

Chatham County/Cary Joint Issues Committee Meeting
August 19, 2010
9 a.m.
Bond Park Community Center, 801 High House Road, Cary, NC
Maple Room

Present: Co-Chair Sally Kost and Members George Lucier and Ervin Portman; Member Jennifer Robinson arrived late, and her arrival time is noted in the minutes

Absent: Co-Chair Julie Robison

The agenda follows:

9:00 A.M.

- I. Call to Order
- II. Approval of the Agenda
- III. Approval of Minutes of June 11, 2010
- IV. Approval of Minutes of July 13, 2010

9:10 A. M. – 10:40 A.M.

- V. Rural Buffer Boundary (Urban Services Limit) Discussion
 - o **Presentation by Cary Public Works and Utilities Staff**
9:10-9:40 A.M.
 - o **Subcommittee Discussion of Rural Buffer Boundary**
9:40-10:10 A.M.
 - Review Actions by Subcommittee to date on Rural Buffer Boundary
 - Effect of Moving Boundary on Proposed Land Uses and Densities
 - o **Discussion of Moving the Rural Buffer Boundary**
10:10-10:40 A.M.

10:40 A.M. – 11:30 A.M.

- VI. Discussion of Map Changes to DRAFT Joint Land Use Plan
 - o **Designation of Residential Densities**
10:40-11:00 A.M.
 - Mount Pisgah Church Road area
 - NC 751/Lewter Shop Road area
 - Luther Road area
 - o **Employment Center**
11:10 A.M. – 11:30 P.M.
 - Mix of Land Uses in Employment Center location(s)
 - Residential Densities Allowed in Employment Center location(s)

11:30 A.M. – 11:40 A.M.

- VII. Update on the Western Wake Wastewater Reclamation Facility Pipeline Easement Through Chatham County

11:40 A. M.

- VIII. Proposed Schedule and Format for Public Input Session(s)
- IX. Revised Project Schedule
- X. Schedule of Future Subcommittee Meetings
- XI. Adjournment

(Note from clerk: Meeting began at 9:05 a.m. The PowerPoint Presentation and maps displayed at the meeting are attached to and incorporated herein as **Exhibit A.**)

Portman: We are missing one member. Julie Robison is not able to attend this morning. Jennifer Robinson we expect will be here shortly. We're going to go ahead and start the meeting. So, we'll call the meeting to order. The first item is approval of the agenda.

Kost: I move approval of the agenda with the addition that Commissioner Lucier would like to read a statement prior to us starting the discussion on the rural buffer boundary.

Lucier: Second

Portman: All in favor?

NOTE FROM CLERK: Portman, Kost and Lucier stated "aye".

Portman: Ok. The agenda is approved. And then we have approval of the minutes of June 11 and July 13.

Kost: And I've given the clerk a few typographical errors, and she concurs that all they were were typographical errors. So I've given those to her. If you'd like to see them, that's fine.

Portman: Well let's defer that until they've been revised.

Sue Rowland (Cary Town Clerk): They're truly just typographical errors – such as changing the word 'legislation' to 'legislator'. I concur with Mrs. Kost that it's perfectly ok to approve them. If you'd like me to read you the corrections, I can do that.

Portman: No, that's fine.

Rowland: Ok

Portman: Ok. So, is there a motion to approve?

Kost: So moved

Lucier: Second

Portman: All in favor?

NOTE FROM CLERK: Portman, Kost and Lucier stated "aye".

Portman: Approved. And our first item is the rural buffer boundary.

Lucier: We're going to do the (interrupted)

Kost: the statement first

Portman: Would you like to make a statement?

Lucier: Yes I would.

Portman: Go ahead.

Lucier: I'm going to read this, and you can maybe give a copy to Sue, because I want to make sure (interrupted)

Kost: And we perhaps can give her the soft copy so that she can just put that into the minutes without retyping it.

Lucier: Right.

Lucier: You know, it's with some regret I'm going to read this statement. But, nevertheless, it's something that I need to do. And I want to read it to make sure that it's clear and there's no misunderstanding about what I'm saying.

Lucier (reading statement):

I have been and still am a strong proponent in favor of developing a Joint Land Use Plan between Cary and Chatham County for the area east of Jordan Lake and north of Highway 64.

We, as a subcommittee, have made slow but steady progress on many difficult issues important to the joint plan, and I am proud of our progress and the importance of our work to protect Jordan Lake in the face of significant development pressures. However, Chatham County has consistently stated over a period of years that approval of the joint plan must be accompanied by a local state legislative bill, which embodies the following statement:

Zoning decisions made by Cary and/or Chatham County must be consistent with the adopted or amended joint land use plan, and amendments to the plan require approval by both jurisdictions.

I have clearly stated this on many occasions, but most emphatically during our last two subcommittee meetings. Moreover, I have asked that the subcommittee members from Cary discuss and resolve this issue at a meeting of the full Cary Town Council as documented in our verbatim minutes. This request was supported by Chatham County Commissioner Kost. To my knowledge Cary has not addressed this issue despite numerous opportunities to do so. Therefore, I must assume that either Cary does not agree with the above bolded statement or does not wish to take action on it. The purpose of the local bill is to make our partnership as enduring as possible and less susceptible to political whims from either jurisdiction in the future.

I am disappointed in the response from the Town of Cary. Essential ingredients in any true and lasting partnership must embody trust and commitment and the framework to ensure that the partnership is beneficial to both parties. If Cary is not willing to agree that their zoning decisions must be consistent with the joint land use plan and have that agreement stipulated by the North Carolina Legislature, then the definition of a partnership has not been met.

We missed the opportunity for requesting a mutually agreeable local bill during the short session because Cary would not agree that their zoning decisions must be consistent with the adopted or amended joint land use plan. Nevertheless, I want to move forward with the subcommittee deliberations, if Cary will agree to the essence of the following two statements:

- 1. Cary approves the request to move forward with a local bill that states, 'Zoning decisions made by Chatham and/or Cary must be consistent with the adopted or amended Joint Land Use Plan, and amendments to the Plan require approval by both jurisdictions.'*
- 2. Approval of the above statement is transmitted to the North Carolina State Legislature and to the legislators from both jurisdictions.*

Until those two things happen, I cannot, in good conscience, continue to participate in the subcommittee meetings. My statements are consistent with the views of the other Chatham County Commissioners and I believe the majority of the Chatham County citizens that we are pledged to represent.

Lucier: Having said that, I'm fully prepared to go forward with today's meeting, and I suggest that before we do have another meeting, that the attorneys from both jurisdictions get together, consulting with the School of Government if necessary, to move forward with this, and Cary to have taken action on something that embodies the statement and essence of that statement that I read. I realize there might be a wording change here and there for any number of different reasons. I'm not an attorney, and I'm not a state legislator, but the bill must embody that statement.

Kost: And reviewing the minutes, there was a commitment by Cary to do this, but it just hasn't happened yet.

Portman: Well, in a review of the minutes you will also see that Cary has been exceptionally clear in every discussion on this that we don't believe that a joint bill is needed. We don't believe that a joint bill is required. We believe we have the authority to do this work, and we've worked in good faith to do so. So, the review of the minutes should be complete and clear – not just one-sided. Additionally, we have made it very clear that we are open to a joint bill. When we were requested to review information for a joint bill, Cary staff turned it around in 24 or 48 hours. That also is a fact that is reflected in the minutes. And, our position has been clear and has been stated and was provided to your attorneys, and you're all aware of that. There is a disagreement about whether or not we need the Legislature of the State of North Carolina to sanction this effort. It may be a point where we just agree to disagree. Cary has said that we are interested in working in good faith with you, we have said we hope to adopt a joint plan, but we are not interested in a – I as a member am not interested in a binding State Legislature precedent on a plan we haven't even agreed on yet. How do I know we can reach agreement? The work has always been we were going to go forward, adopt a plan, and then we recognize there was an interest from Chatham County on having legislation to respect that plan which we had agreed to. That seems reasonable to me. And we're at (interrupted)

Kost: Inaudible word

Portman: If I can finish. That seemed reasonable to me, and we were open to doing that. When the short session came up and we were asked to comment on a bill, we did so in an unprecedented period of time. Our position is clear. We have stated that it is our practice that we do not rezone inconsistent with our Comprehensive Plan. I believe that's actually State law. And, I'm quite surprised that this approach has been taken at the beginning of this meeting where we have so much important work to do. But, from my standpoint, I respect Commissioner Lucier's comment. I guess he's speaking on behalf of the Chatham County Board. Is that what I interpret here?

Kost: The majority of the Board. We have not (interrupted)

Portman: So you have had a meeting and you have vetted this?

Kost: No, I was trying to answer your question, Mr. Portman. We have – because this has come up this week – we have not discussed this in an open meeting amongst the Board and taken a vote on it. But Commissioner Lucier provided a courtesy copy to all the Board, and we know the majority of the Board supports this. Further, our Board has stated that local legislation – not to sanction this process – but local legislation that would require – as Commissioner Lucier has said – that the zoning decisions and the land use decisions be consistent. But the other purpose of the local bill was to ensure that any changes are mutually agreed upon. Without that, what we would

have is simply a starting point that we agree to at one point in time, but it would not be a plan that Chatham could move forward with unless we both agree to it.

Portman: Well, if you review the verbatim minutes you will see that every single time this has been discussed we have stated that if it is a shared joint land use plan, it is impossible for one side to change it, because then it would not be a shared plan.

Lucier: Look, in the verbatim minutes you had also said you would take it to the full Cary Town Council, and you have not.

Kost: I was looking for that, because I just read it this morning.

Lucier: But that's in there; I read it last night. Secondly, if it's your practice – if it is, in fact, your practice to do this – and I don't doubt you – then, to be consistent with the land use plan then why would you not be willing to codify that in state law. This is a little more complicated when you have two jurisdictions involved. And, I think the local bill is absolutely essential to make this joint plan and the follow through in the joint plan in terms of decisions that are made as enduring as possible. I think that's what the citizens want. They don't want to be jerked around thinking there's one set of plans, and then it gets changed by one jurisdiction and not another. And that could happen. Having that local bill in place provides some surety to the citizens in that area that they know what's going to happen in the future, and I think that's important.

Portman: Well, I think I have said it probably enough times that it is my view that you can't – one side can't change a joint plan. Now, for you to say that the citizens don't want to be jerked around by one side changing a joint plan, I guess it refutes the position that has very clearly been articulated by me. Quite frankly, we have a lot of work to do to see whether we're going to be successful in having a common vision of adopting a joint plan, and unless we're able to do that, we don't have a joint plan. And, as a member from Cary's side, I wouldn't support binding legislation from the State requiring such a plan if we've not been able to do it.

Lucier: We're not asking – and that's why I wrote out the statement – the statement says that you will agree to a local bill that embodies that statement that I have there. Obviously that's not going to happen until 2011, because that's when the Legislature meets. It won't happen until 2011, but to give some guarantee to Chatham County that you in fact intend to do this, we would like it voted on by the Cary Town Council, hopefully approved and then transmitting that approval. And, Chatham County would do the same thing to our State Legislature and the legislators from our jurisdictions. That way there's a clear intent to move forward on it. As soon as the Legislature is able to do that in their long session next year, and when our joint plan has been approved by both our jurisdictions. So, the local bill would not be done until after the plan is completed, but such a vote by the Cary Town Council and a transmittal of that vote to the State Legislature would provide a commitment to us that you're willing to go forward with it. I would presume the process would be in the future – say we do have a joint plan, we do have a local bill in place that if a zoning request comes in in that area that's covered by it, if it's Chatham County then we would send that copy to you for your comments – do you believe it's consistent with the joint plan. You would do likewise for us. Nevertheless, that zoning decision is made by the jurisdiction – either Chatham or Cary. So, it's not a joint zoning decision. It's ensuring that zoning decisions made by either jurisdiction are, in fact, consistent with the plan. So, Cary's not abdicating any zoning decision to Chatham County. You're just saying that it must be consistent with the adopted or amended joint land use plan, and amendments require approval by both jurisdictions.

Member Jennifer Robinson arrived at 9:20 a.m.

Kost: About the other point that you made, I just want to add to it. We're rehashing a conversation we had that's reflected in the minutes. But, we did express our appreciation for Cary reviewing the joint bill very quickly. But, it was also put onto Chatham at the very last minute to draft that legislation. And so our attorney turned it around as quickly as he possibly could. And so we were

appreciative of that, but when we realized that we could not get agreement on the local bill, we said fine; we'll take it to the long session. But, I never knew that we were questioning a local bill at all. But that's what I hear you saying now, that you don't think it's necessary, even though your Board did in their legislative goals include that.

Portman: We have the statement. It's been read into the minutes. We'll be happy to discuss this with Cary Council. The fact that you are asked to draft a bill to me is common sense. It was a request from Chatham side that the bill be there. We were accommodating something that you said was important. Why would you not draft the bill? Did you think we were going to draft the bill?

Kost: I guess I don't have any common sense, Erv.

Lucier: In any event, that's going backwards. My statement is looking forward.

Portman: Why don't we take a five-minute recess.

(Note from clerk: Recess began at 9:22 a.m.; meeting reconvened at 9:29 a.m.)

Portman: We can reconvene. Well, we had a little unexpected start. We've got a lot to do here. We've noted the statement from Commissioner Lucier. We will be happy to review it and move forward with the rest of the agenda. So our next item is rural buffer boundary, and the presentation will be made by Cary Public Works and Utilities staff.

Steve Brown (Cary's Public Works and Utilities Director): Good morning.

Multiple members: Good morning.

