

John Richardson

From: Catherine Lazorko
Sent: Wednesday, August 26, 2015 3:58 PM
To: John Richardson
Subject: FW: email..RE: Bed & Breakfast

Follow Up Flag: Follow up
Flag Status: Completed

Categories: LUMO

FYI

From: Jeanette Coffin
Sent: Wednesday, August 26, 2015 3:55 PM
To: John May
Cc: Kay Pearlstein; Donna Bell; Ed Harrison; George Cianciolo; Jeff Deluca; Jim Ward; jim ward; jimward; Lee Storrow; Maria Palmer; Mark Kleinschmidt; Pat Madej; Rae Buckley; Sally Greene; Town Council; Adam W. Jones ; David Alan Schwartz ; Gary Kahn ; Jessica Anderson ; Michael Parker ; Nancy E. Oates ; Pam Hemminger ; Paul Neebe ; Amy Harvey; Carolyn Worsley; Catherine Lazorko; Flo Miller; Jason Damweber; Ralph Karpinos; Roger Stancil; Sabrina Oliver
Subject: email..RE: Bed & Breakfast

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

If your email is related to a development application or a particular issue being addressed by the Council, your comments will be made part of the record. If applicable, we encourage you to attend any public meetings related to the items addressed in your email.

Again, thank you for your message.

Sincerely,

Jeanette Coffin



Jeanette Coffin
Receptionist/Secretary
[Town of Chapel Hill Manager's Office](#)
[405 Martin Luther King Jr. Blvd.](#)
[Chapel Hill, NC 27514](#)
(o) 919-968-2743 | (f) 919-969-2063

From: John May [<mailto:John@peaches-n-cream.com>]
Sent: Wednesday, August 26, 2015 12:53 PM
To: Town Council
Subject: Bed & Breakfast

To whom it may concern,

Four years ago my wife and I purchased and renovated a house in the Chapel Hill historic district. The house was built in 1924, and, little did we know, it was essentially a “tear-down.” It had been a student rental for years. We spent over a million dollars on the renovation; we love it; and we’re very proud of it.

We were drawn to Chapel Hill and to the historic district because of the small-town, downtown character. It is unique and very precious. In the past there has been “commercial creep” into the historic residential areas. As much as I love UNC, it is to blame for some of this. Two formerly single family homes in our neighborhood are UNC offices, and Brooks Hall (UNC Press) was built in an historic residential area over the objections of the Historic District Commission. Religious organizations have “commercialized” several other historic district homes, including one in our neighborhood.

Do we want to preserve what remains of residential downtown Chapel Hill? Of course. Commercialization of residential downtown is a slippery slope that chips away at the small town Chapel Hill character that is our very trademark. Make no mistake, a Bed & Breakfast is as commercial an establishment as a doctor’s office or insurance agency. Were one to suddenly appear across the street or next door, my wife and I would be devastated, and the investment we’ve made in our home would doubtless be diminished.

Please take this into consideration when considering the new Bed & Breakfast proposal.

Respectfully,
John May
519 Senlac Road
Chapel Hill NC 27514

John Richardson

From: Advisory Boards
Sent: Wednesday, August 26, 2015 11:11 AM
To: 'Deborah Harris'; 'Elizabeth Webber'; 'Melissa McCullough'; 'Neal Bench'; 'Travis Crayton'; Michael Parker; 'Amy Ryan'; George Cianciolo
Cc: Gene Poveromo
Subject: FW: Planning Commission

FYI

Regards,



Jennifer Phillips
Community Participation Coordinator
Communications & Public Affairs
405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

Town of Chapel Hill | www.townofchapelhill.org
t: 919-969-5014 | jphillips@townofchapelhill.org

From: Edwin Poston [mailto:edwinposton@gmail.com]
Sent: Tuesday, August 25, 2015 9:42 AM
To: Town Council; Advisory Boards
Cc: kimberly@kimberlykyser.com; White, James W
Subject: Planning Commission

Dear Town Council.

First, thank you for your service to Chapel Hill.

Second, I would like to share my opposition to the new B&B proposal.

1. Historic districts need to be exempted.

2. Chapel Hill already has a B&B ordinance that works well and does not disturb neighbors.

3. The proposed new ordinance is badly written and poorly thought out. It does not required the owner to live there; and it does allows for two hired managers--the day shift and the night desk--to run the operation. The ordinance provides for too many guest rooms in too little square footage; it requires the addition of parking spaces; and it makes no provision for unintended consequences. What will we do with monster house-hotels in residential neighborhoods when they go out of business? And they will. The likelihood is that they will become massive student-stuffers. Or will they become offices for the university? Restaurants in residential neighborhoods.

