supported environmentally sound, equitable, economically strong communities. Some of the relevant work that I did there included education around well-designed streets that are safe for all users, including bicyclists and pedestrians (Complete Streets) and the importance of access to public transit. I am passionate about supporting a holistic approach to transportation that makes it possible for all people to have transportation options, including biking, walking, and transit. I conducted focused education on ways that our transportation system could better serve distinct populations, including minority populations in urban areas, senior citizens, people in rural areas, Millennials, and suburban commuters. I built coalitions that included representatives from organizations as diverse as the Nashville Chamber of Commerce, the Urban League, the Navajo Nation Department of Transportation, the AARP, and local and national bicycle and pedestrian advocacy groups. I believe strongly in seeking feedback from all stakeholders to create a holistic approach to a transportation system that benefits everyone. I currently am the Transportation Finance and Operations Manager at the NC Clean Energy Technology Center, where I work with both private and public fleets across the state on ways that they can implement clean transportation technologies. In my current position, I have done research for the U.S. EPA on smart mobility initiatives across the United States. I wish to work to ensure that our transportation system in Chapel Hill is meeting the needs of all residents, including (but not limited to) students, low-income residents, senior citizens, and local businesses. I will actively seek feedback from a diverse range of stakeholders, using my experience in coalition-building around transportation to seek common ground so that decisions are made that best meet everyone's needs. I am equally happy to serve on the Transportation and Connectivity Advisory Board or the Housing Advisory Board. With regards to my experience on housing, I am co-chair of the Housing Committee for the Chapel Hill-Carrboro NAACP, where I work in solidarity with low-income residents of Chapel Hill to elevate their concerns as housing decisions are made.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have been transit dependent in Chapel Hill in the past and still use transit a couple times per month.

[Heather Brutz resume.doc](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Female

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Sustainable Transportation
Specialist

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.” Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

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HEATHER BRUTZ

brutzh@gmail.com
 (240) 281-0234
[linkedin.com/in/hbrutz](https://www.linkedin.com/in/hbrutz)

EDUCATION

UNIVERSITY OF NORTH CAROLINA, Kenan-Flagler Business School – Chapel Hill, NC 2015
Master of Business Administration (MBA), Full-Time Program

- Beta Gamma Sigma member—awarded to the top 20% of the graduating class

WILLIAMS COLLEGE – Williamstown, MA 2002
Bachelor of Arts, Political Science and Environmental Studies, graduated *cum laude*

EXPERIENCE

NC CLEAN ENERGY TECHNOLOGY CENTER, NC STATE UNIVERSITY – Raleigh, NC Current
Clean Transportation Program Manager

- Provided technical assistance to businesses and government agency fleets on implementation of clean transportation technologies
- Directed the NC Smart Fleet initiative and increased the number of participating fleets by 55%
- Wrote textbook for national fleet management organization on sustainable fleet management

UNC KENAN-FLAGLER SUSTAINABILITY CAPSTONE – Chennai, India and Eastern NC 2015
Student Consultant

- Investigated options for a water ferry system on the Albemarle Sound and recommended option for further investigation
- Researched market for off-grid solar products in India for a multinational solar company

DUPONT – Wilmington, DE 2014
Market Driven Leadership Development Program Intern, DuPont Photovoltaic Solutions

- Identified potential new markets in U.S. and Europe for a protective film, including an emerging field with the potential to be a \$50M market
- Created idea for potential new product working in conjunction with 4 scientists and engineers and created roadmap for further testing and development steps

TRANSPORTATION FOR AMERICA – Washington, DC 2010-2013
Deputy Field Director (2012-2013)

- Created and implemented outreach strategies for the 8-person field team to build bipartisan support for federal transportation policies that promote local control, economic development, and public health

Regional Organizer (2010-2012)

- Built relationship with and mobilized stakeholders in southern and western states, including Tennessee, Florida, New Mexico, Idaho, South Dakota, and Washington
- Supervised organizers in California, Montana, Minnesota, Oregon

PARTNERSHIP PROJECT – Washington, DC 2009-2010
Nonprofit organization that coordinates the advocacy efforts of national environmental organizations
Clean Energy Works Field Coordinator