Brown: At your last meeting there was discussion – we got into just a little bit about provision of utilities into the proposed area here. I just have a little bit more information on that. We just really touched on a couple of concerns with that. The point being, I guess, that the longer in advance we can plan to define that boundary, the better we can respond in providing effective water and wastewater utilities. So, I have a couple of illustrations here to try to make that point. So this map right here is our existing utility service area. And you can tell the areas that are apparently in our service. And the blue arrows and the blue diamonds are existing wastewater infrastructure. I really want to focus more on the wastewater side. Water has issues as well, but I think wastewater will illustrate better the points I want to make. Chatham County has its own water utility, and water lines are usually easier to lay out, because they follow roads and other infrastructure like that, whereas wastewater is a little bit more problematic, since it follows the natural drainage. But some of the issues are common as well. But here you see the dark – the solid blue diamonds are existing wastewater pump stations, and the blue arrows are the flow paths. What you can see is you have smaller – each in different colored area is also a service basin served by one of those pump stations. You have a cumulative effect of the wastewater flows further downstream. So follow the arrows to this pump station, and infrastructure pipes and things are getting bigger. So it's a cumulative effect of adding flow. The blue diamonds are what we would probably propose. That's conceptual, but we would probably propose that for future wastewater pump stations that would serve what is now in our utility service area. As we roll forward and add the existing area – the proposed service boundary – it increases the size (inaudible words) considerably. And looking at – again conceptually – the closer you get to the lake, the smaller the basins get. There would be more smaller pump stations required. So those red diamonds are just conceptual and what it would probably take to provide wastewater service. That yellow area – the proposed new service area – has many, many small sub-basins. As you get closer to the lake, the basins become very small, and there's a lot of difficulty working around Corps of Engineers' property, other drainage features, and buffers and streams. All those red diamonds will have to pump back into the blue system. So there's a ripple effect of infrastructure sizing.

Brown: Currently our master plan doesn't really anticipate all that service area, so we would have to – it's a pretty extensive, laborious process to go through the master-planning efforts to size the infrastructure accordingly to add all that additional capacity. We typically work from the land use plan when we do our utility master plan. We can basically provide utility service for about anything with some regulatory (inaudible words). So it's really the land use plan that drives the size and arrangement of the infrastructure. There is also some permitting issues. I just want to illustrate one thing. It will take considerable amount of time. In the Amberly area – this area here – the pipeline was a lot more complicated than what's here. There's a lot of sewer pipelines crossing the Corps of Engineers' property to get to that pump station. They had to get an environmental assessment (inaudible words) from the Corps of Engineers. And that took five years, I believe, in that order of time just to get the environmental permitting done for that. So there's a lot of time involved – required – to come up with a good plan. And, the better definition of the service area early, the more we can anticipate of the Western Wake infrastructure. This is a very large pump station here at Green Level West Road – the West Cary/Green Level pump station – a very large station. It has a cumulative effect of all this service area in that, so it's a significant increase in service area (inaudible words). So, that's the main point I wanted to make. I'll be glad to answer any questions.

Kost: I have a question. The red diamonds would be new pump stations? Is that correct?

Brown: Just conceptually; yes.

Kost: But that seems like a high number for that amount of land. Is it?

Brown: Well, some of them are going to be very small. The wastewater flows – you want to maximize gravity sewer, and have (inaudible). For example, this pump station here serves this drainage basin. The natural drainage is towards Jordan Lake, Kit Creek and some other tributaries off the flow in this direction. So, we're maximizing gravity sewer to that pump station location. So this pump station serves a pretty large area, but it all flows naturally to that point. Likewise, with the other stations. So, as you get closer to the lake, the basins become very small. It's hard to (inaudible word) basins down to (inaudible word) pump stations. It can be done. We did that here by crossing Corps property, which added a considerable amount of effort and time to get that permit. Just in a cursory review of the drainage patterns here, this is illustrative of what it would take.

Kost: As far as the sizing of pipes, I believe that came up as well, I guess the question that came up is what's already in the ground. I guess all this would have to be new pipes that would lead to these pump stations?

Brown: It would. The dark blue (interrupted)

Kost: That would go to the dark blue that goes to the wastewater treatment plant.

Brown: That's correct.

Kost: Ok. So it doesn't matter really then what the existing size is or – like pipes along New Hope Church Road for example.

Brown: It can, because the most beneficial thing may be to pump some of this here and then into the system. Or, it also depends on how it develops. An individual developer (inaudible words due to coughing) may do something that fits in our master plan that's beneficial for their project as well. Like this infrastructure is not here now, so they may have to leapfrog into the system that way. But there will certainly be effects as we get farther down in the system of the infrastructure size. The point again being the farther in advance we can plan before it gets built and finalize facility infrastructure (inaudible words).

Kost: The big blue line – like kind of the major highway – is what I would call that one. How big is that?

Brown: Well, it gets bigger as you go down. This is I believe 16 inch, and now it's 24 inch, and then it goes to 30, and then it breaks to gravity, and this is, I believe, 48 inch. So they get bigger as you get farther down the basin. This is the (inaudible words) pump station.

Kost: Yeah, I'm familiar with it.

Portman: Any other questions? Thank you.

Portman: Discussion on the rural buffer boundaries

Robinson: I'll start off. At our last meeting we were talking about some land in question. I think it was the land at the corner of Pisgah Church and New Hope Church. And, there was conversation about keeping it outside of the urban service boundary, I think under the presumption that Chatham County would be able to have more say in how it was developed in the future. But it sounds – if there's any chance that it's going to be in the urban service boundary at any time, we need to take those upon ourselves now for the sake of good planning. And if there are any other ones here on the map we should not exclude them, because we don't want to leave it up to chance or to the development to be done a certain way. We should be realistic about what we think is going to be in our urban service boundary and account for it now so that our utilities department can plan for it.

Kost: I just need clarification. I understand that the boundary is where utilities can come in. But, typically that's thought of as the annexation line. Is that true?

Portman: Not necessarily. An urban service boundary is a definition of where we're stating would be an area that we would consider providing municipal services in terms of sewer and water.

Lucier: Now a good portion of that 246 acres is currently one dwelling unit per three acres. Is that correct? The southern part of that area that we're talking about. Is that correct?

Scott Ramage (Cary Planner): The Woods of Chatham Subdivision

Lucier: Yeah, I'm not sure of the name of it, but (interrupted)

Ramage: (inaudible words) It's about three units per acre currently.

Lucier: One dwelling unit per three acres

Ramage: One unit per three acres, so three- to five-acre lots

Lucier: Right

Larry Ballas from audience: They're actually larger than that (inaudible words).

Lucier: It's my understanding that that's not going to change. That's probably written into your covenants or bylaws.

Ballas: Yeah, the covenants are (inaudible words) for 10 years.

Lucier: And they'll likely be renewed.

Ballas: No

Lucier: No, they won't be?

Ballas: No. We're like the boards here; we don't get along (inaudible words).

Lucier: Really? We get along fine.

Ballas: Just kidding.

Portman: Seems to me that the urban service boundary should be defined by the guiding principles we set up when we started this committee. And that is to respect the one-mile from the lake, to follow major roads and physical separations – not to cut in the middle of someone's property arbitrarily. I think that should be the guideline for urban service boundaries, which would require us to go back and clean this up, because there are some areas that appear to be sort of gerrymandered – or cutting in and cutting out. That's consistent with why you would have an urban service boundary. It's consistent with the basis of why we've entered into this joint land use plan. And that's what I would recommend we do.

Kost: So you're saying that the urban service boundary – right now we have the rural buffer zone, which was drawn one-mile from the lake. What you're saying is that the urban service boundary should go up to the rural buffer zone boundary? Is that what you're saying?

Portman: No, I'm saying the rural buffer zone should respect the one-mile boundary to the lake, and it should be as consistent and un-gerrymandered as possible, respecting roads and major geographic features and not arbitrarily separate the middle of someone's property.

Kost: So the rural buffer boundary does that.

Portman: No it doesn't. It's pretty gerrymandered.

Kost: Well there's two boundaries here. There's the rural buffer boundary and the urban services boundary.

Portman: I'm looking at a map that shows in yellow and black a rural buffer zone.

Kost: That's an urban service boundary I believe.

Jeff Ulma (Cary Planning Director): It's rural buffer on the – I mean it functions the same way.

Kost: Ok

Portman: So we're talking about the same thing.

Ulma: You're talking (interrupted)

Kost: I'm just trying to make sure. That really shifts it considerably. And I'm looking at the map of the one-mile – that shifts it considerably from where it was drawn originally.

Portman: Well it's been moved several times, hasn't it?

Kost: I'm just looking at 6, because that was (stopped mid-sentence)

Lucier: You know, part of that property up on the upper left-hand corner, and it's shown there, is bisected by the one-mile boundary.

Kost: Uh-hu

Portman: What area? Can you point to it on the map?

Kost: It's the corner directly of Mt. Pisgah Church and New Hope Church Roads. A portion of that property is within the one mile.

Portman: Are you talking about this piece right here?

Lucier: Yes

Kost: Uh-hu

Portman: Ok. So the guidelines said we would respect the one-mile boundary, and that we would draw the urban service boundary to not encroach on that one-mile boundary, and to use major roads, geographic features, and/or property lines to define it. The intent of that would be not to separate someone's property with part of the property in and part of the property out – to try to make the boundary recognizable to people so they know where it is. So in that case, that corner would not be in the urban service boundary, because it's within the one mile – it's within one mile of the lake, so it would have to be excluded – that parcel.

Lucier: It actually looks like the full parcel would have to be excluded.

Portman: Probably, yeah. Because to not exclude the full parcel would split it.

Lucier: Right

Robinson: And you could also say that the majority of the land the person owns if outside that one mile, if you don't want to split the property and you want to go along roads, you have to kind of balance all of that out and say just run along that road there. Because the majority of the land that person owns is outside of the one mile. And there are all kinds of areas where – you know – if you go down to the bottom here where we could take the urban service boundary right up to the red line. If that's where we're going to go, then we say, ok, well let's just take this one-mile line and just make that the urban service boundary, and what's in it is in it, and – that's kind of that logic. I mean you have to kind of use a little bit of judgment. So down here at the bottom, right where the word says 'buffer', you can see there's a subdivision here that we've wrapped around. So if you're going to wrap around there, then – you know – so that you don't divide these people's property or this subdivision. Then you would use – you'd apply the same logic up there.

Lucier: Well my approach would be at least but not less than.

Kost: Yeah; I agree

Lucier: The one mile

Portman: What does that mean?

Lucier: It means that (interrupted)

Portman: We agree on one mile

Lucier: Right; so nothing can encroach in that one mile. So that would be a necessary condition. And that doesn't mean it can't be more than one mile. But it cannot be less than in any circumstance.

Robinson: I would just say that we need to apply judgment to each parcel. (Inaudible words) The one mile is an arbitrary distance off of the lake. It's not that we know that once you hit one mile,

suddenly the water quality is dramatically degraded than it was at 1.05 miles from the lake. So, I think we need to (interrupted)

Lucier: No, but I think you have to set standards and abide by them. Once you violate that standard, then you say well you did it here; why not do it over here, and stuff like that. Have a one-mile condition and stick with it.

Robinson: And I would say just take the one-mile marker and just make that our urban service boundary.

Lucier: No

Kost: No, I don't agree with that.

Portman: Ok, well we may have reached a point where we have a disagreement. We can note that we don't agree. It's an area where we're not able to reach agreement on. I'm hearing clearly that Cary wants to respect the one-mile boundary, and that's not something shared by Chatham, because you want to do something different. Can you articulate what it is?

Kost: We do respect the one-mile boundary. Let me be clear on that. We do agree on at least that part of it.

Portman: We agree on the one-mile boundary.

Kost: What we agree is that no utilities will be within one mile of the lake. Our neighbors to the north – Durham – have that in their land use decisions as well. And, I think that would be good stewards of the lake. Where the disagreement is is you were saying that you want the urban service boundary to run the one mile from the lake, and we're saying we don't agree with that.

Portman: Ok. Where would you like it to run?

Lucier: We're happy with where it's running right now, and we'll take piece by piece issues as they come up. On that particular one we're talking about now, the public input we had received before and that southern part, for example, does not include a good portion of that. You know, we haven't received comment on that, and I would like to hear what the folks – I guess Woods of Chatham – is that right? Is that the subdivision?

Comment from audience member: Correct

Lucier: I'd like to hear or at least give them an opportunity to react to you whether or not the urban service boundary included that area, which is right now one to three to five – one dwelling unit for every three to five acres – in that range. The owner (interrupted)

Portman: (inaudible) Is there a timeframe when you'll have that information to be able to make a comment on what you'd like to do?

Lucier: Well, there's two ways of achieving the feedback. One is to go ahead and have a proposal, and then have it dealt with through the public hearing process. The other is to get feedback before we have that. My understanding from last time that we're going to try to do that with the area that had previously not been discussed as an employment center. You know, this area closer to the county line. And so this could fall in that same sort of basket.

Portman: Well, you have a draft plan that shows a boundary. You want to get feedback. When do you think you'll have that feedback?

Lucier: I don't know. Do you have any plan, Sally?

Kost: We are waiting until after this meeting before we schedule it. And, I discussed it with Julie as we were revisiting the timeline, and, of course, everything is contingent on the actions of Cary doing the local bill.

Portman: Any further discussion on this topic? Hearing none, let's go to the next item. Discussion of map changes to joint draft land use plan – designation of residential densities.