4. The proposed new ordinance takes a cookie-cutter approach to the bed and breakfast issue. Chapel Hill should not be subjected to standard ordinance language crafted for other places. Some towns, such as Asheville or Hickory or Wilmington or any other city may allow B&Bs as a way to stimulate the economy of an under-utilized downtown. But Chapel Hill has an over-utilized downtown and the residential neighborhoods abutting town center are constantly under pressure.

5. Hotel rooms in downtown are already plentiful. Since 1999, the last time a bed and breakfast ordinance was defeated in Chapel Hill almost 900 new hotel rooms have been added near Chapel Hill and almost 300 are under construction. Airbnb is successful We already have places for tourists who arrive in cabs or buses from the airport to settle in town center and walk to heritage tourism, cultural, and culinary attractions. By the way, among the most important contributing factors of heritage tourism in Chapel Hill is the authenticity of residential neighborhoods that have not been commercialized--trivialized. We do not want the cabs and buses dropping off tourists in our quiet residential neighborhoods.

6. The town of Chapel Hill cannot enforce the occupancy regulations already on the books. The regulation states that only 4 unrelated people may inhabit a dwelling. Enough said.

7.B&Bs do not save historic properties in Chapel Hill. In the last twenty plus years we have lost only two historic houses: the Dey House on Rosemary Street and the McDade House on Franklin Street. A bed and breakfast ordinance would not have saved them. The real estate market in the historic district is healthy. Houses once rabbit warrens for students have been reclaimed and restored to single-family occupancy. Commercial intrusion in residential neighborhoods is degrading and diminishes property values. It opens Pandora's box.

Thank you for your consideration.

Best,

Edwin Poston

John Richardson

From: Advisory Boards
Sent: Wednesday, August 26, 2015 11:11 AM
To: 'Deborah Harris'; 'Elizabeth Webber'; 'Melissa McCullough'; 'Neal Bench'; 'Travis Crayton'; Michael Parker; 'Amy Ryan'; George Cianciolo
Cc: Gene Poveromo
Subject: FW: Planning Commission: Re: - Requesting Historic Districts be EXEMPT from B&B Proposal

FYI

Regards,



Jennifer Phillips
Community Participation Coordinator
Communications & Public Affairs
405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

Town of Chapel Hill | www.townofchapelhill.org
t: 919-969-5014 | jphillips@townofchapelhill.org

From: Elisabeth Wharton [mailto:esd.wharton@gmail.com]
Sent: Tuesday, August 25, 2015 6:09 PM
To: Advisory Boards
Cc: 'James White',
Subject: Planning Commission: Re: - Requesting Historic Districts be EXEMPT from B&B Proposal

This morning you were sent an email by James White, President of the Gimghoul Neighborhood Association, stating opposition to a proposed change in B&B regulations, with particular regards to Historic Chapel Hill Neighborhoods. Here is the email:

To the Mayor and Town Council of Chapel Hill:

It is my understanding—correct me if I am wrong—that the Town Council is about to consider a change in the ordinance governing B&B's in Chapel Hill. Chapel Hill already has a functioning ordinance that seems to me to serve us adequately, and we have no need to change it. Moreover, speaking as president of the Gimghoul neighborhood Homeowners' Association and a member of the Historic District Commission, I am extremely concerned that liberalizing the B&B rules as proposed would (a) introduce unwanted commercialization into the historic districts, thus corrupting their historic character, (b) enhance parking problems in the districts, and (c) create the possibility of student rental properties appearing in the districts. I encourage your rejection of this proposal in toto; at the very least I emphatically urge you to explicitly exclude the historic districts from any consideration of changes in the B&B rules for the town.

I am emailing to convey my agreement of and full support for Dr. White's statement. I would also like to add I am 52 years old, and was born here, grew up on Gimghoul and currently live on Ridge Lane, off Gimghoul. I have seen several neighborhoods be irrevocably changed, because mixed use development was allowed. They have never recovered, and to this day, have a lower desirability in market terms, and add nothing to the character and grace originally found all over Chapel Hill. In addition, we now have five times the number of hotel rooms in our town than any previous time in

history. The lovely grounds of Historic District Neighborhoods are a draw for people from all over, and are a significant variable in the image of our town.

I realize certain areas where compromises must be made as our town grows and transitions. This is not one of them. One of the reasons Chapel Hill continues to enjoy a reputation as a "charming village" when it is not, is the protection of the lovely residential neighborhoods with historical significance. If you do not believe me, think of Georgetown in Washington DC, or the Harvard area in Boston. Closer to home, you may look at the Montford area of Asheville, once beautiful homes and grounds, and now B&Bs, with rentals and student houses in between. Violating the integrity of these areas will require a much higher cost than those who strive to be long term stewards of our hometown should ever be willing to pay.

