



TOWN OF CHAPEL HILL

Town Council Meeting Agenda

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

Mayor Pam Hemminger
Mayor pro tem Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh

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

Wednesday, June 15, 2022 7:00 PM

Virtual Meeting

Language Access Statement

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

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

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

如需口头或
书面翻译服
务，请拨打
919-969-5105.

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

Virtual Meeting Notification

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

The public is invited to attend. The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council business meetings and work sessions. Please participate in a voluntary demographic survey <https://www.townofchapelhill.org/demosurvey> before accessing the Zoom webinar registration. After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 874 4051 1389

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

OPENING

ROLL CALL

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

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

ANNOUNCEMENTS BY COUNCIL MEMBERS

CONSENT

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

- 1.** Approve all Consent Agenda Items. [\[22-0542\]](#)

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.
- 2.** Authorize the Disposition of a Surplus Stormwater Division's Street Sweeper. [\[22-0543\]](#)

By adopting the resolution, the Council declares the 2008 International Street Sweeper truck as surplus and authorizes its sale in an online auction through www.GovDeals.com.
- 3.** Authorize the Town Manager to Award a Bid for Construction of Homestead and Seawell School Sidewalk Projects with a Not-to-Exceed Amount of \$2,153,448. [\[22-0544\]](#)

By adopting the resolution, the Council authorizes the Town Manager to award a bid for the construction of the Homestead and Seawell School Sidewalk Projects with a not-to-exceed amount of \$2,153,448.
- 4.** Authorize the Town Manager to Negotiate and Execute a Construction Contract for the Post Office/ Courthouse Roof Replacement and Cupola [\[22-0545\]](#)

Refurbishment and Other Exterior Building Envelope Repairs Project. (distributed 6/14/22)

By adopting the resolution, the Council authorizes the Town Manager to negotiate and execute a construction contract for the Post Office/ Courthouse Roof Replacement and Cupola Refurbishment and Other Exterior Building Envelope Repairs Project.

- 5.** Authorize the Mayor to Execute a Revised Memorandum of Understanding for the Orange County Partnership to End Homelessness. [\[22-0546\]](#)

By adopting the resolution, the Council approves the updated Memorandum of Understanding with the Orange County Partnership to End Homelessness.

- 6.** Amend the Personnel Ordinance to Convert the Funeral Leave to a Broader Personal Leave. [\[22-0547\]](#)

By enacting the ordinance, the Council amends the Code of Ordinances to grant employees Personal Leave.

- 7.** Submit Public Comments to the North Carolina Utilities Commission Concerning Duke Energy's Carolinas Carbon Plan. [\[22-0548\]](#)

By adopting the resolution, the Council supports a joint letter with other North Carolina local governments to submit public comments to the North Carolina Utilities Commission concerning Duke Energy's Carolinas Carbon Plan.

- 8.** Continue the Evidentiary Hearing for the Special Use Permit Modification for Chapel Hill North at 1800 Martin Luther King Jr. Blvd to September 28, 2022 [\[22-0549\]](#)

By adopting the resolution, the Council continues the evidentiary hearing for the proposed Chapel Hill North Special Use Permit Modification application to September 28, 2022.

- 9.** Call a Legislative Hearing to Consider Annexing Property at 2200 Eubanks Road on September 14, 2022. [\[22-0550\]](#)

By adopting the resolution, the Council schedules a legislative hearing to consider annexing property at 2200 Eubanks Road, also known as the 'Putt Putt Fun Center' site, on September 14, 2022.

- 9.01** Adopt a Resolution Supporting a Grant Application to the Governor's Highway Safety Program. (distributed 6/14/22) [\[22-0563\]](#)

By adopting the resolution, the Council approves the grant application to the Governor's Highway Safety Program in the amount of \$60,500.

INFORMATION

- 10.** Receive Upcoming Public Hearing Items and Petition Status List.

[\[22-0551\]](#)

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

DISCUSSION

SPECIAL USE PERMIT

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

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

- 11.** Close the Evidentiary Hearing and Consider an Application for Special Use Permit Modification - Fifth Third Bank, 1800 Fordham Boulevard.

[\[22-0552\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

Swearing of all persons wishing to present evidence

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

RECOMMENDATION: That the Council adopt Revised Resolution A, approving the application.

ZONING ATLAS AMENDMENTS

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

opinions, when making Legislative decisions.

- 12.** Close the Legislative Hearing and Consider an Application for Conditional Zoning for the Gimghoul Castle located at 742 Gimghoul Road from Residential-1 (R-1) to Office/Institutional-1-Conditional Zoning District (OI-1-CZD).

[\[22-0553\]](#)

PRESENTER: Anya Grahn, Principal Planner

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

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

- 13.** Continue the Legislative Hearing for a Conditional Zoning Application - 101 E. Rosemary Street from Town Center-2 (TC-2) to Town Center-3-Conditional Zoning District (TC-3-CZD).

[\[22-0554\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to continue the Legislative Hearing until September 14, 2022.

RECOMMENDATION: That the Council continue the legislative hearing to September 14, 2022 to consider adopting Resolution A and enacting Revised Ordinance A, approving the Conditional Zoning Application.

CONCEPT PLAN REVIEWS

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

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

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

14. Concept Plan Review: Huse Street Residential.

[22-0555]

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Review of process
- b. Presentation by the applicant
- c. Comments from the Community Design Commission, Housing Advisory Board, and Stormwater Management Utility Advisory Board
- 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.

15. Concept Plan Review: Barbee Chapel Apartments.

[22-0556]

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Review of process
- b. Presentation by the applicant
- c. Comments from the Community Design Commission, Housing Advisory Board, and Stormwater Management Utility Advisory Board
- 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

16. Appointments to the Chapel Hill Downtown Partnership. [\[22-0557\]](#)
17. Appointments to the Environmental Stewardship Advisory Board. [\[22-0558\]](#)
18. Appointments to the Justice in Action Committee. [\[22-0559\]](#)
19. Appointment to the Orange Water and Sewer Authority Boards of Directors. [\[22-0560\]](#)
20. Appointments to the Planning Commission. [\[22-0561\]](#)

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