Ramage: The joint staffs (inaudible words) so far we've compared (inaudible words) on the board to your left. We're calling it Plan Map #7. It should reflect everything that according to the joint staff's understanding the committee has reached consensus and agreement on. I'll point out that it's a little confusing. That one still shows one activity center – or one mixed use center or employment node, because we don't have what we've asked to test in the community meeting this fall, is whether the public will (inaudible word) the two smaller nodes suggested at prior meetings, and try and get closure on that. We also have a discussion map, and that's the one on the right here – the white areas. The discussion map shows the two mixed use nodes – our employment nodes – that are currently on the table, but we don't have a final agreement. And, the white areas on the map that don't show any color – and this is the map that's on the table in front of you – so the big maps are both the same. The white areas are places where the staff needs direction from the committee as to what the land uses should be when we go to a community meeting this fall. So our proposal for today is – actually we have markers on the table, and we're going to take those white areas – if it pleases the committee – one by one, and try and get closure on what the land uses should be for those areas. So, there again is Draft #6, and then Draft #7 should show everything (inaudible words). And the discussion map is on the table in front of you. The first area we were going to discuss is that one the committee just brought up – the New Hope Road/Mt. Pisgah Church Road area. If you recall the Plan #6 earlier in the year showed that dotted outlined area at one unit per five acres, and there was a citizen request to increase the density from the Horil and Hodge families. Staff's understanding from the last committee meeting was there seemed to be consensus to change the land use to one unit per three acres. So, a slight increase in density. We want to confirm, in fact, that was the committee's decision. Our notes also said it seems at the last discussion of that, it still remained outside the rural buffer (inaudible words). We would point out that going back to Mr. Brown's presentation, when we start looking at these two areas, this is where the issue of service boundary – it may be something the committee wishes to discuss – so that remains outside the area. For example, it might be that public works can put a pump station at the last served area, which makes it difficult if you ever want to do a rescue farther up or downstream from the site. So, this is a good example of what happens. Here (inaudible words) utility service, and here you may have a pump station there. But to get any questions on (inaudible words) if the committee ever did – at the last meeting there was discussion about what if a church or a public school wants – decides to come on this site instead of housing, could it be served. Well, it's a lot more problematic if the pump station is here than if it's at the end of the service station and can serve the whole area in case of need. So that kind of ties back into those discussion. So that was staff's first question – we want a confirmation of the final decision of the committee was one unit per three acres. It sounds like we don't have closure on the rural buffer boundary.

Portman: I think that's correct.

Robinson: That's correct

Lucier: I agree

Kost: I agree

Ramage: The second issue there was the area right below it. It's 84 acres, but right now the boundary splits parcels and doesn't go all the way to Mt. Pisgah Church Road. And we wanted direction from the committee. There was some discussion at the last meeting that perhaps the

land use should be changed to one unit per acre. It's two units per acre in the brown color. There was a question on the table of whether it should be changed to one unit per acre, and the discussion had not closed on whether the urban service boundary should go to the end of that creek basin all the way out to the road. That's the first part we'd like discussion and direction from the committee.

Kost: I thought we agreed on one unit per acre on that. I thought we reached that agreement.

Lucier: I don't recall.

Robinson: What's in the minutes?

Lucier: Well I'm happy with that. That's the current density that's allowed now.

Portman: Is that the orange color?

Ramage: The orange color on the map is two units per acre. This lighter color here – this tan color – is the one unit per acre. That's one unit per three acres, two units per acre, and on the other side of the road you go into the unserved area right now that would be five acre lots.

Kost: Yeah, and we talked at the last meeting about the need for transition. And that was where we landed with one unit per acre.

Robinson: I'm ok doing one unit per acre there; however, I think in going back to the triangle up above, the property owner has asked us several times to make that one unit per acre and to extend the urban service boundary and give him the opportunity to tie into infrastructure. And I support his desire and his property rights. So I would want one to one on that triangular piece, and I'll go one to one on what appears in white right below Mt. Pisgah – the southern part of Mt. Pisgah Church.

Portman: I would support that both being within the urban service boundary area. Is that consistent with what you're saying?

Robinson: That's what I'm saying.

Portman: So this boundary – this urban service boundary line would run from here down to here and run along this road. So this would be a change to the urban service boundary (inaudible). So we would keep that same urban service boundary here and then somehow connect it back here and appropriately there.

Robinson: Yeah

Portman: That deals with the gerrymandering; it provides a good urban service boundary. I do think the issue raised by Council Member Robinson a few minutes ago – if you'll go back to the map just a second ago – on this one-mile boundary. I think (interrupted)

Ramage: This map?

Portman: Yeah. I think right there I see what appears in my mind to be a good reason for encroaching into the one-mile boundary. If you look at the road – Pisgah Church Road – you can see that by making that the boundary, we're taking a good deal of land that is further than one mile and taking it out of the urban service boundary. The small corner that encroaches within the one mile – if you were to average that more further than the mile – and I think the benefit to the community of having a road be a boundary outweighs any issue there. And I would support that road should be the boundary.

Lucier: I thought we were going to go get public input on that, so why are we revisiting it?

Portman: Well that's just because it's directly related to the map discussions we're having right now.

Lucier: No it's not.

Portman: In my opinion it is.

Kost: I thought we just agreed that we didn't agree on the urban service boundary and that we were going to come back to that. So, why are we now – I didn't realize we were going to come back to it quite so quickly.

Portman: Excuse me for sharing a thought that I thought made good sense. And if it's not something that we want to, we can just note it as an area we disagree on.

Robinson: Already wrote it down.

Portman: So, Cary supports the one unit per acre in the area – what do we call that?

Kost: The 84 acres there on Mt. Pisgah

Portman: And also above it in the corner of New Hope Church – this parcel right here. Is that what we're talking about?

Robinson: Uh-hu

Kost: So last time we agreed this to be one unit per three acres. Now you're saying you want it one for one?

Portman: I think that makes sense. Isn't that what we just articulated?

Lucier: Now are we back talking about the area that we – again? So we've moved backwards once again?

Kost: Yeah

Robinson: Inaudible

Portman: So I assume that we don't have agreement on that? Is that correct?

Lucier: That's correct.

Portman: Ok. So it's an area that we don't share a joint view. It's noted. We'll go on.

Ramage: So, the future land use designation of that whole area (interrupted)

Portman: Is not in agreement

(Inaudible due to multiple people speaking at once)

Ramage: So this is an area where the density and the urban service boundary is not in agreement.

Ulma: What are we showing the community when we go back out to – I mean going forward to a community meeting in October with a map. What are we presenting?

Portman: All of those meetings and discussions to-date have been based on a shared vision. We're now articulating areas where we don't have a shared vision. And without a shared vision, we don't have a joint plan. So, anything can be shared and reviewed, but bottom line is in order to have a shared vision, we have to agree on it. And it seems like we're finding it – we're just going to identify the areas where we agree and where we don't agree.

Portman: Someone from the audience would like to speak. Is it ok with the committee to recognize someone?

Kost: Certainly

Ballas: I just wanted to make a point of information. As far as about Pisgah/New Hope Church Road where the services go and changing the density there, I'd like to point out that we do have a large landowner here – Keith Horil. You already know Todd Hodge is in favor of this service area being extended out to Mt. Pisgah Church Road. I myself have talked to people in the Woods of Chatham, because I live there and I've been following Cary's coming up to Chatham County for years. And there's not really any opposition to changing the density to one to three acres or extending the boundaries out as far as possible. From a planning point of view, it's a lot cheaper. It's the way people look at it. You can always bring those boundaries back in rather than extend them out. Just as a point of view in relation to this conversation that's going on. I don't really see any opposition coming up. If you want a public hearing, that's fine.

Lucier: It's not a public hearing – a public input session.

Ballas: Yeah; we already have two major landowners, which probably encompasses more than half of that land area, that are in favor of extending the boundaries. Just as an information.

Lucier: But you're not speaking for your subdivision?

Ballas: Yes, I am.

Lucier: You are?

Ballas: I've talked to people in our subdivision, and they're not opposed to one to three acres.

Lucier: Well, right. I understand that part. But about the (interrupted)

Ballas: And we're not opposed to the service boundary going out.

Lucier: Well, I mean, I think we have to give them an opportunity of voicing that.

Lucier: I'm not saying anything about that, George. I'm just relating what I've already done. You do what you want.

Portman: Thank you for your comments.

Ramage: Is there – just from point of clarification – so the white area is agreement at one unit per acre. In terms of the rural buffer boundary just for the white area, is there any committee direction?

Robinson: We're at a point of difference. There might even be more than two opinions here. I personally believe that we ought to just take the urban service boundary and hug it up against that one-mile red line that we see there. I don't know if the rest of the Cary representatives agree with that, but we're at a point of contention. At the very least I think that Chatham County would like that line drawn back further than Cary. So, I don't think we can come to that conclusion today.

Portman: I think just the fact that we're noting the differences is (interrupted)

Lucier: There are two issues there. One is the one dwelling unit per acre, which there is agreement on. The disagreement is on the boundary itself.

Robinson: Right.

Ulma: (inaudible) and the line would stay where it is.

Portman: You would do one dwelling unit per acre and not have urban services. Is that what you're saying?

Lucier: Yes

Portman: Sally, is that your position?

Kost: It is.

Portman. Perfect. So we have an area where we don't share a common vision for the future on that parcel. Let's go to the next.

Ramage: The next area is around the mixed use center or the employment node. We're showing the discussion version, so from the last meeting these are the two mixed use node boundaries. So, the node has contracted in places. We want to go back to a question raised by the commissioners a few meetings ago where they were suggesting that the rural buffer line be moved back to 751 with the exception of around the balance of the mixed use node in the already zoned area. And to change the current plan – Plan 7 – adds one unit per acre. And there's a proposal by the commissioners I believe to make that one unit per three acres. So we're looking for direction on what to do with this 504 acres left of 751.

Portman: Well, what would you like to do?

Robinson: Is that still your position?

Lucier: I'm looking at it.

Kost: Yeah, I thought – I didn't realize that this one was still not clear. I agree with what we had in Plan Draft 7.

Portman: Seven's right up here.

Kost: We also have a copy at our place.

Lucier: Draft 7 was one unit per acre in that area, right? Is that correct? Is that correct? Draft 7 is one unit per acre?

Robinson: One unit per acre and in the urban service boundary.

Ramage: Right

Portman: So we agree on that?

Lucier: It seems like from our standpoint that makes sense – draft Plan 7.

Ramage: So leave that at one unit per acre.

Robinson: Uh-hu

Ramage: With the rural buffer boundary as shown?

Robinson: No. Oh, yes, yeah.

Portman: That is an area we've actually done pretty well with what we're saying.

Robinson: Yeah, hugging it; yeah

Portman: Just as reflected on draft Plan 7

Robinson: (Inaudible due to multiple people speaking at once)

Ulma: No, that's the one coming down the road.

Robinson: Oh, ok. So everything to the west of 751 would be one unit per acre.

Ulma: So we've gotten you that far up the road. So it wraps around to the road exactly as shown here.

Robinson: Ok

Portman: Is there consensus on that?

Robinson: Yes. I would just say that I think we're doing a good job hugging that one mile there. I'm not sure why we stopped and didn't include this area (inaudible)... a large lot subdivision. (Inaudible)

Portman: Well are we using roads or are we cutting mid-lots.

Robinson: We're cutting mid-lots (inaudible) – not cutting a parcel in half, but just doing a line between parcels. I'm not sure why we didn't come up (interrupted)

Portman: And is there a road or a boundary that would more clearly do that?

Robinson: Yeah, this boundary here – this road, and then over this road up to this water area right in there.

Ulma: You would be approximating the one unit (interrupted)

Robinson: Yeah (inaudible)

Kost: Or you can go the other way and back it off as opposed to add it on.

Robinson: Ok, well I would not agree with that. I would put that (interrupted)

Ramage: Part of the reason you see the line as it is, the earlier drafts of the map also imposed a quarter-mile buffer off of any land owned by the Corps of Engineers, and that's where you see this little arc here. So that's a quarter mile to there, and that accounts for a couple of these odd little arcs you see here – that's a quarter mile.

Robinson: What do you think about that? We need to stay a quarter mile off Corps of Engineer land. We're already one mile off the lake with the red line.

Kost: Given the condition of the lake I would err in favor of the (interrupted)

Robinson: (inaudible due to multiple people speaking at once) ... one of them is Copperleaf. Or I guess it's Amberly that goes up against the Corps.

Inaudible due to multiple people speaking simultaneously

Lucier: I don't think you want to use Amberly as an example of how to protect the lake.

Robinson: Well I'm not saying we're going to be putting in itsy-bitsy, tiny lots in there. I'm just saying we can have development (interrupted)

Portman: There's a lot of land uses between here and the lake that are endangering the lake.

Robinson: Hills of Rosemont goes right up against the Corps of Engineer land.

Kost: Right near 10-acre lot sizes

Robinson: But it's residential development up against the Corp of Engineer land.

Portman: I would argue we should leave that. It was part of an earlier discussion, you know. And, quite frankly, if we have a rational urban service boundary that respects the one-mile boundary, uses roads, I think that would be a good plan.

Ulma: Leave it the way it's shown west of 751.

Portman: Are you ok with that?

Robinson: Not really, because it just touches one tip – barely one tip of the Corps of Engineer land. It's hardly hugging up against it, it's just one area. And this way it follows the road line. Roads and water are the more logical boundaries.

Portman: Where's the road?

Robinson: I just covered it up with the green. It comes down here and goes across it.

Portman: Got it. So it's the same thing we talked about up above.

Robinson: Uh-hu

Lucier: My concern is more about the lake rather than the roads, and I would prefer to leave it the way it is.

Portman: Well, that sounds good. I'm not sure that what you do on this particular piece – if there's any impact on the lake based upon this. I think we have an area of disagreement there. I agree we should go off at the road, and we'll list this as another area where we don't share a common view. Next.

Ramage: The next area to look at is north and east of the mixed use node. The issue here is that back when there was a single employment node on Plan 7, that node was much bigger. That node went back to that area. So now that this western node has been shrunk in size, we need direction of what the land uses should be for these parts that used to be inside the node. It's no longer a mixed use node or employment center, so we need to find out what residential densities the committee would like in these areas.

Portman: Now correct me – refresh my memory. Have we agreed on where the employment centers will be, or is that still a point subject to discussion?

Lucier: It's a point still subject to discussion.

Portman: So painting this in should really occur after we've agreed if there's going to be an employment center and where it would be, wouldn't it?

Ulma: You need the land use to show for the remainder now that if it ultimately would be that size at that location (interrupted)

Portman: I understand. But I guess what I'm saying is shouldn't we address the employment center question, and then when we know where the employment center question is, we know what land has not been defined, and then define the clean-up. Because if we're doing this, and then the employment center changes, we have to do it again.