I would ask you all to ask yourself "Is this the legacy we want to leave, while holding the leadership responsibility for Chapel Hill's long term well-being?". Once this door is opened, there will be no way to stop what is to come. Please exclude the Historic Districts from these changes, and make sure the language is clear and definite. Thank you for your consideration, and for the hard work you do to help us grow with intelligent long term consequences in mind.

Sincerely,

elisabeth wharton

John Richardson

From: Advisory Boards
Sent: Wednesday, August 26, 2015 11:11 AM
To: 'Deborah Harris'; 'Elizabeth Webber'; 'Melissa McCullough'; 'Neal Bench'; 'Travis Crayton'; Michael Parker; 'Amy Ryan'; George Cianciolo
Cc: Gene Poveromo
Subject: FW: Planning Commission - B&B Proposal

FYI

Regards,



Jennifer Phillips
Community Participation Coordinator
Communications & Public Affairs
405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

Town of Chapel Hill | www.townofchapelhill.org
t: 919-969-5014 | jphillips@townofchapelhill.org

From: Joel Wagoner [mailto:jmwpmw@gmail.com]
Sent: Tuesday, August 25, 2015 9:17 PM
To: Town Council; Advisory Boards
Subject: Planning Commission - B&B Proposal

Dear Members:

We respectfully ask that you do not alter the current B&B ordinance especially for "close-to-campus" historic neighborhoods that are not currently exempted from the ordinance...in our case, Country Club Road, which marks the beginning of the historic Laurel Hill neighborhood. We are deeply concerned that people already have bought property in this historic neighborhood in an effort to profit from the close proximity of our homes to the UNC campus. We have to contact these absentee owners regularly regarding violations of trash collection rules, yard maintenance, parking issues, noise, etc. It is common practice for those living in the homes to pile up trash in front of mailboxes, making mail delivery very difficult, if not impossible. In fact, on numerous occasions we have had to move large amounts of trash ourselves so that the mail carrier could deliver our mail. As you know, under the present circumstances it is extremely difficult to prove that there are too many residents in a rental house; and we feel that changing the B&B restrictions would only make matters much worse. We think that Chapel Hill's current B&B ordinance works quite well and does not disturb neighbors.

Sincerely,
Joel and Presley Wagoner
304 Country Club Road
Chapel Hill, NC 27514

From: [Gene Poveromo](#)
To: [Eric Feld](#)
Cc: [John Richardson](#)
Subject: FW: B&B proposal looming--planning commission beware!
Date: Tuesday, August 25, 2015 9:57:46 AM
Attachments: [image003.png](#)

FYI



Gene Poveromo, Development Manager
Current Development | Planning and Sustainability
405 Martin Luther King Jr Blvd | Chapel Hill, NC 27514-5705

Town of Chapel Hill | www.townofchapelhill.org
t: (919) 969-5069 | gpoveromo@townofchapelhill.org
m: (919) 619-5389
Fax: (919) 969-2014



From: Advisory Boards
Sent: Tuesday, August 25, 2015 9:40 AM
To: Gene Poveromo
Subject: FW: B&B proposal looming--planning commission beware!

Please share with Planning Commission.

Regards,



Jennifer Phillips
Community Participation Coordinator
Communications & Public Affairs
405 Martin Luther King Jr Blvd. | Chapel Hill NC 27514

Town of Chapel Hill | www.townofchapelhill.org
t: 919-969-5014 | jphillips@townofchapelhill.org

From: Mcvaugh, Michael R [<mailto:mcvaugh@live.unc.edu>]
Sent: Monday, August 24, 2015 5:34 PM
To: Town Council
Cc: Advisory Boards
Subject: B&B proposal looming--planning commission beware!

Dear fellow Chapel Hillians,

Here I am, 1100 miles away from home for the summer, and I suddenly learn--from friends, not the town!--that a proposal is coming up to alter the requirements for B&B's that have served us well for a long time--decades, maybe. It hasn't been easy for me to scrounge email access on short notice in this small coastal village where we summer, and I don't have much time on it, but I felt I had to write to tell you what a flawed (not to say unnecessary) proposal I found it. I truly haven't time or scope to send you a long letter, and I'll just mention one of the many things I think are deeply unsatisfactory about this proposal, the idea that the owners will no longer have to live on the premises, that is, it will no longer be a private home which makes rooms available to guests (which is the core idea of a B&B), it can now be run by managers operating on the owner's behalf (an owner who could be in Raleigh or Charlotte), paid employees, day and night; what this is, let's be candid, is a hotel rather than a B&B, especially since the permissible number of guests in a "B&B" is going to be changed; I don't think Chapel Hill needs small hotels cropping up all over the residential areas of the town (not to mention the fact that hotels in a residential area are a contradiction in terms)--we already have quite a number of new hotel rooms available for visitors!