- Managed the development of a database to track the coordinated actions of 220 field organizers in 10 environmental organizations to build support for a federal comprehensive clean energy and climate bill
 - Organized a DC Lobby Day with over 200 businesses encouraging Congress to pass a climate bill
-

ADDITIONAL

- Fluent in Spanish



STATE OF NORTH CAROLINA
COUNTY OF ORANGE

OATH OF OFFICE

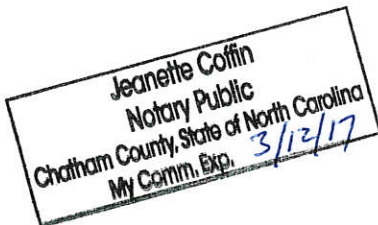
I, Heather Brutz, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Transportation and Connectivity Advisory Board, so help me God.

Heather M. Brutz
Signature

The above oaths were subscribed and sworn to before me this the 29th day of November, 2016.

Jeanette Coffin
Notary Public

My Commission Expires 3/12/17



Profile

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Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

ncjmayo@gmail.com

Email Address

Josh

First Name

Mayo

Middle Initial

Last Name

2516 Homestead Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (919) 928-4641

Primary Phone

Home:

Alternate Phone

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What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply by holding down the shift key)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am an urban planning student focused on transportation planning, and I believe I would bring a combination of a fresh look and a growing knowledge of the subject to the board. I am both a UNC student and a Chapel Hill native, which enables me to see the differences and challenges facing both of these populations. I also live along the MLK corridor, a key area in recent transportation efforts.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Masters candidate at the UNC-Chapel Hill Department of City and Regional Planning

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

☒ Other**Gender**

☒ Male**If other, please describe:**

Please select your age from the following list. *

☒ 18-24**Student**

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

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Profile

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Public Records Statement

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☒ I Agree

rahi9507@gmail.com

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Rahi

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Patel

Middle Initial

Last Name

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City

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State

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Postal Code

Home: (704) 241-3417

Primary Phone

Home:

Alternate Phone

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What district do you live in? *

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If you are a Chapel Hill Resident, How long have you lived here?

☒ 1-3 years

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Which Boards would you like to apply for?

Planning Commission: Eligible

Transportation and Connectivity Advisory Board: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply by holding down the shift key)

☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Former member of planning commission- Travis Crayton

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

As a student, I am interested in how the town's long term plans can be leveraged to encourage active transportation and transit connectivity, provide affordable housing for students and other residents, and protect existing residents from displacement.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have experience working in the transportation planning field at the federal level. As a federal employee, I had the opportunity to engage with projects from a variety of cities and states across the U.S. I also had the opportunity to observe how agencies across jurisdictions collaborate to implement and plan projects, which I believe would be valuable experience to bring to the Planning Commission. Outside work experience, I have an interest in planning, design, and architecture which I have pursued academically. My coursework has given me an overview of the community engagement and design strategies that are at the forefront of current planning discourse.

[PatelRahi_PlanningCommission_Resume.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

☒ Asian or Pacific Islander

Gender

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 18-24

Student

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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Rahi Patel

University of North Carolina at Chapel Hill, Class of 2021

(704) 241-3417 | rahip@live.unc.eduwww.linkedin.com/in/rahi-patel**WORK EXPERIENCE****U.S. Dept. of Transportation, Volpe National Transportation Systems Center, Student Trainee-Economist | May 2019-August 2019**

- Worked in the Transportation Planning Division. Work included: Researching active transportation planning options for the National Park Service Washington Support Office, developing Safety and Partnership sections for the National Park Service Alaska Region's Long Range Transportation Plan, writing a carbon emissions reduction report for the City of Cambridge municipal fleet, analyzing waste hauling truck safety options for the New York City Business Integrity Commission, and supporting U.S. DOT projects in collaboration with the Association for Southeast Asian Nations Smart Cities Initiative.

St. Gabriel Mercy Center Youth Summer Enrichment Program Teacher | May 2018-July 2018

- Developed and executed lesson plans for a summer youth program in Mound Bayou, Mississippi.