Ramage: Staff's understanding is we've been asked to go to community meetings in the fall where we would have a map that shows these two new employment nodes on one map and a single employment node on the other map. So we're just asking if we can show the community – they'll ask, well what do you intend here. So we need to almost show them two options. For that matter, we would have to show them what would happen inside the boundary of that node on the map that just shows the single node.

Lucier: How is the – what's the difference in the employment node shown on Map 7 and what's shown on this map here?

Ramage: Map 7 is the same size as back to Plan 6. So it's the original employment node, which is 460 acres.

Lucier: Well that's 460 acres. How many acres is that one?

Ramage: This has gone down in size to about 160 or (inaudible).

Inaudible comments; multiple people speaking simultaneously.

Lucier: That's the 460 acres.

Ramage: This is now 178 gross.

Lucier: So it's this area up in here?

Ramage: Right

Lucier: That's not included. And I don't know about this. Was that not included either?

Ramage: We'll move that – that will be the next discussion topic.

Lucier: Yeah

Inaudible comments due to members speaking lowly as they reviewed maps.

Kost: There's no real transition in any of this.

Robinson: Ok, I have a proposal. On this white area here north of Lewter Shop, I think you use this property as the division line right here. Make this two to one, and make this one to one. And

down here, this road that runs along here, make this two to one, and make this one to one – down below – to provide a transition.

Portman: So we're talking about the area directly north of the proposed employment center. And it would become what?

Robinson: Two to one

Portman: Two dwelling units per acre?

Robinson: Ok, let's write that on the map.

Lucier: I'm not agreeing to that.

Kost: I don't think I do either.

Portman: It's just a proposal.

Robinson: And this would be two to one, and this would be one to one

Kost: It's right up against (interrupted)

Robinson: And this is two to one, and this is one to one, and it uses that road as a boundary.

Portman: Ok, so that's a proposal. Comments? Is there another view (interrupted)

Kost: I thought we were just talking about the north at this point (inaudible due to numerous people speaking at once)

Kost: I don't think you provide any transition then, and you are right up against the one-mile marker to the lake.

Portman: What would you prefer to address that?

Kost: Well, I'm still thinking.

Ramage: If the committee needs any information we do have all the GIS layers you need.

Lucier: We can have a transition there. I mean I can understand one unit per acre – not the two.

Kost: Yeah, I just don't see where you're transitioning to, and again you're right up against the one mile part of the lake. Right up against it.

Portman: We're open to an alternative proposal.

Kost: Well the alternate was to take the two to one and make it one to one.

Robinson: Is that the southern part or the northern part?

Kost: The northern; we're not dealing with the southern right now. We're just talking about the northern.

Robinson: I think once you get a mixed use in there, I think you're going to want to step down that transition. You step it down by doing two to one and then doing one to one.

Kost: But then where does it step down, because right on the other side of that line is five – one to five. So then there's no transition there.

Ramage: If it will help, this part of the node tends to have the steepest slope. As you get farther down this basin, this has more topography problems. It flattens out in this part, and it flattens out in this part.

Robinson: Ok; so use this as your divider right here. Make this two to one and make this over here one to one? This area here one to one, and this over here two to one?

Kost: This is really hard (inaudible)

Robinson: This is the divider right here. This is one to one here.

Kost: Which is a creek.

Robinson: This is two to one here. So good transition areas between densities because people with bigger lots then have that extra buffer between themselves and the smaller lots.

Kost: So she's saying this is two to one and this is one to one. For now I can go with that, but can I reserve the right to revisit?

Portman: Is there consensus? George?

Lucier: That's fine for me.

Portman: Ok, can we – just for the record so we have it in the minutes and it's clear – can we try to restate that, Jennifer?

Robinson: Yes. The area that's shown in white to the north of Lewter Shop, the area – the creek in the middle of that will be used as the boundary. The area to the west of that is one unit per one acre where the steep slopes are. And it will be two units per one acre to the east of that creek.

Portman: And we're defining the area in white on the draft maps in front of us. Staff, you'll have this map to sort of capture our discussions. George and Sally, are you comfortable with that?

Kost: For now. I've got to pull out some notes on some of the presentation that Allison Weekly gave, but for now I'm ok with that.

Lucier: Maybe with some areas in here where there were some environmental issues, and there might be slopes. I'm not sure either. We don't have that information, do we, now?

Ramage: We do. We can show you anything you wish to see.

Kost: I'll just go back to my notes, because I need to look at what I wrote down.

Portman: So should we leave it as an area of agreement or not?

Kost: We can leave it as an area of agreement, but again I want to put that caveat on it that I do want to go back and look at my notes dealing with environmental impact in this area. Because, again, the conservation study shows how highly sensitive this whole area is. And I think we always need to keep that in the back of our minds.

Portman: Ok; very good. So we have agreement on this land use, subject to review at future meetings that we will do one dwelling unit per acre north of Lewter Shop Road, and to the east in the area of white two dwelling units per acre. Next.

Robinson: The area to the south, right? Right here.

Ramage: This area actually – this question did not result in a (inaudible due to members' moving papers)... that development in here. The question was raised about the likelihood that this would be served. You would end up with potentially a pump station serving this area here, and you would have to have another one somehow perhaps (Inaudible due to others speaking). So there's a question of whether it makes sense to keep that in or not. Right now it's slid in between two units per acre and one unit per acre on Plan 7.

Ulma: And it uses the creek as the edge.

Ramage: Again, this is the one where utility planning (inaudible words)... with a single station to serve the area; otherwise it may be more difficult.

Portman: So in Draft 7 is that slightly different?

Inaudible comments due to multiple people speaking at once.

Ramage: The way it is right now is it's one unit per acre until you get to this little creek. And then it goes to two units per acre for the rest of it.

Portman: That's very consistent with what we were saying.

Robinson: Uh-hu

Portman: So we would recommend adoption of it as stated in draft Plan 7. Is there agreement on that or not?

Lucier: Now on draft Plan 7, the employment node, of course, that's not – is that the current southern boundary of the – I'm just trying to match up the (interrupted)

Kost: Yeah, I'm having trouble with that as well, George.

Portman: Right here. Can you outline the area on draft Plan 7 so that we're clear on what we're discussing?

Ramage: Yes. So it's the area that goes all the way up – there's a line of properties up here in this little cul-de-sac here. So, the area of discussion is south of there.

Robinson: Your finger's on it right now.

Lucier: Right; so why don't we just leave it as it is?

Robinson: Ok

Portman: That's what we're proposing.

Robinson: Yeah, that's what we're proposing.

Ramage: Just leave it?

Robinson: Yeah

Lucier: Yeah

Portman: And we agree on that?

Kost: Uh-hu

Portman: Excellent

Ramage: And the last question in this node is, again as we've said, if we go out into a community meeting, we've been asked to show two maps. One that has two employment nodes, and one that has a single employment node. On the map that has a single employment node, what land uses would you like to show within the western side?

Robinson: I would say everything to the west of 751 be one to one, and the stuff that's to the east – and right now would be two to one.

Lucier: I thought we already dealt with that.

Portman: No, because we have an employment center there now. This is a contingency plan for discussion if the employment center is gone.

Ulma: If you only have the one eastern employment center, you've got to show what the land use designations are to the west.

Portman: What do you want this to be if it's not an employment center?

Lucier: I'm a little confused with what you're doing. You know, we've pretty much decided everything to the west of 751 is going to be one to one – the current – up to the one-mile limit.

Portman: That's the proposal (interrupted)

Lucier: That's shown on this map. But I thought we had already discussed that.

Portman: That's the proposal, because we're now discussing the blue area.

Ulma: Take the blue off (interrupted)

Portman: If the blue is not an employment center, what should it be? The proposal is that it be the (interrupted)

Lucier: The current zoning – one to one.

Portman: Yeah

Ramage: So this part here would be the one to one?

Lucier: Yes, the current zoning.

Ramage: What about the rest of that?

Robinson: I think it should be two to one.

Lucier: No. All the current zoning – one to one.

Portman: Ok, so there's agreement west of 751. We have an area of disagreement east of 751. Chatham County is recommending two dwelling – I'm sorry.

Lucier: One to one.

Kost: One to one.

Portman: One dwelling unit per acre. Cary is recommending two dwelling units per acre, and it's an area that we don't share a common view.

Robinson: Right.

Portman: Ok?

Kost: And if there's not an employment center, I just reserve the right on the urban service boundary.

Lucier: Right. So is that noted that if there is no employment center there, then we're going to revisit the whole urban service boundary issue?

Robinson: (Inaudible words) that you would want that pulled back. Cary would not agree with that.

Portman: That's the whole issue of the urban service boundary where we don't agree.

Robinson: Right

Lucier: Right

Portman: Ok. Next.

Ramage: We have one more (interrupted)

Portman: I'm sorry, I don't want to rush. Any other discussion or thought on that?

Lucier: So is that clear then that our view is obviously the urban service boundary would be pulled back if there is no employment center there?

Portman: It's in the minutes. We noted it. We don't share that view, so it's an area of disagreement to prevent a joint plan.

Lucier: Yes

Portman: Next

Ramage: We realized after we had appended your agenda, we did want confirmation that for the eastern employment node – the way it was drawn takes part of the node outside what's currently shown – the rural buffer boundary, and there was discussion on that map – would the boundary be included to include the whole employment node.

Robinson: Yes.

Portman: In our earlier discussion on the urban service boundary is that Cary is proposing that this entire section be included, consistent with the one-mile line. So, we would support this.

Ulma: Pull it out to coincide with the employment center.

Robinson: Yes.

Kost: I would say that anything that is in blue needs to have utilities, so I would support moving it out to outline everything that's in blue.

Ramage: Ok

Kost: You've got to do that.

Lucier: So to have the boundary just cover what's in blue.

Kost: Yeah

Kost: Hand me some of these fancy markers; they've got all these colors; we've got all the dull ones. They've got orange and red, and we've got black and brown.

Ramage: We've got plenty over here.

Kost: Here, you can have some dull colors.

Portman: Next

Ramage: The last one area of the map for discussion is down on Luther Road. This is plan Map 6, so the one that was taken out to the community last time (inaudible due to multiple maps being manipulated)... to the Ferrell property the boundary has been shifted to the greater of 400 feet from the Corps property for certain elevations (inaudible words) selected by the committee. One question that was raised strictly internally – not by citizens (inaudible words) – was a question of whether there would be any interest in changing the (inaudible words due to multiple maps being manipulated)... The issue was south of Green Level West Road is the long range urban service area for the Town of Apex and Wake County. Instead of making the rural buffer boundary the utility area, transition from county line and bring it to the ridge line, which is the road. Potentially, if this area was served (inaudible words) and would require a pump station further downstream (inaudible words), and then you would have another station here. There is a possibility we'd swap those two areas and make that, which is currently two units per acre – if you take one unit per five acres and then move the two units per acre over here. You'd consider that area (inaudible words) possibly with a single pump station. So it gets rid of one pump station, and moves the boundary potentially between an Apex service area and the joint plan to the road at county line. So it's simply an item for your discussion.

Kost: So you're saying (inaudible words) of Wake County, that is in the Apex area. Right? Is that what you're saying?

Ramage: Correct. Yes, this is all Town of Apex up to here – that's the Town of Apex long-range urban service area. So, there's a drainage basin that kind of comes this way through the Town of Apex's long-range area down like that. And, so the issue was should we take that two unit per acre area and move it over here, and make that five acre lots, and change the land use transition to the road instead of the drainage basin. That was just a question.

Robinson: You're well off the quarter-mile area. I would say include them both in our urban service boundary. We haven't heard anything from Apex, if they're looking at having a low density plan in this area. It would be different if they've been saying consistently, oh, we're going to have very low densities over here. But, we theoretically could have a very low density area outside our urban service boundary up against their land that is densely developed. We just don't know what they're going to do. I think put them both in the urban service boundary, and I'd do the 56-acre at one unit per one acre and 81 at two units per acre.

Lucier: I think we should leave it as it is in Plan 7.

Portman: And that is what?

Lucier: Two units per acre.

Ulma: But it doesn't include that western tract. It doesn't mirror what was done for the Ferrell property up to the north.

Ramage: For the Ferrell property, in response to their request, instead of the quarter-mile off the Corps property, the committee agreed to a compromise request to use 400 feet from the Corps plus an elevation (inaudible word). So, the question was down there should it – should the same treatment have been done for the neighbors south of the Ferrell property.

Lucier: No, I want to leave it the way it is.

Kost: Me, too.

Lucier: On 7

Kost: It's going into the White Oak Creek.

Lucier: Right, it's a particularly sensitive area.

Portman: Your thoughts?

Robinson: I just disagree. I don't know why it ever got to this point in the first place. I would have drawn it just like that and then over. So, it's just another (interrupted).

Portman: Let's note it as an area where we don't share a common view for the plan. Next.

Ramage: What would be (interrupted)

Robinson: I would say two units per acre and one unit per acre.

Ramage: One request is one for one and two for one, and the other is leave it alone.

Portman: Right

Lucier: Leave it as it is shown in plan 7.

Ramage: Ok

Portman: That concludes this section of designation of residential densities. Are we ready to shift over to the employment center, or do we have anything else?

Keith Horil (from the audience): Can I make a comment given that you're so far ahead of schedule – to staying on schedule? Please?

Portman: We would like to finish as soon as we can.

Horil: Ok. So, may I make a comment?