I could go on, but someone is looking over my shoulder to tell me that time is up, so I have to close, but please understand that I think this proposal; is a terrible one and hope deeply (as does my wife--but only one of us could have the email access) that it will be rejected.

Yours most sincerely,
Michael and Julia McVaugh
379 Tenney Circle
Chapel Hill

From: [Adrian Halpern](#)
To: [John Richardson](#)
Cc: [Eric Feld](#)
Subject: feedback on the LUMO text amendments? -----> B&B feedback
Date: Friday, August 14, 2015 2:50:06 PM
Attachments: [Chapel Hill LUMO Topic Revisions - Sec. 3.7 Use Regulations, Sec. 6.21 Bed & Breakfast.pdf](#)
[ChapelHill-LUMO-DRAFT_Summary_052711.pdf](#)
Importance: High

Hi, John, Eric,

Since the “Code Studio” webpage says “commenting for this document is currently closed,” but the Town’s email blast of yesterday afternoon says feedback is being accepted through tomorrow, I’m directing feedback to you two.

Wish I’d had time earlier this summer to look these over, but my first reaction is one of dismay at the virtually illegible print of the regulations offered the public. (printout attached, “Topic Revisions”) *How are folks supposed to read this, especially older folks? Can this really be considered part of an effort to draw in the public, and get public feedback?* I’m really surprised that such shoddy-looking text has been allowed to persist on public view for almost two months.

As for the proposed LUMO revisions about B&Bs, I’m attaching the May 27, 2011, “LUMO Draft Summary,” in which it was stated on page 13 that one of the “Upcoming Text Amendments” with “**high priority**” was to “*Allow bed and breakfast establishments **by right** in certain residential districts.*” (emphasis added) Two of the proposed “standards” work against allowing B&Bs “by right.” These are:

1. That “*the structure must be the permanent residence of the owner or manager of the structure.*” In an age of ubiquitous cell phone coverage, there is no logical reason for this requirement. If there is one (or more) logical reasons for restricting B&Bs to such owner/manager-occupied circumstances, then I would appreciate if it were published.
2. Limiting B&Bs to only one “facing the same street within 600 feet of the proposed use.” Here again is a “standard” that really limits B&B options, and certainly excludes what was to be “by right” from late-comers to the B&B game. As with the above, there is no logical reason for this requirement. If there is one (or more) logical reasons for restricting B&Bs to one every 600 feet, then I would appreciate if it were published.
3. I recommend the breakfast and evening “happy hour” be opened to friends of B&B guests, and that up to two dinner meals per week be allowed for a room surcharge for participants. This will help ensure B&Bs are more lively and fun places to stay.

Chapel Hill has dillydallied so long on B&Bs that the time for effective “standards” in this area (i.e., ones that promote the establishment of B&Bs) may well have passed. Since I first re-initiated the community conversation about B&Bs (after a hiatus of some 10 years) with a presentation before the Town Council in September 2009, the advent of AirBnB (founded in August 2008) has led the owners of many B&Bs to close their doors because they can no longer compete, including the well-publicized closure of a B&B in Raleigh (see, <http://www.oakwoodinnraleigh.com/>). Chapel Hill’s B&B “standards” should not create roadblocks to the establishment of B&Bs, which is what the “standards” discussed in points

[#1 and #2 above do.](#)

Thanks for reading.

Please keep me updated on all meetings and publications on the B&B issue. Gracias.

Adrián Halpern

From: John Richardson [mailto:jrichardson@townofchapelhill.org]
Sent: Wednesday, June 17, 2015 12:51 PM
To: Adrian Halpern <adrian@adrianhalpern.net>
Cc: Eric Feld <efeld@townofchapelhill.org>
Subject: RE: update on progress of LUMO text amendments?

Mr. Halpern,

I hope the attached materials and links below are helpful.

The lead staff member for this topic is Eric Feld (copied).

Email: efeld@townofchapelhill.org

Phone: 919-969-5077

Thanks,
John

Project Page - <http://www.townofchapelhill.org/town-hall/departments-services/design-chapel-hill/lumo-update>

Portal for viewing, downloading and commenting - <https://codestudio.opencomment.us/lumo-topics>

Upcoming schedule of events - <http://www.townofchapelhill.org/home/showdocument?id=28347>

From: Adrian Halpern [mailto:adrian@adrianhalpern.net]
Sent: Monday, June 15, 2015 12:01 PM
To: John Richardson
Cc: 'JB Culpepper'; Gene Poveromo
Subject: RE: update on progress of LUMO text amendments?

Hi, John,

Unfortunately, I'll be unable to attend today's meeting at the library, so would very much appreciate it if you would please send me copies of all the slides and printed materials y'all will be presenting today on the subjects of: B&Bs, signage, & accessory apartments.