MIT Launch Application Reviewer. | 2016-April 2017 | Nov. 2017-April 2018

- Evaluated applicants based on past entrepreneurial experience, capacity for collaboration, and personal ambition/skills.

EDUCATION & AWARDS**University of North Carolina at Chapel Hill | 2017-2021 | 3.83 GPA**

- **BA, Economics & BA, Urban Studies and Planning Candidate:** *Urban Planning Degree is Interdisciplinary Studies Degree, comprised of UNC Urban & Regional Planning, UNC Geography, UNC Environment and Ecology, and Duke Art, Art History, & Visual Studies Departments*
- **Robertson Scholars Leadership Program:** *The Robertson Scholarship is a full merit scholarship program at Duke University and the University of North Carolina at Chapel Hill. The program requires a semester in residence at the "sister campus" and provides full access to programs and courses at both institutions.*
- 1st Place: UNC Public Administration Leadership Challenge | 2017

RELEVANT COURSEWORK

- PLAN636: Urban Transport Planning, *Prof. Noreen McDonald*
- PLAN651: Urban Design, *Prof. Andrew Whittemore*
- PLAN761: Housing and Public Policy, *Prof. Roberto Quercia (ongoing)*
- ECON345 (Duke University): Urban Economics, *Prof. David Becker*

EXTRACURRICULAR ACTIVITIES**University of North Carolina Honor System, Counsel-Attorney General's Staff | 2017- Present**

- Investigate and defend fellow students accused of Honor Code violations before the UNC student-run Honor Court.

University of North Carolina Parr Center for Ethics, Undergraduate Fellow | 2017-2018

- Help the Parr Center create and implement new programs across campus, Chapel Hill, the state, and the country. Primary role in the planning, organization, and case writing for the National High School Ethics Bowl competition.

Profile

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Public Records Statement

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☒ I Agree

jlwhaley@mindspring.com

Email Address

Jack

First Name

L

Middle Initial

Whaley

Last Name

117 Gunston Court

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (919) 260-0260

Primary Phone

Home: (919) 648-1288

Alternate Phone

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What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

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Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply by holding down the shift key)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am applying for the newly created Public Transit seat. Until August 2018, I was a ride to work at university ride, first from Raleigh Road to campus, later from Booker Creek. However, last in August of 2018, now retired with an unexpected financial burden, my car died and I can't repair or replace. I have been using area public transportation exclusively since and learned a lot more than I suspect most about the good and the seriously needs improvement with public transit. Uber, Lyft, cabs are not a viable option financially. For twenty years, I was the director of student services at a department in Gillings School of Global Public Health. While I no longer get direct student input, I am now more aware of the transportation issues of students, especially graduate and professional students and even more so, international arrivals who come from come from countries that have extensive public transit, most 24/7-365. This is the perspective that I bring, that of a regular rider of necessity and one aware of needs of many others, as well as the disdain for using the system by folks in intown neighborhoods.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I can use the standard MS Office. With last job, I organized open house events, and advertised department functions electronically as well as posters. I'm accustomed to making public talks to sizable groups. Further, I talk literally to everyone on buses, sitting on our infamous campus walls from the well-heeled to the homeless. I play with an area Chinese band when I can get to rehearsals, which is very seldom now as practice is in Cary on Sunday. I have helped with one political campaign as well as attending/performing/helping with several area cultural events.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

retired UNC-CH staffer

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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Profile

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☒ I Agree

neal@ti-law.com

Email Address

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First Name

Wolgin

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Middle Initial

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City

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State

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Home: (919) 321-6245

Primary Phone

Home:

Alternate Phone

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What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Historic District Commission: Eligible

Transportation and Connectivity Advisory Board: Eligible

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Historic District Commission

How did you find out about this opportunity? (select all that apply by holding down the shift key)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a long-time resident, and student/keen observer of transportation policy at the local and state level. I believe there are opportunities for improvement in our current local transportation infrastructure.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have an engineering background, good visualization skills, excellent budgetary skills, and knowledge of transportation construction issues.

Question applies to Historic District Commission

Do you have special interest, experience, or education in history, architecture, archaeology, or related fields? If yes, please explain.

I have an interest in local history, historic preservation, and architecture, as well as practical experience in construction trades.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

Attorney

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.