Portman: Sure

Horil: Ok. Could you display the map, please, for Mt. Pisgah Church Road and New Hope Church Road? Is that possible? I really just want to put a question out there. It doesn't necessarily need an answer right now. But, one of the reasons I've been told – I'm Keith Horil. I own 47 and some odd acres near that intersection. One of the reasons I've been told that we have to have lower density – one for five and one for three – is because we abut up to existing subdivisions that are

three, five, seven acres – something like that. As I listened to all the discussion, I see – and maybe this is the one – it looks different up close – I see lots of existing subdivisions that are surrounded by two to one. And, there's Windy Hill, there's Turtle Creek, and some others that I forget. So, I see that there's lots of examples of two houses per acre right up next to these other subdivisions. So the question I just want to put up out there is why is this area so unique that it has to be so much lower density near other existing subdivisions? All I'm asking for is one for one, which is the current zoning. I'm not – at times I've asked for higher density. Frankly I think one for one is perfectly reasonable. I think larger buffers next to my neighbors makes for good neighbors. That's reasonable. So I just want to ask why is this area so special and different than the half a dozen or more examples of putting two houses per acre up to the same subdivisions? That's it. Thank you.

Portman: Thank you for your comment. Any comments or (interrupted)

Kost: Well, because we've already decided that that's an area that we disagree on moving forward, so

Portman: Ok. Next item on the agenda is the employment center. Is that correct? And the question is will there be one, and what will it be, and how big will it be, and where will it be located.

Ramage: Well, we have two questions from staff. The first was – the joint staff met after the last (inaudible words). We presented alternatives for the two employment nodes, but we wanted to make sure – does the committee have consensus that the boundaries presented then are the ones you want us to show at the community meeting. We believe that was the case, but we didn't have an official statement, and we want to make sure you're comfortable with the boundaries for the western (interrupted)

Kost: Well, we kind of just did that.

Ramage: Ok (interrupted due to coughing and sneezing)... boundaries for the eastern node.

Lucier: Yeah, and I think the plan was we're going to have – if I'm recalling correctly – is when we take it for public comment we're going to have two maps. One with the – I guess this would be the eastern node, and another one – eastern node only, and a second one with both nodes.

Portman: That's my understanding. The question here before us is are the boundaries of those two employment centers – is there agreement on the part of Cary and Chatham that those are the boundaries that should be presented.

Lucier: Yes

Kost: Right

Lucier: But there will be a map again that didn't have the western node.

Kost: Right

Portman: Yes

Lucier: And would be filled in by what we either agreed to or disagreed to on that current blue area.

Robinson: One question I have is why do we have this tiny little trapezoid here coming down that is two units per acre right in there, instead of having the employment center just go right over to the road?

Ramage: It was an issue of topography. (Inaudible words) I think you're looking at this area right here.

Robinson: No, to the right; to the right of the road. That little trapezoid right there.

Ramage: The topography here is steep, so we came out to this property (inaudible words)

Robinson: Ok

Ramage: (Inaudible words) heavily buffered. That happened in a couple of places where we'd (inaudible words) to follow the creek, but you're not going to see all the creeks on this map.

Portman: Well, I guess one question I have there – I mean, the topography is very steep, and it's potentially not buildable. I'm wondering whether it should still be in the employment center and would just be not buildable land and would be part of open space for any project that's done there.

Robinson: Yeah, I had the same thought.

Portman: It seems to be a bit more logical to go to the road. It's going to be governed by what is buildable or not, but to call it another color would be to imply that you're going to put homes in there.

Inaudible comment from the audience.

Portman: It's all under one ownership?

Comment from audience member: That whole side of the road is all under one owner.

Portman: So we're splitting land use within one ownership.

Comment from audience member: I live on the west side of the road (interrupted)

Robinson: You live on the west side of the road.

Portman: Ok. I think it would make more sense to just bring the blue straight across, recognizing that the topography of all of this land is going to determine what can and can't happen.

Robinson: This

Ulma: That one rectangular parcel

Robinson: Yeah

Lucier: I don't know if I agree with that.

Portman: Sally?

Ramage: Staff did (interrupted)

Portman: Are you going to put homes in there by that employment center?

Lucier: What do you think, Sally?

Kost: I'm still thinking. I'm trying – I'm visualizing where it is. I know that there was some concerns about the difficult topography on the back side of that, but isn't that pretty flat there? It's pretty flat there, isn't it?

Comment from audience member: The area that's shown with the 25-acre lake – part of the big tract – yeah, that's flat. But this is very steep, and it is a draw through (inaudible words) creek, and so that will always be riparian buffer. But I'm sure the property owner views that as riparian buffer and open space (inaudible words).

Robinson: Yeah

Kost: Yeah, I'm probably ok with coming up to the road.

Portman: It seems to me if you're going to have an employment center there, it would be logical to bound it by a road. So, do we have agreement on that? Ok, excellent. Making progress.

Ramage: The last question we had about the mixed use node is about what's the definition on the map we take to the community. The Plan 6 and 7, of course, has a note back when we had the single employment center, back in Plan 6 and 7, there's a note that says it's 460 acres; 24 acres would be used for shopping and services; 218 acres for office and employment; and 218 acres for housing. And, the 218 acres for housing has a gross density of eight units per acre. But that's the last agreed to note. So, the question is what do we want to do with these two notes (interrupted)

Lucier: I thought we had (interrupted)

Ramage: in terms of the mix between office and employment and density

Lucier: I thought we had discussed that and reached agreement that it would be – keep it to two per acre. And for the – keep it two per acre. So, if you have – which is what it's surrounded by. Which means that – and I thought we had reached agreement on this last time. But keep that distribution of office, employment, residential and shopping the same proportions as shown there on the Plan 6. Obviously the numbers would be different, but the same proportions. For office, employment and residential, that means you get roughly 50% of it residential. That means in the residential area you could have actually four per acre.

Kost: Right. So for the east node, maximum residential density would be 600. Right?

Lucier: Yeah. In other words it's two per acre, but you're including in the denominator the office/employment area. But I thought we had talked about that last time?

Portman: Well, we've talked about so much of this so many times; it's hard to keep track (interrupted)

Lucier: And actually decided that was fine. Can we check the minutes? I mean, we can go back and revisit it, but (interrupted)

Portman: (inaudible words due to multiple people speaking at once)... if we agree on it, we'll go forward with it.

Lucier: Do you understand what I just said?

Portman: No, I'm confused by it.

Lucier: Keep that two per acre – that employment center. But obviously 50% of the employment – of that acreage – is the employment center or where people are working. That means the density in the residential part can be four per acre. Because you've averaged out over the entire acreage.

Kost: So, for the east node the maximum residential units would be 600. Right?

Lucier: Which one?

Kost: For the east node.

Lucier: Yes, that's correct.

Robinson: I think what he's saying is keep the proportions the same.

Ulma: No, the amount.

Inaudible comments due to multiple people speaking at once.

Lucier: Yeah. So if you have 299 acres you have roughly – you'd only have – you're dealing with about 1/20th of it as shopping acres.

Ramage: So this would still have the 24 (interrupted)

Lucier: No, it would be 1/20th.

Inaudible comments due to multiple people speaking at once.

Ramage: Oh, ok. Maintain all the proportions.

Robinson: Yeah

Lucier: Yes.

Ramage: So of 24 acres, whatever 24 over 460th would be – would be the same thing.

Lucier: Right

Robinson: I think if you want the project – if you want the mixed use to be a success, you need to have a max residential density that is consistent with the mixed use. So, I don't know if we need – if eight – is that the standard for one of these mixed use communities or (interrupted)

Ulma: I think that comes through the discussion of what's acceptable, and how many units, and what density. There's no magic to the (interrupted)

Portman: It seems to me that carrying everything proportional at this stage makes the most sense, because this is such (interrupted)

Robinson: I agree

Portman: Because this is such a preliminary plan. To gain input I don't think we can get too specific. We don't even know (interrupted)

Lucier: But on the density, what I thought we'd agreed to is leave it overall averaged out to two per acre, but realizing if it's a little more than half, then shopping and employment places – then your residential part is going to be probably 4.5 or something like that.

Ulma: Net on (interrupted)

Lucier: Yeah

Portman: (Inaudible words due to multiple people speaking at once)... after that do a note on the comprehensive plan, because it (interrupted)

Kost: Right

Robinson: What you're saying is, if you said two units (inaudible words) – if you said – what you're saying four units per acre is max?

Lucier: I'm saying an east node – may I do it this way. You can have a maximum of 600 or 598 units. In the west node you'd have a maximum of 356 units. But the density – the actual density in the residential area would be higher than that, because a little over half of it is taken by shopping and office/employment acres.

Robinson: Well, that's not exactly how this works out, because this is – this number here – the existing one is not eight times the total gross acres – 460. It's eight times the residential acres.

Lucier: Right. What I'm making is a proposal for those two sites, independent of what was in plan 6 – just keeping those proportions the same in terms of residential, office and shopping.

Robinson: I understand that, but when you take your density down to two, what you would say then is – let's say it's on average 300 – let's just roll it to 300; 160 will cut it down a little bit to 140. You're saying maximum 280 units.

Lucier: No

Robinson: Yeah, because the way the numbers work out is eight times the (interrupted)

Lucier: Jennifer, don't tell me what I'm saying. I'm saying that a maximum of 598 units in the east node; a maximum of 356 units in the west node.

Ulma: Acreage times two.

Lucier: Yes

Robinson: You're using the gross acreage.

Lucier: Yes

Inaudible comments due to multiple people speaking at once.

Portman: But the gross acreage you're saying if half of it becomes employment, he's going to allow the residential density for all of it to be fit into the half of the land that remains.

Lucier: Yes; right

Kost: And then even more open space around it – we can even squeeze it down some more.

Inaudible comments due to multiple people speaking at once.

Kost: And as far as smart growth and all the principles that we've all said we agree to, it would still work.

Robinson: And if somebody came in and – let's say they took 200 acres and specified those were going to be simply density or simply residential density. Are they going to get pushed back when

they want to do 16 units on each of those acres because you've exceeded your max residential density? I mean (interrupted)

Lucier: No, no, no. For example, what we have – this is what we do with our compact community ordinance we have in the county. We have a maximum of two dwelling units per acre. Some areas of that – Briar Chapel – have densities that are six to eight units per acre, yet there is a considerable amount of open space there as well that compensates for it. So, no, it doesn't necessarily preclude dense – much denser in one particular area, but it has to average out over that entire 299 acres to two units per acre.

Portman: I think it's a very reasonable concept, and what we're doing here is kind of mixing zoning and land – comprehensive plan.

Kost: They're connected.

Portman: The comprehensive plan would be the employment center. The details that would govern that comprehensive plan would be notes on the comprehensive plan that would capture this.

Lucier: Yes.

Robinson: So the note needs to read – this definition of what you're talking about – about max density – max residential densities – acres per gross acreage of employment. Excuse me, (interrupted)

Lucier: That whole blue area is the denominator.

Robinson: Right. Units per gross acreage of employment area. So if that morphed – if it went down to 250 or if it went up to 320, it's still going to be two units per (interrupted)

Inaudible comments due to multiple people speaking at once.

Robinson: Of the blue area

Lucier: That's correct.

Robinson: Then you can almost eliminate that. Then you eliminate that.

Lucier: And a developer would have an option of how to design it – obviously topography and other issues – so there would be flexibility in there. But that would be the maximum acreage.

Portman: You'd be eliminating the maximum per acre, but you would be still constrained by the maximum density of the development of the node.

Lucier: Yes

Portman: Because the acreage of that blue is defined.

Lucier: That's correct.

Portman: And that would be the maximum residential units in that blue. They could respect a compact development ordinance; they could be clustered; they could be much higher density on their parcel.

Kost: That's what we're saying.

Portman: That makes good sense.

Ulma: So do you have a max? What's the purpose of having (inaudible words) as the maximum if you're saying it can go above that in the developed portion.

Portman: That's what would be eliminated – the maximum residential density.

Lucier: All you're saying is on that – if it's 299 acres – of course it has to be something that's consistent with other aspects of how you make decisions on developments and these sorts of things, and the buffers and all this kind of stuff. But you would have – for 299 acres you would have 598 potential units. And the developer would have the option of clustering them with more open space – you know, whatever works for the property and for the marketing issues and these kinds of things.

Ramage: And if the overall size of the node got bigger or smaller it would fluctuate with that?

Lucier: Yes

Kost: We're saying that the overall density of the whole blue area is two units per acre. We just changed the size of this just a few minutes ago, so we know it's not 299.

Ramage: Staff would probably raise one question, though. Since mixed use development (interrupted)

Kost: Let's wait until we're all here

Portman: Right now as I understand it, it's being based upon the gross acreage of the blue area, and it is saying the maximum number of units is determined at four dwelling units (interrupted)

Kost and Lucier simultaneously: No, two

Portman: Two dwelling units per acre of that total

Lucier: Yes

Kost: Right

Portman: There is no restriction on density, because they may want to develop cluster so they can have higher density. Now the total size comes down. Is that what you're getting at?

Robinson: No, what I'm saying is – just to compare it with – sometimes we get into these meetings and then one person will say, well I want this. And we need to think about what the implications are. So in this situation, they're saying two units per acre. So if you applied that to this example to see what we're changing here, that would be 920 units versus 1,744. And I'm asking you, do we want to go down to two units per acre for an employment center, or do we want to make it something like three units per acre – slightly more dense so you're a little bit more concentrated where the employment is. Rather than – and use this as a compromise rather than just jumping down to two.

Portman: What was it in our draft plan?

Robinson: Well in this right here it's more like four.

Ramage: It's eight units per acre on the residential area but we (interrupted)

Robinson: If it's like this it's four. By his logic it's four.

Lucier: Then we have disagreed with that.

Robinson: So they're saying they want two; we've had four. Do we want to compromise at three?

Portman: Do you want to compromise at three?

Lucier: No, we've disagreed with the four. We never accepted (interrupted)

Portman: So it's an area where we agree to disagree. There's not a common view for the density.

Robinson: So we need a multiplier.

Ramage: One thing to think about – just to interject a second. When – in terms of determining conformance with the plan – does it present any problems – development standards – do you have a single developer offer to build all 299 acres at once. So, when you don't know how big the thing may finally end up, and a developer comes in and says I only have an option of building a 20-acre portion, can you tell me what my residential density is – we wouldn't know if they conform or not (interrupted)

Portman: (Inaudible words)... in terms of who can take the land. So someone could come in on this 20 acres and build all of it – leaving nothing for the other remaining land.