Also, if there is anyone who is serving as the Town's "point person" on the above, kindly provide me his/her name and email address. Thank you.

Adrián

Adrián R. Halpern
200 McCauley Street, Ste. B
Chapel Hill, NC 27516
Ph: (919) 968-8027

From: [kimberly kyser](#)
To: [Eric Feld](#)
Subject: comments to commissions
Date: Thursday, August 13, 2015 6:39:10 PM
Attachments: [comments to the Planning Commission..rtf](#)
[ATT00001.htm](#)

Hi Eric,
Attached are my remarks for tonight, which are basically what I said on Tuesday at the HDC meeting.
Kimberly

Good evening—

My name is Kimberly Kyser. I'm a member of the Historic District Commission and a resident of the one of the historic districts. On Tuesday, the Historic District Commission considered the issue of a Bed and breakfast ordinance and concluded that this ordinance was, as far as for the Historic Districts are concerned, *a bad idea*. Our recommendation was that *if* the Town Council passes such an ordinance the Historic Districts should be *exempted*. I can't speak for the other commissioners, but I wanted to share with you why I think this issue is so important and why the proposal before you all is dangerous.

The proposal is unnecessary, ill-suited to the specific needs of Chapel Hill and particularly its Historic Districts, and risks exacerbating long-standing challenges that some of town's most charming residential neighborhoods have been facing over the last fifty years. Does it really seem that the most pressing problem the Historic Districts face is an undersupply of hotel rooms? Or a glut of unoccupied houses and underpopulated parking areas?

In the past, Bed and Breakfasts have been proposed in towns very different from Chapel Hill as a solution to their specific challenges. In towns with under-utilized downtowns, turning private residences into B&Bs may make sense and may help preserve historic structures. While attending a preservation conference in Hickory, NC, I visited B&Bs in a downtown that badly needs rejuvenating. But the situation in Chapel Hill is very different from that in Hickory, or Asheville, or Wilmington, or Durham, or Pittsboro—communities that have struggled for many decades to revive declining business and residential districts. Who in their right mind would say that what is good for Durham is necessarily good for Chapel Hill? Consider Raleigh where the last B&B recently closed down because Airbnbs are so successful (See *News&Observer*, May 19, 2015). Fortunately, AirBnB recently announced that they are now collecting and paying state sales taxes and local occupancy taxes. But that is another issue for another time.

The point at the moment is that Chapel Hill has, if anything, an over-utilized town center with residential neighborhoods including historic districts in close proximity to the university and commercial zones. Allowing houses to become hotels only invites greater commercial intrusion.

"Student-stuffer" rentals already commercialize neighborhoods and create challenges the town has proven unable to control. These concerns were why, first in the 1980s and then again in the 1990s, when proposals to encourage Bed and Breakfasts in Chapel Hill were brought forward, they were decisively rejected.

In fact, the Town's current regulations are quite reasonable. As the head of

the planning department explained the rules in 2012, Bed and Breakfasts are already permitted in Chapel Hill—but subject to certain restrictions that include a) the owner must live on the premises (A bed and breakfast that isn't owner occupied is not a bed and breakfast; and b) that the square footage allocated to B&B use is restricted to 750 square feet (See *Indy Weekly* July 11, 2012). According to the proposed language for a new ordinance, 750 square feet would be enough room for 7 guest rooms.! What's wrong with the *existing* provisions? As the saying goes, why fix something if it isn't broken?

As I see it, there are two basic questions we need to answer. First: Is encouraging Bed and Breakfasts in the Historic Districts compatible with our mission to preserve and protect the character of these special neighborhoods? Second: Is the specific ordinance proposed crafted in the best way possible to reduce potential problems and prevent unintended consequences. Based on my current understanding of the issues—and some research I've done—I think the answer to both questions is NO. Let me explain why.

1. Is encouraging Bed and Breakfasts in the Historic Districts compatible with our mission to preserve and protect the character of these special neighborhoods?

In THE past, repeated efforts have been made to promote Bed and Breakfast ordinances in Chapel Hill, and in each case they have been defeated. Why? Because, the challenge we have faced in Chapel Hill since the 1970s has been increased commercial intrusion into the Historic Districts, the overpopulation of modest houses, and the slow transformation of front yards, side yards, and back yards, into gigantic parking lots. I happen to know that this was one of the main motivation that inspired the creation of both the Chapel Hill Preservation Society and of the town's Historic Districts. My mother was deeply involved in both efforts and I've heard a lot about them over the years. These leaders were concerned about the threats of commercialism and about some of the towns most special neighborhoods being overrun with student stuffers and littered with their their associated automobiles.