Lucier: And that would not be a smart thing to approve. So, I think there would have to be some sort of language in there – some guidelines of how you would do that.

Ulma: How you would do it on – if it doesn't come in lock, stock and barrel all at once. So, when it comes in piecemeal – the development – what do you allocate to that smaller portion of it based on something that's built on the whole – it's hard to administer.

Lucier: Right, and you may have a situation where someone comes in and tries to acquire all the property and stuff like that, and it becomes a simpler issue. If it's not I think you cannot let any single developer exceed that, because that would preclude other developers. So, the best thing to do, if you have a larger developer come in – obviously (interrupted)

Ulma: But we can't control that, so how do you administer it if (interrupted)

Lucier: I've just – I've just said how you administer – how I would administer is in any single piece. If it's 50 acres, then the most they could have is (interrupted)

Note from clerk: Inaudible background conversations among members

Ulma: 100 units

Lucier: Yes

Ramage: So it's two units per acre on the residential piece unless they plan the whole thing?

Lucier: Yes

Note from clerk: Inaudible background conversations among members

Lucier: And you have a maximum of (inaudible comments due to background conversations among members)... 460 – it was 218 for residential acres. You couldn't exceed that – if it was 460. But, it's not the 460 number. So I think it's administrable.

Note from clerk: Inaudible background conversations among members

Portman: What's the rationale for reducing the number from the plan?

Lucier: Because we thought it was too dense. We've said this consistently.

Kost: Yeah

Portman: Ok, so let's leave this as an area where we agree to disagree and don't share a common view on this point in terms of density. We can go forward with showing the employment center. The actual density from residential is not – there's not a consensus on it.

Lucier: I mean there are a lot of issues – administering it – at some point you have to have a sense about – say if everyone sort of fills up the residential density but there's no employment center – you have to have – you can't do more residential development until you have a certain amount of employment stuff in there. So I think those guidelines have to be worked out – obviously – so you don't just – it doesn't become (interrupted)

Robinson: Which is why they put that max density as eight. Because then you could go in and put 16 units on one acre and then say, ok I (inaudible words) got what I wanted (interrupted)

Portman: We've had experience with this – had the problems with administering it.

Lucier: For each piece you would have to treat that as no more than two per acre. It would be better for a larger developer to come in and (inaudible words) and centralize that.

Kost: Do the whole thing at one time

Portman: Any other thoughts on that subject?

Robinson: We'll let our staffs determine an approach to try to execute that.

Portman: Do you have an ability to present something, given the fact that we don't have the agreement on that density? Just show both options?

Ulma: I don't know. You've got a lot of places where you didn't agree. I'm not sure what we're going to show when we go out.

Portman: I guess the only thing you can show is what the two positions are.

Ulma: Options within options

Robinson: Or postpone the meeting until we come to an agreement

Portman: If it's not clear – if it's not a clear shared plan, it may not – it may be premature to get public input.

Robinson: I agree.

Portman: Because if we don't have something we can agree upon, we don't have something. We're working hard to try to get something, but we seem to have – let's get through the rest of the agenda. Any other issues on this topic?

Ramage: So there's agreement on the percentage split but not on the density cap right now.

Portman: Right

Ramage: And then (inaudible words due to members' moving around maps) it would be on the western node. So, where the old 460 acre node was, you've now – the smaller one – you want to use the same approach as far as splitting up the land uses – keep the same proportions?

Robinson: Yeah, the same proportions.

Ramage: Ok, so both nodes get the same treatment.

Robinson: Right

Portman: Makes sense to me.

Kost: I agree

Robinson: Ok

Portman: OK, very good.

Ramage: We have one other node question. The part of the proposal by the Board of Commissioners for the mixed use node, and then to include a 200-foot buffer around any portion of the node that abuts residential property. And, is that a note that should be included for the two nodes we show the community.

Lucier: Now what is that stuff with the maximum residential units? We didn't agree to that.

Ramage: This is just – we were trying to express on one chart – this goes back when we took minutes from quite a ways ago – back when there was a – I'm looking at Plan 6A had a different acreage for this. And it had a 600-unit cap and a two unit per acre over the gross, which is about a four unit per acre net. All we wanted to capture right now was there has been a suggestion in Plan 6A by commissioners to have a 200-foot buffer in the mixed use nodes against residential elements. And the question would be do you want to still keep that note on the plan. Would you want to add that note to a plan for the community, and would it be the same note or do we show the community two options?

Lucier: I'm just saying that you realize that 1,000 is not what we agreed to on that.

Ramage: We know that (interrupted)

Kost: So we're just focusing on the node buffer at this point. And, I would like to keep it.

Robinson: I think it's important to have a buffer in place, and anyone who comes in to develop understands we're trying to protect the residences around it. That would not mean that it couldn't be traversed with a road or it couldn't be traversed with a greenway into the mixed use center or something like that.

Kost: Exactly; I agree with that.

Ramage: The staff – we will be bringing as the process moves forward design guidelines. So, the issue of buffers and treatments and so forth may be better treated as a holistic discussion about how the committee wants to deal with design guidelines throughout the area.

Kost: But as I have said repeatedly, and I'll say it again. I think it's very important that those design principles go forward with the land use plan. And this is a perfect example of why.

Lucier: But I agree that they're better dealt with holistically in terms of what can be done in buffers and so forth, and these kinds of things. And not deal with it on a piecemeal basis.

Kost: Right, but I do think it's important to note it here as this goes out (interrupted)

Ramage: Especially where you have a non-residential use, a 200-foot buffer adjacent to the residents.

Robinson: But not internal to the project. If you had condos, you wouldn't put a 200-foot buffer.

Kost: Yeah, we're talking about the (interrupted)

Ramage: The exterior

Robinson: Right, the exterior. Right, ok, now are there any other map change discussions we need?

Kost: My favorite slide.

Robinson: Ok, Erv had to step out for a few minutes, so I'll just kind of pick up where he left off. The next topic for discussion is an update on the Western Wake Water Reclamation facility pipeline easement through Chatham County. And, does staff plan on commenting on that?

Bailey: I can try to at least tell you where I think we are. If somebody has more information, I'm happy to hear that. Just sort of at the beginning – we made a request. I think Chatham has discussed that a few times, and at their most recent discussion asked that we have a public meeting in Chatham County to talk about pipeline routes so we can get some feedback. We've been working on setting up that public meeting. I think right now we have a pretty firm date of September 8 – I'm not certain it's been completely confirmed.

Kost: It is.

Bailey: And I believe it's at the fire station.

Kost: It is.

Lucier: The Moncure fire station.

Bailey: Correct. And there's two things we're working on. Just one is sort of the format of that meeting, which is sort of in progress. And secondly, the public notice probably in a couple of ways for that meeting is also – has not been completed yet.

Kost: And I do want to re-emphasize that this is a Chatham County meeting of which we are asking Cary to be a participant of. This is our meeting, and we have given our staff some pretty clear direction as how we would like the format of that meeting to be. So, if there's any doubt (interrupted)

Portman: Can you share with us what that is?

Kost: We have asked – I believe originally that there was going to be just stations, and the public would come and do a drop in type of thing. And, it's important to us that there be at first a grounding presentation – an overview presentation that explains what the project is. And then let the individual questions be done at the stations. Because I do see a true benefit of that. But I don't – I believe it's extremely important that you set the stage and the groundwork and let folks have an overview of the project, as opposed to putting that burden among them to ask the right questions. So that's – I think it's just more effective.

Robinson: We've done that kind of thing many times, so that's not a problem.

Bailey: And that's what the town manager understands as where the meeting is headed as well, and I'm not aware of any concerns with that.

Kost: I didn't think it would be an issue, but since you asked.

Robinson: Ok

Kost: That's what it was.

Bailey: And just yesterday my manager asked me to get some information about the property owners and sample letters and things maybe in the past to Mr. Hughes. So I haven't done that; I just got that very late yesterday as a request.

Kost: I do want to make one really important point, though – that as you send letters to Chatham County citizens – it would be extremely helpful to us – the elected officials in Chatham – if we could have the copy of those correspondence. Apparently a letter went out several weeks ago, and we got calls from citizens, and we were blindsided, because we were not provided a copy of that letter.

Robinson: Why don't we make it our practice that we send the letter that's being sent to people along with a master list of who's receiving those. Is that possible?

Bailey: That particular letter – there were two versions. One that went to elected officials, and one that went to citizens. So there was a couple of different – so Chatham did get a letter at the same time that had very similar information. It just wasn't a match. Later we sent the copy at your request.

Kost: Right, because the letter that went to the citizens really skipped over a very fundamental point. And that is that the Chatham Board of Commissioners have to take action on whether or not to grant this approval. And that was – if you read the letter you wouldn't know that.

Bailey: And it's my understanding that ya'll – or Chatham – is going to mail the notice letters out for this upcoming meeting anyway, so there wouldn't need to be anything to be copied (interrupted)

Kost: No, no, but I'm just talking as we move forward that this particular letter that went out – it didn't settle well with us, because one, we thought that the content missed an extremely important point; and number two, we didn't receive a copy of the letter. And I think that's fair for us to feel like we've felt.

Portman: Duly noted. Thank you. Any other issues?

Robinson: Have we established with Chatham County a timeframe in which we need to have their response?

Portman: Several times.

Robinson: Ok; so you have that in letter – you are aware of (interrupted)

Portman: February, March, April

Lucier: We will formally take up the request from the Partners after the September 8 meeting.

Robinson: Ok, and when do you intend to have that answer back to us? When is your meeting? I'm not sure what your meeting schedule is.

Kost: It will be after September 8.

Portman: Do you know when that meeting is? Can your staff help us? Is there anybody from staff here that can tell us when that meeting will be?

Lucier: We haven't set our meeting agenda for then, but our next meeting after that is September 20.

Portman: Well this is an issue – you know quite frankly this is the same issue that you opened this meeting up with. And we've been very patient. We have been working in good faith and been told that things would be vetted and have not been vetted by Chatham County. And we very much would appreciate the fact that there be recognition that we're spending an incredible amount of money to comply with inter-basin transfer agreements, which are beneficial to the entire region. And that we're doing that in good faith. We're doing it openly. We're doing it with full disclosure. And these dates have slipped and have not been met. And we're at a point where we need to proceed. We would appreciate your support in terms of doing that, and we'd be happy to cooperate with the meeting. But this is a project we're required to do, and we're prepared to do it.

Kost: Duly noted.

Robinson: Ok. Alright, so we're down to the proposed schedule and format for public input sessions.

Kost: I don't think we can do that today.

Robinson: I don't think we're ready for that, given the fact that we have several points of disagreement. I think what we need to do at this point is for us to go back, look at these points of disagreement and see where we can find compromise among the two governing bodies. And take that up – I guess – are we intending to have another meeting before their September 20 Chatham County meeting?

Kost: We at the beginning of this meeting when George read his statement – is basically we will meet after your Board has made a decision on the local legislation.

Robinson: Ok

Kost: I mean, we're not prepared to meet until after that has been dealt with.

Robinson: Ok, so we will do the same thing. We will wait until you guys bring up this matter about the easement.

Kost: Uh-hu, that's fine.

Robinson: We will use that as our trigger points for when we schedule our next meeting. We don't have to decide that today. We can have staff do that.

Portman: Very good. Any other issues before the committee? Hearing none, motion to adjourn?

Robinson: So moved

Kost: Second

Portman: All in favor?

Note from clerk: All members responded affirmatively.

Portman: Meeting is adjourned.

Note from clerk: Adjournment time was 11:10 a.m.

EXHIBIT A

Chatham-Cary Joint Issues Committee

Aug. 19, 2010

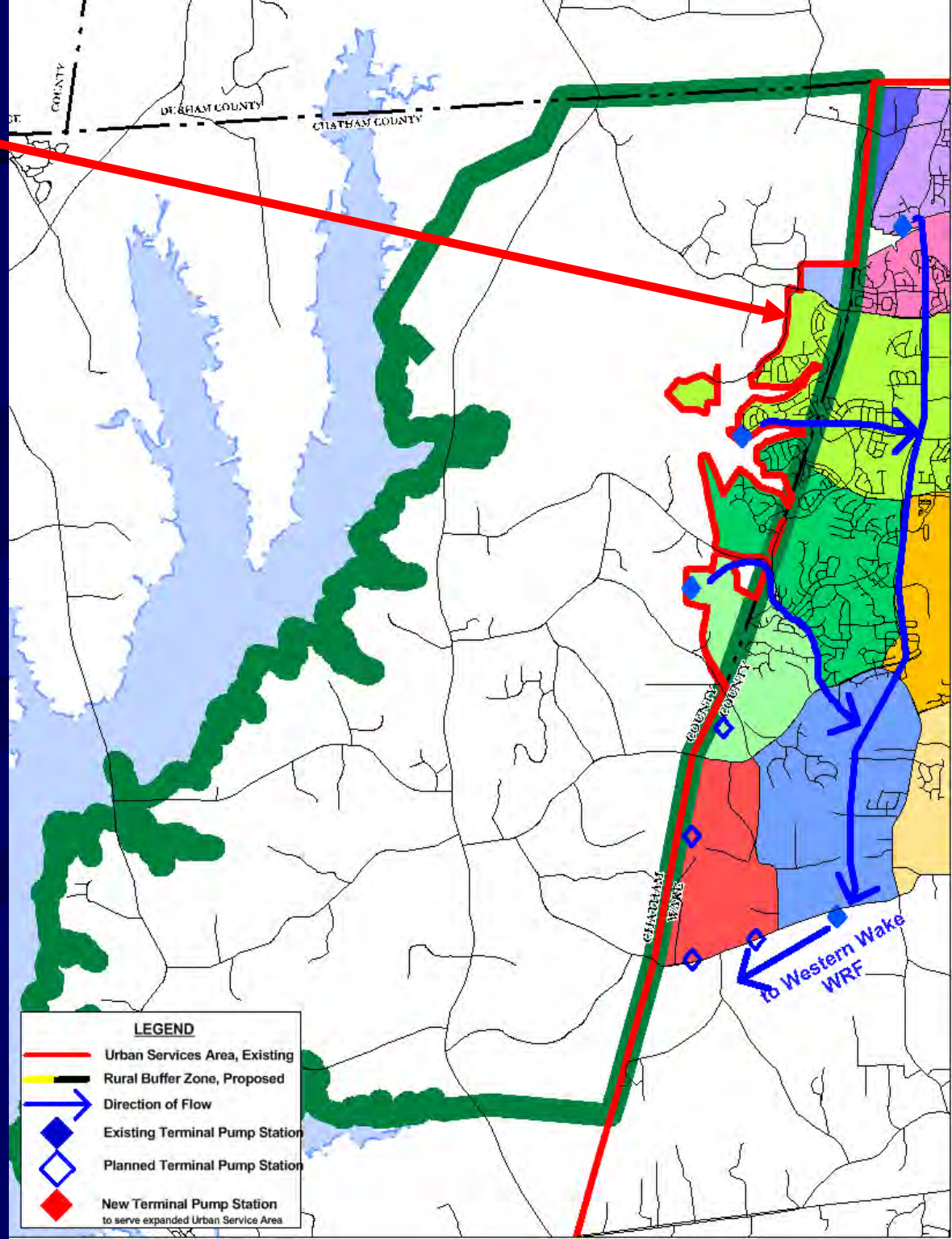
Draft Joint Land Use Plan

Long Range Planning For Public Water And Sewer Utilities

Mr. Steve Brown, PE

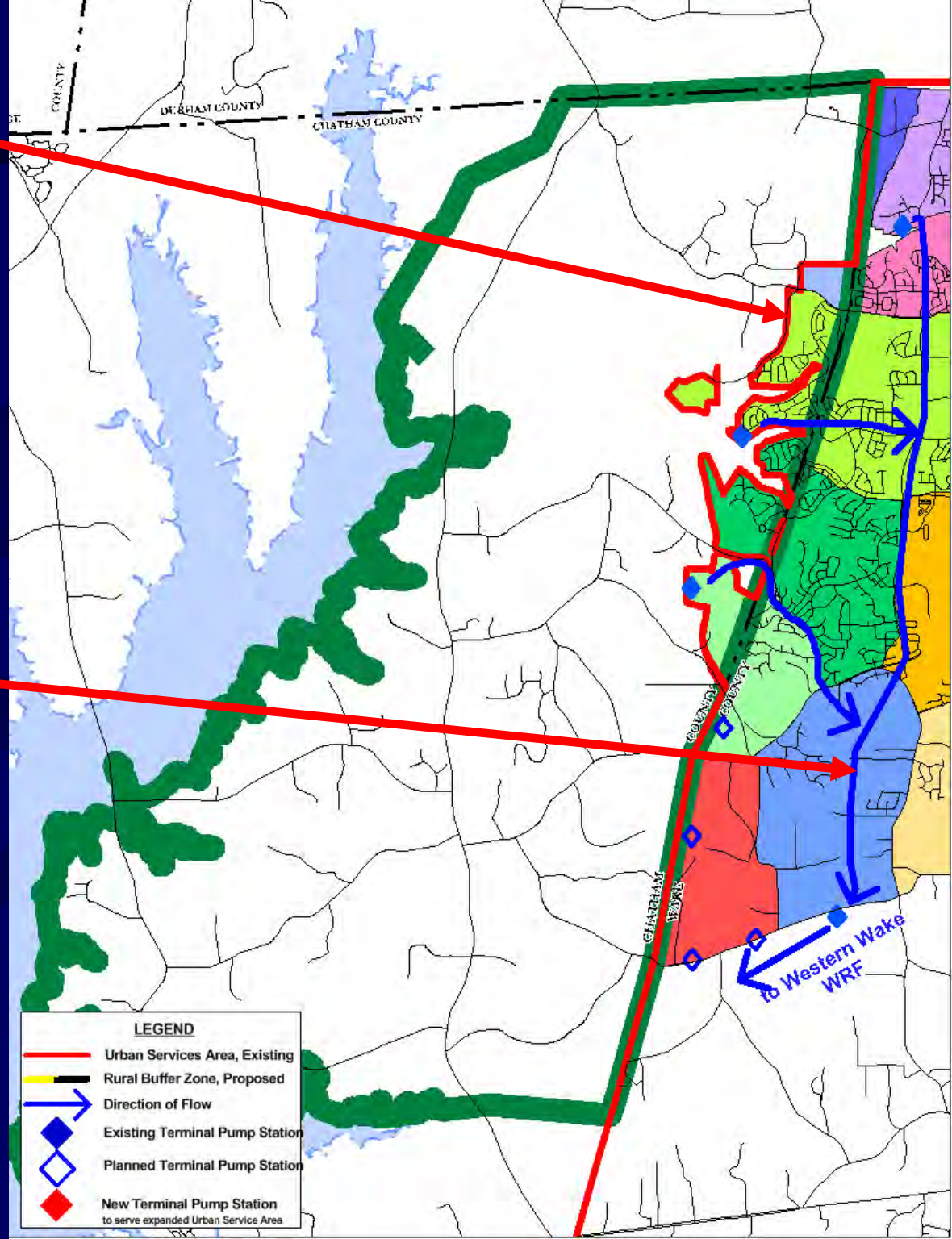
**Director, Public Works & Utilities Dept.
Town of Cary**

Cary's Current Utility Service Area



Cary's Current Utility Service Area

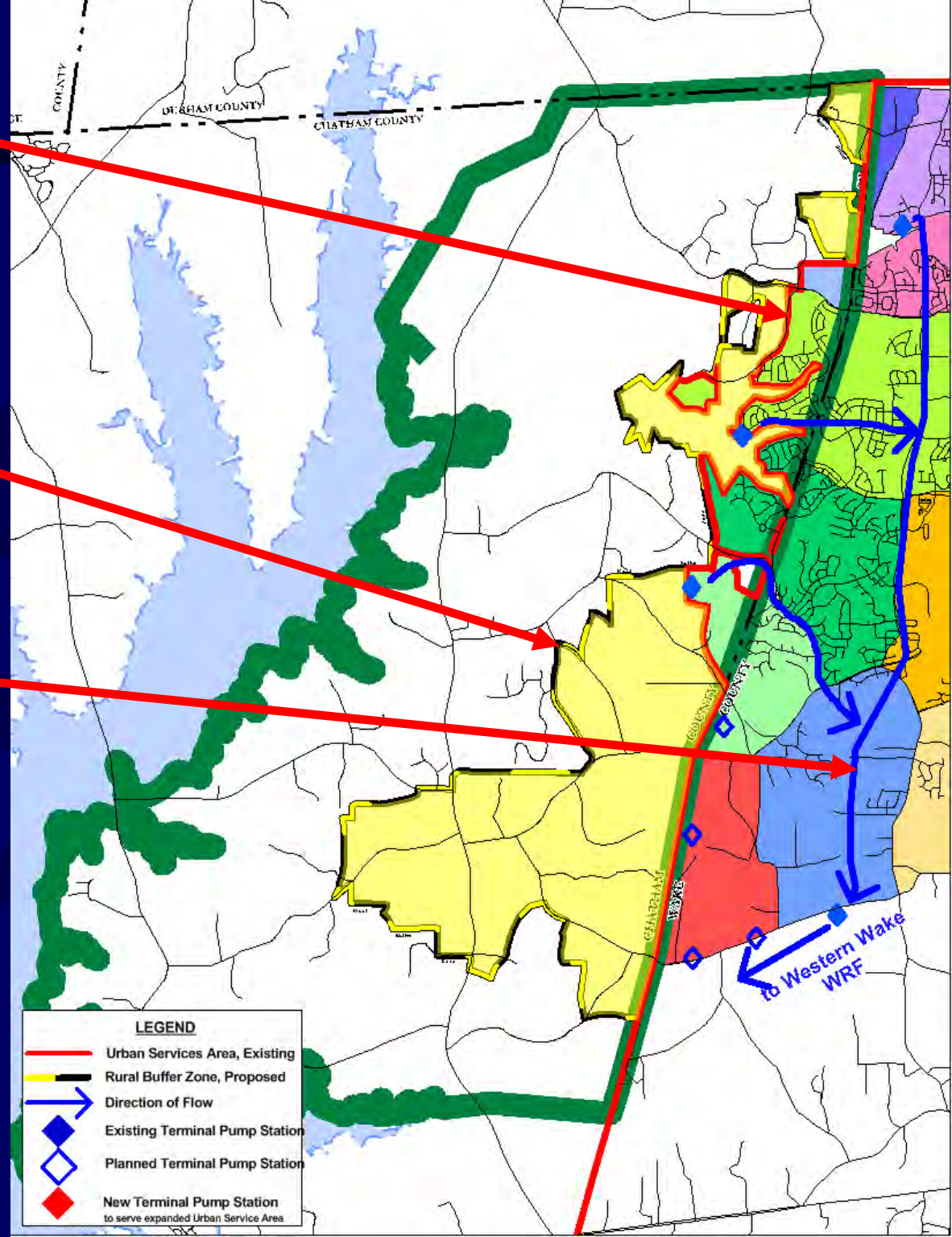
Existing and Planned Wastewater Utility Infrastructure