In evaluating this proposal we might begin with the RIGHT it gives a Bed and Breakfast owner to establish a seven (7) guest-room operation—actually eight (8), given that the proprietor is also required to live on the premises. Are such structures compatible with the town's diverse Historic Districts? The obvious way to answer that question would be by asking how many existing structures in the Historic Districts now have eight legally-occupied bedrooms? Moreover, we could ask about the parking areas that are not only a right but also required by this

ordinance. How many houses in the Historic Districts now have legally-authorized parking areas large enough to meet these requirements? I don't know how we can answer the question of whether allowing such Bed and Breakfasts on Cobb Terrace or Gimghoul Road or in McCauley-Cameron or in the Franklin Rosemary District is a good idea unless we have a sense of the current situation.

To that end, I asked the Planning Department for answers to these questions, and they told me they don't know. Based on my own observations, my sense is that the answer as a matter of fact is that there are quite *few* properties in the Historic Districts large enough to support 8 bedrooms and large enough to support the kind of parking areas this ordinance would require. To my mind, encouraging the expansion of houses and the enlargement of parking areas is, in general, only likely to endanger and degrade the character of these neighborhoods.

Are the other provisions of this proposal crafted to reduce risks and curtail unintended consequences? The answer, I'm afraid, seems to be, No. Even if we thought that some Bed and Breakfast ordinance were appropriate, this specific proposal is not. There are too many unanswered questions and too many obvious concerns.

—For example, this proposal recognized a problem that might arise if too many such establishments were packed in too close together. So, it mandates that only one bed and breakfast within 600 feet of another on the same street. This might make sense in rural areas, but with the dense network of streets downtown, this does not make sense. There are plenty of places in town where this rule could leave us with four bed and breakfasts on a single block. So, this is not an effective way of addressing the problem in our situation.

—Another example. The proposal establishes a right to 7 guest-rooms in addition to the proprietor's quarters. Why this number? In 1999, the proposal before the town was to cap Bed and Breakfasts at a total of 5 guest-rooms (*see attached articles from the Chapel Hill News*).

I was in Town Hall on September 14, 1999, the night of the Council's vote. Every seat was taken and the walls were lined with the overflow, residents standing in readiness to speak against the proposed B&B ordinance. Bill Friday, who rarely appeared in public for town issues, was seated in the front row with Georgia Kyser, co-founder of the Chapel Hill Preservation Society, and an outpouring of representatives from the preservation community as well as citizens from all parts of town. And the Council unanimously rejected that proposal as too great a threat to the Town's residential neighborhoods. That proposal also required a total square footage of 500-feet per guest-room.

The current proposal appears to allow 7 guest-rooms to be jammed into as

little as 700 square feet! These proportions are not compatible with the character of our Historic Districts—and they are, in fact, not even consistent with most of existing Bed and Breakfasts in the area. Two of the nicest local Bed and Breakfasts in the area—the Inn at Teardrops in Hillsborough and the Inn at Bingham School in Mebane have only 4 guest rooms and about 1,000 square feet, heated and cooled, per room. How can we be confident that commercial establishments almost twice that size will be compatible with the character of the historic districts?

—Another example is the parking problem. This proposal *requires* massive parking areas. The HDC has been working to limit excessive parking areas for decades. Far from helping, this REQUIRES folks proposing this kind of establishment to create massive parking areas.

—There are other problems with this specific proposal. I want to end with is what I think is the most serious issue:

This proposed ordinance makes no provision for what happens after a structure is transformed in accordance with the rights and requirements it creates.

Even in the best of circumstances, most bed and breakfasts are short-lived operations. AirBnB is making them even more short lived. How many new hotel rooms have gone up in Chapel Hill recently? How many are in the works right now? There is little reason to assume that a property once transformed in to 7-plus guest-room establishment with a gigantic parking area is going to stay in business for ever.

What happens to these massive parking areas and 7 guest-room houses after a B&B goes out of business? The most obvious answer that comes to mind is two words: Student Stuffer.

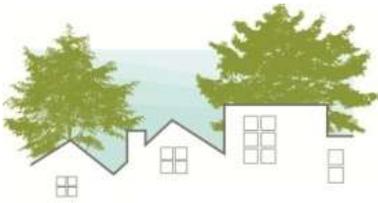
In fact, I'm not sure why one would have to establish an actual bed and breakfast in order to use this ordinance to monster-ize a house and its parking areas. What's to stop someone who wants to create a larger student stuffer from using this ordinance to gain the required approvals and then "changing" his or her mind and packing the house with students? How is *that* protecting the character of the Historic Districts?

In short, it seems to me that this proposal far from quelling problems is only likely to add fuel to the fire. How will the Town regulate eight-plus bedroom dwellings, additional parking, wedding rentals in B&Bs that will be permitted, when they cannot enforce the law restricting occupancy (four-unrelated-renters per house) that is already on the books? We already have ten cars or more at rental properties in our neighborhoods. What has been done to curtail this practice? Not nearly enough. And it should not be the resident's responsibility to call the police time and again to report violations. This sets neighbor against neighbor to create a

hostile rather than a *hospitable* environment.

I would urge the Town to enforce existing ordinances and regulations, focus on the actual problems it faces, and wait until it has solved them before it creates new ones.

I would urge the Planning Commission to carefully consider recommending that the Council either reject this proposal or, at or at least, exempt the Historic Districts from it.



Preservation Chapel Hill

610 East Rosemary Street
Chapel Hill, NC 27514
Tax ID 23-7218278



PCH Position Statement: LUMO Update regarding Bed & Breakfasts

BOARD OF TRUSTEES

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Town of Chapel Hill Office of Planning
and Sustainability
Chapel Hill
bot@preservationchapelhill.org

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Evan Rodewald, MBA, MPP
Chapel Hill

Preservation Chapel Hill is committed to preserving houses, building, monuments, sites, and objects in Chapel Hill that are connected to or illustrative of the history and culture of Chapel Hill, North Carolina, or the United States.

We support Land Use Management Ordinance updates that permit an expanded Bed & Breakfast program within the town limits of Chapel Hill.

Bed & Breakfasts promote the use of existing structures and what is unique about Chapel Hill. It also promotes the historic use of the properties in the historic districts adjacent to the UNC campus as rooming houses.

Bed & Breakfasts provide an additional option for property owners seeking income-producing opportunities for historic buildings.

Property owners will have more incentives to properly restore and maintain historic properties that are used for Bed & Breakfasts than for other uses.

An expanded Bed & Breakfast program will not only support historic preservation in Chapel Hill's historic neighborhoods, but also support economic development and heritage tourism initiatives.

We encourage the Town Council and staff of Code Studio to consider strategies for permitting Bed & Breakfasts to regulate the number and location of the establishments; for ensuring accountability of the business owner for the activities on the property; and for monitoring special event activities.

STAFF

EXECUTIVE DIRECTOR
Cheri Szcodronski
cheri@preservationchapelhill.org

PROGRAM COORDINATOR
Cassandra Bennett
cassandra@preservationchapelhill.org

RENTAL COORDINATOR
Allison Essen
rentals@preservationchapelhill.org

CONTACT

919-942-7818
info@preservationchapelhill.org
www.preservationchapelhill.org
facebook.com/PreservationChapelHill
@Preservation_CH

From: [Ribisl, Kurt M](#)
To: [Eric Feld](#)
Cc: pons.marc@chapelhilltire.com; [Bob White](#); [Claire Horne](#); [Ribisl, Kurt M](#)
Subject: B&B's
Date: Tuesday, July 28, 2015 10:26:19 PM

Eric,

I am writing a quick note to tell you that I am personally very supportive of B&B's in our neighborhood. I have not had a chance to fully discuss this issue with our neighborhood association and we will do that in the fall. Most of the people that I have spoken with are supportive. I just wanted to write because I have heard that some other people are strongly against them in historic neighborhoods and I don't think all neighborhoods are against them. I have cc'd the officers in our neighborhood so they are in the loop. We will have an official position in Sept or October. Thanks, Kurt

Kurt M. Ribisl
President, Westside Neighborhood Association

Chamber Position Statement on Beds & Breakfasts

Approved by EDPP on March 7, 2013

Approved by Executive Committee on March 12, 2013

Approved by the Chamber Board of Directors on March 21, 2013

WHEREAS the Chapel Hill-Carrboro Chamber of Commerce is committed to making and positioning our community as one of the best places to grow and start an enterprise;

WHEREAS the Chamber's 2013 Public Policy Agenda includes the objective of expanding and broaden approved land uses;

WHEREAS bringing more visitors downtown and to our community and would benefit retail shops and restaurants, including Chamber members;

WHEREAS a bed & breakfast is an appropriate use for larger residential homes, encouraging historic preservation and discouraging single family home conversion to student rental;

THEREFORE IT BE RESOLVED that the Chamber support legislation permitting and encouraging bed & breakfasts in the Town of Chapel Hill including in the Town Center and calls on the Chapel Hill Town Council to take swift action to make the needed ordinance improvements.

CHAPEL HILL

HILLSBOROUGH & CARRBORO

3/7/2013

To: Aaron Nelson, CEO; Kristen Smith; Government and Community Affairs
Chapel Hill/Carrboro Chamber of Commerce

Fr: Laurie Paolicelli, Director: Chapel Hill/Orange County Visitors Bureau

Cc: Steve Brantley, Orange County EDC; Dwight Bassett; Chapel Hill EDC

Re: B&Bs in Chapel Hill

As a follow-up to the Economic Development and Public Policy meeting held today, which included the discussion of B&Bs (defined in our industry as four rooms or less bed and breakfast inns), the below summary recaps the Visitor Bureau's involvement and position on B&Bs in Chapel Hill.

The Visitors Bureau began discussions about B&Bs in Chapel Hill in 2006 with former Town Manager, Cal Horton.

The Visitors Bureau has advocated for B&Bs because they support demand we get for this type of overnight accommodation based on the trend of most college towns (with historic neighborhoods) to offer these amenities to their traveling demographic.

Our demographic of the visitor to Chapel Hill lends itself well to B&Bs (Average 49 year old couples without small children; staying 2.5 days; driving in-state and from VA, SC, FL, educated, higher household income with penchant to seek heritage and arts oriented districts in which they can walk to entertainment amenities).

With the help of Lee Pavao (our institutional memory board member), they both explained that in the past there was strong opposition to B&Bs by home-owners in Chapel Hill historical districts who felt the potential for disruption by vendor trucks, transient guests, food operations, suppliers accessing the Inn around the clock. "The idea was not embraced by past Town Council after vocal neighbors expressed their disinterest," explained Lee.

The idea has come-up on occasion, throughout my eight years here. It has never been advanced beyond “an idea.”

We polled hotels in 2009 and all expressed favorable opinions about B&Bs in Chapel Hill; expressing no concerns about erosion of loyal clientele to Chapel Hill properties. We heard this from both boutique and corporate flagged-properties.

Most guests to Chapel Hill who request B&Bs are looking for “something special” and are usually willing to pay slightly higher rates than the average room here, which is about \$118.00 aggregate year round. (When visitors ask us for *something special*, they generally mean free Wi-Fi, parking, breakfast, newspaper, and guest gatherings in the evening such as a wine and cheese hour before dinner).

The length of stay at regional B&Bs—much like our hotels-- depends on the reason the guest is visiting. If it's a University related trip, a guest stays 2 nights; if the guest is visiting friends and family, it's typically 3 nights.

At \$200 a night at a 4-Room B&B:

- If every room is filled, that's \$800 per night.
- Over a week, 4 rooms x 7 nights = 28 room nights. 28 x \$200 = \$5,600.
- There are 28 room nights in a week x 4 weeks = 112 room nights in a month. If every room is booked every night, that's 112 x \$200 = \$22,400.
- There are 365 nights per year X 4 rooms = 1460 room nights. If every room is booked every night, that's 1460 x \$200 = a **maximum** annual gross income of \$292,000.
- The \$292,000 is the potential gross income based on 4 rooms being filled every night over the entire year.
- The average B&B operates at just over 50 percent occupancy, so realistically that number should be cut in half, to about \$146,000.
- Gross income is income *before* expenses and taxes.

Currently, there are approximately 1500 rooms in Orange County that we work with.

In Hillsborough, there are four B&Bs and we see about \$1500 annually from the county's 3% occupancy tax. Demand is seasonal and most B&Bs we work with struggle with *round-the-clock* staffing and filling rooms year round.

Because we are a seasonal destination with shoulder months of December/January; June we tend to see many properties operating at 40% during these months.

Thank you. And please let us know if we can provide any additional information.

Laurie



TO: Mayor and Town Council

FROM: Chapel Hill Downtown Partnership

SUBJECT: Support for Changes to Land Use Management Ordinance to Expand Bed & Breakfast Ordinance

DATE: Wednesday, November 27, 2013

The Chapel Hill Downtown Partnership supports changes to the Land Use Management Ordinance to expand Bed & Breakfast options within the town limits; in particular in the neighborhoods surrounding the central business district.

The Chapel Hill Downtown Partnership is the nonprofit agency charged with bringing the resources of the Town, University and downtown community together to maintain, enhance and promote downtown as the social, cultural, and spiritual center of Chapel Hill through economic development.

Supporting the changes to the Bed & Breakfast ordinance is consistent with our mission and our current Plan of Work for 2013-2015; to encourage new investment in downtown; create an active, year-round downtown; and market downtown as family-friendly destination to live, work, and play.

Bed & Breakfast options close to our downtown would benefit our downtown retail and restaurant businesses, and expand overnight stay options for visitors.

Bed & Breakfasts options will encourage historical preservation of larger residential homes in surrounding neighborhoods; thus preserving charm and identity while also discouraging conversion of homes into rentals.

We believe the expansion of the ordinance for Bed & Breakfasts will benefit downtown and the community; we encourage the Chapel Hill Town Council to make the needed ordinance improvements.