Cary's Current Utility Service Area

Proposed Boundary

Existing and Planned Wastewater Utility Infrastructure

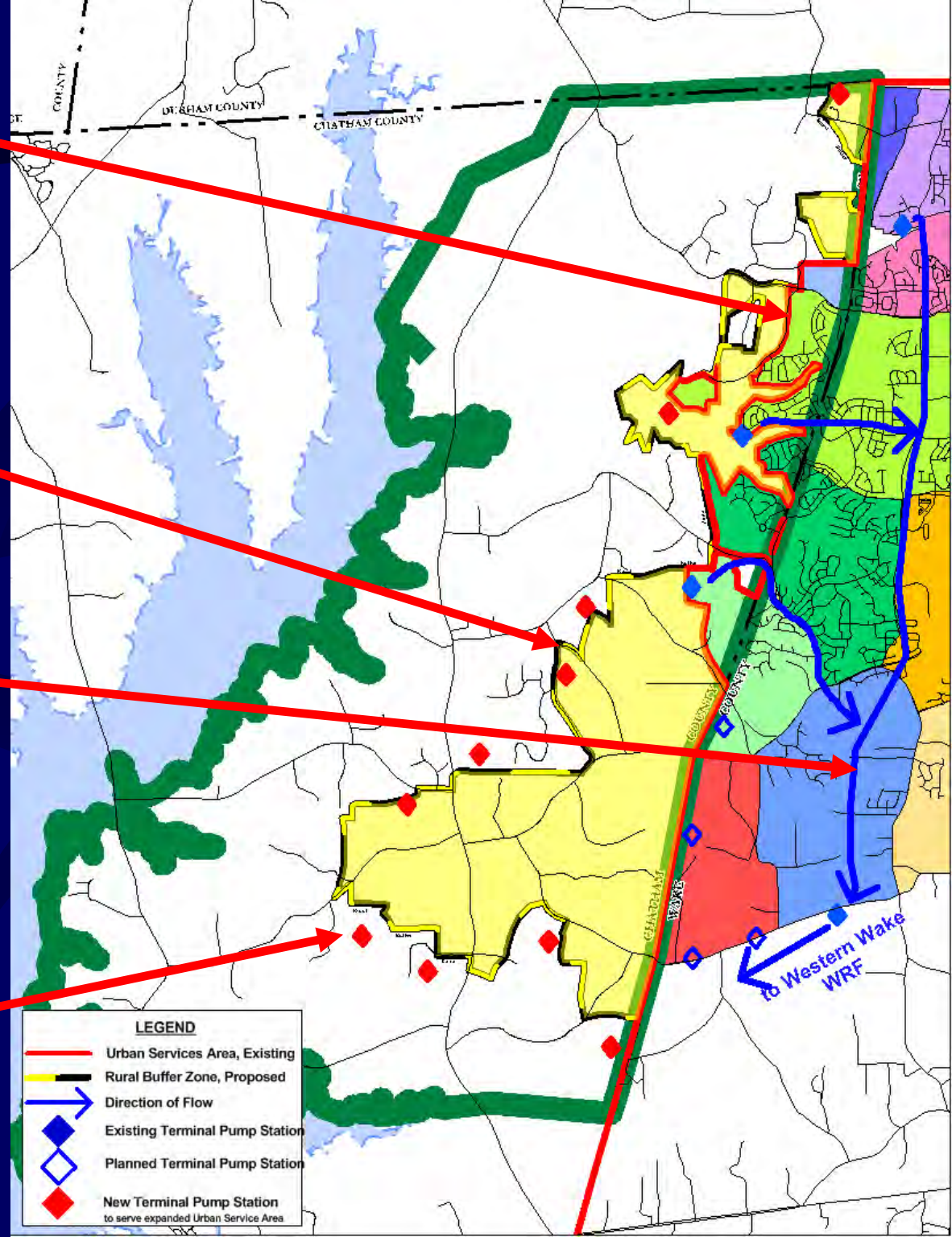


Cary's Current Utility Service Area

Proposed Boundary

Existing and Planned Wastewater Utility Infrastructure

Additional Wastewater Utility Infrastructure

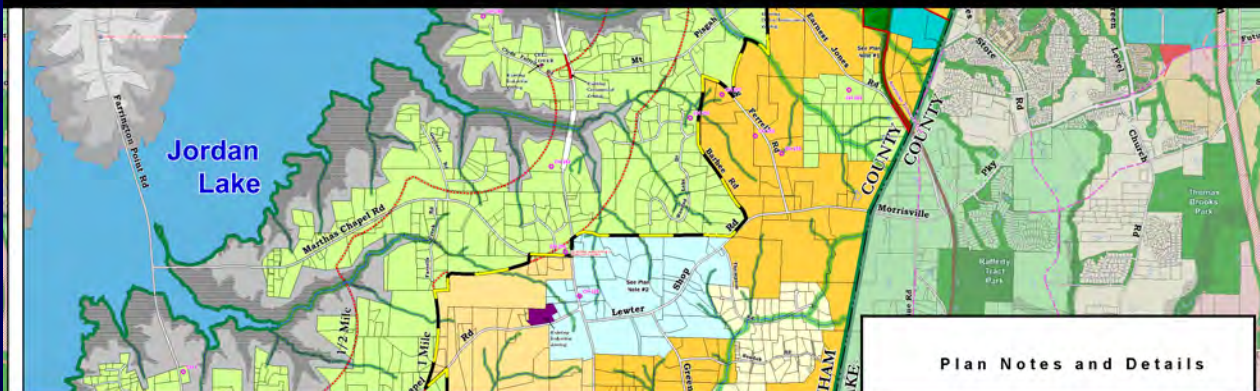
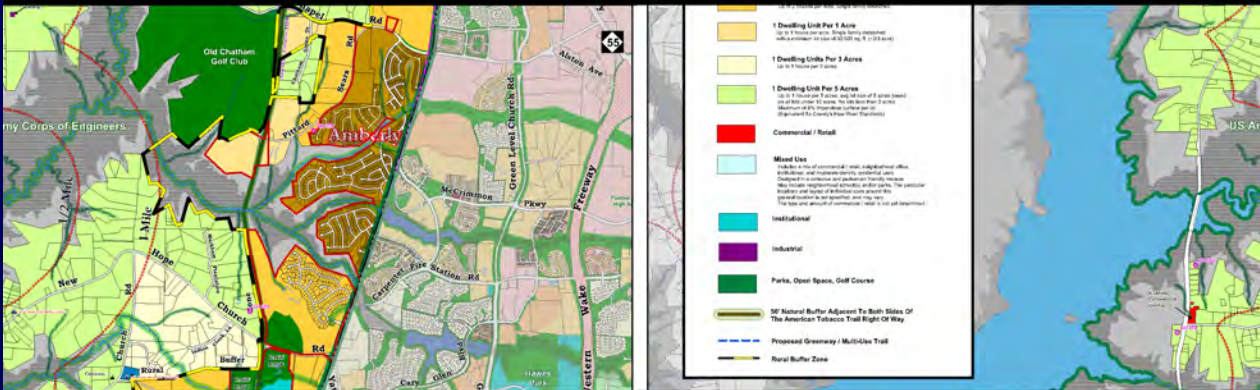
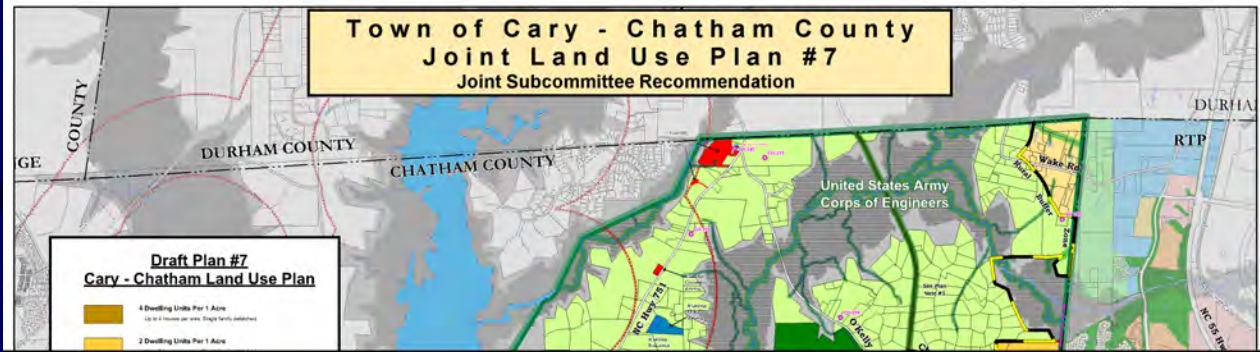


**Discussion of Map Changes
to
Working Draft of
Joint Land Use Plan**

Approach

- All confirmed map changes to date are consolidated into “Draft Map #7”
- “Discussion Map” uses uncolored areas to identify where direction is still required on land use densities
- We’ll discuss each area in turn
- Draw proposed changes on the table map(s)

Working Draft #7



General Notes and Details:

Ephemeral Streams: Within the "2 Dwelling Units Per 1 Acre" land use category, ephemeral streams should have a 200' riparian buffer from top of each bank.

Rural Buffer Boundary Line: Public water and sewer should not be provided to any properties located within the Rural Buffer Zone boundary line shown on this map (see map legend). This includes both Town of Cary and Chatham County water and sewer utilities. However, public utilities may be provided to properties located within the Rural Buffer Zone boundary line shown on this map, provided that the lot size and zoning of the property are consistent with the Rural Buffer Zone. Certain types of public water and sewer infrastructure may be located within the Rural Buffer Zone, provided that the infrastructure is located within the Rural Buffer Zone and does not include public water mains, and other facilities for the purpose of serving areas outside of the Rural Buffer Zone or adjacent waterways.

Design Standards: Design standards or guidelines that seek to protect the Rural character of the Town of Cary and Chatham County should be adopted jointly by the Town of Cary and the Town of Cary Preparation of proposed standards shall be led by Chatham County staff.

Boundaries of Land Use Designations: The boundaries between the various land use designations shown on this map are not absolute, and are not intended to be an absolute "line" on the land property lines or roadways shown. The boundary for particular land use designations may vary somewhat, provided that the overall character within the land use category remains the same, and that the boundary does not drop an unreasonable distance from the depicted boundary.

Joint Plan Adoption: Once adopted, any future amendments to this Plan, and any Plan of the Design (as defined in the above), shall be approved jointly by both the Cary Town Council and the Chatham County Board of Commissioners. It is recommended that the Cary Town Council and the Chatham County Board of Commissioners, in a coordinated effort, shall jointly support and present to the North Carolina General Assembly.

Location-Specific Notes and Details:

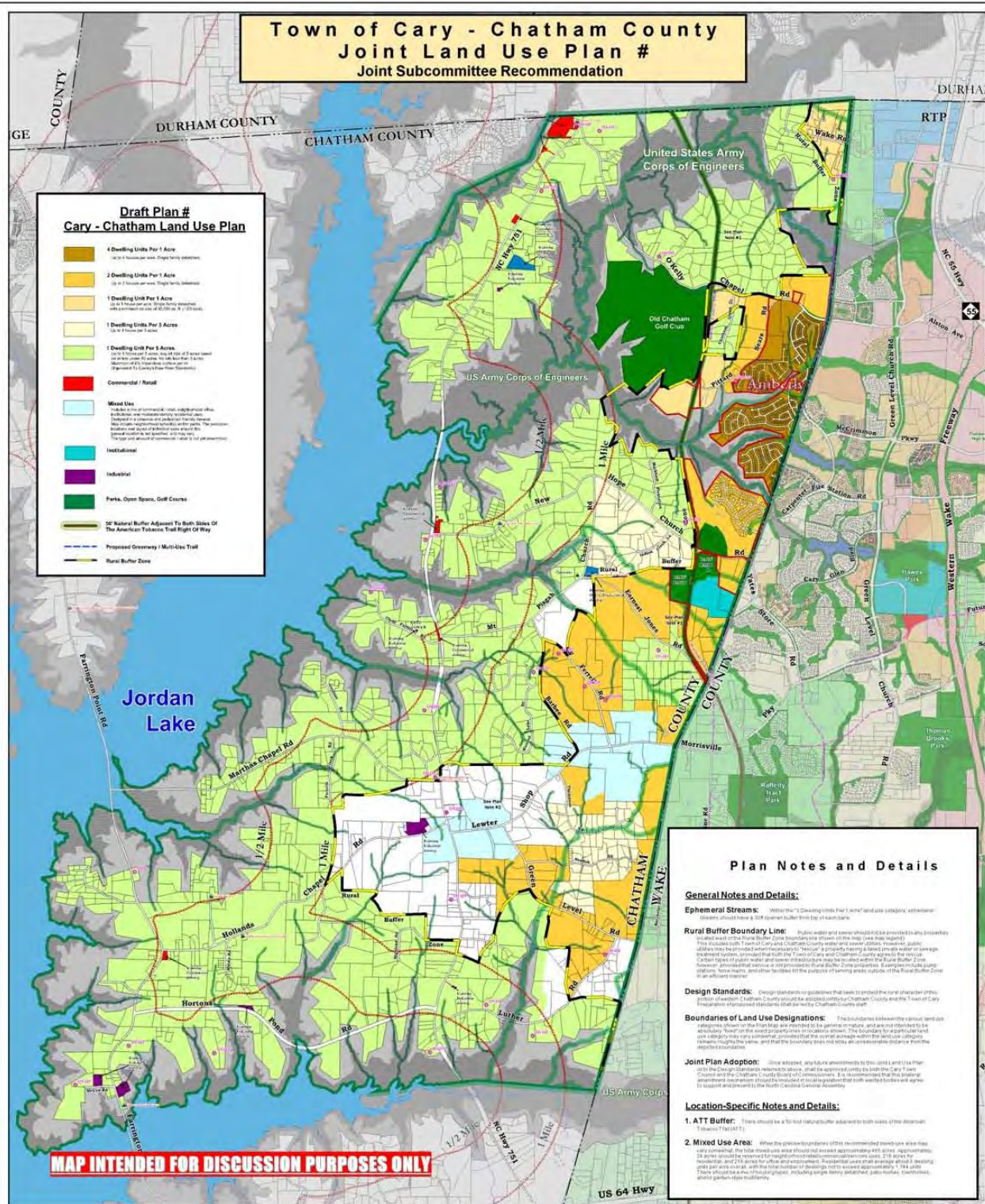
1. ATT Buffer: There should be a 50 foot natural buffer adjacent to both sides of the American Tobacco Trail Right-Of-Way.

2. Mixed-Use Area:



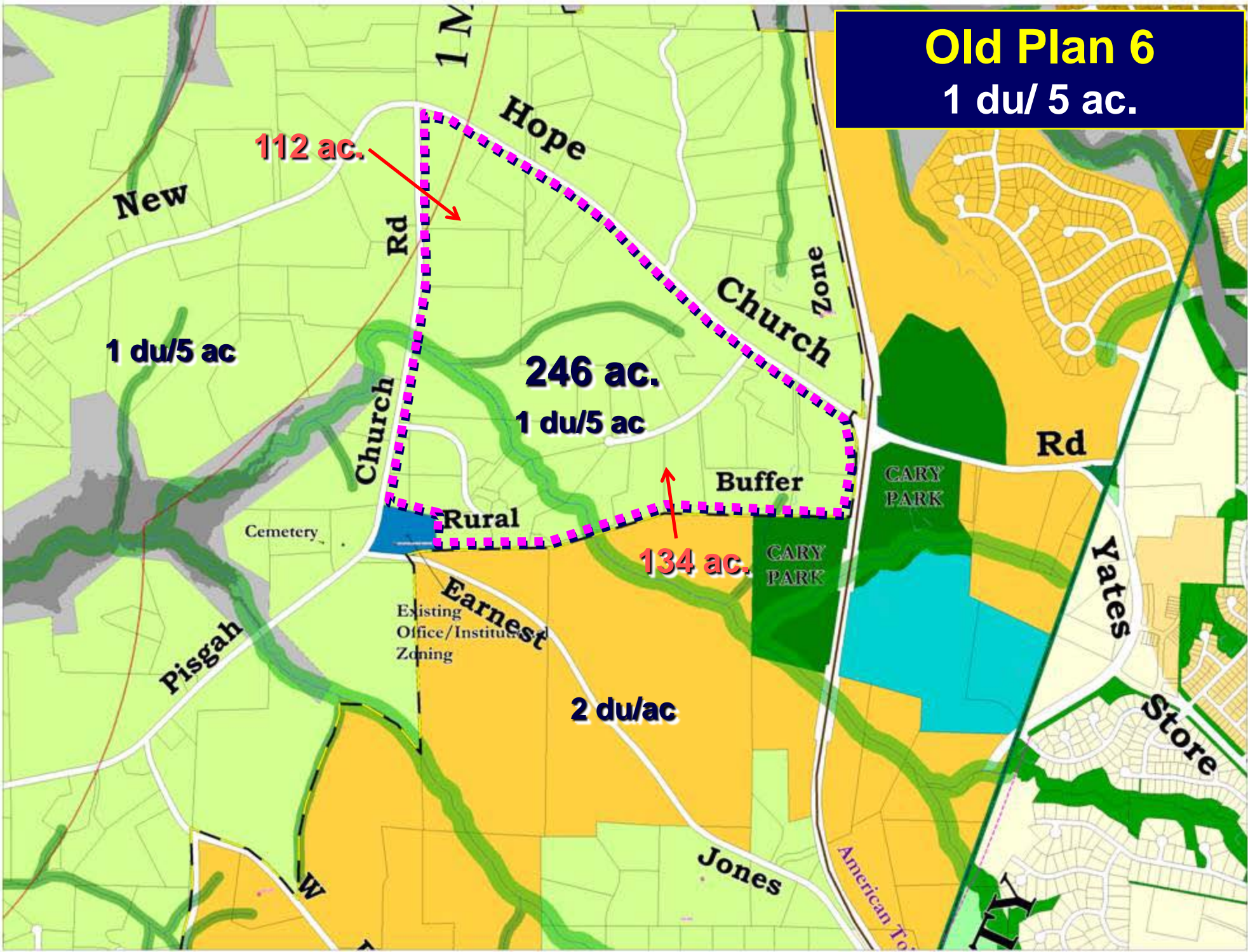
Discussion Draft

Town of Cary - Chatham County Joint Land Use Plan # Joint Subcommittee Recommendation



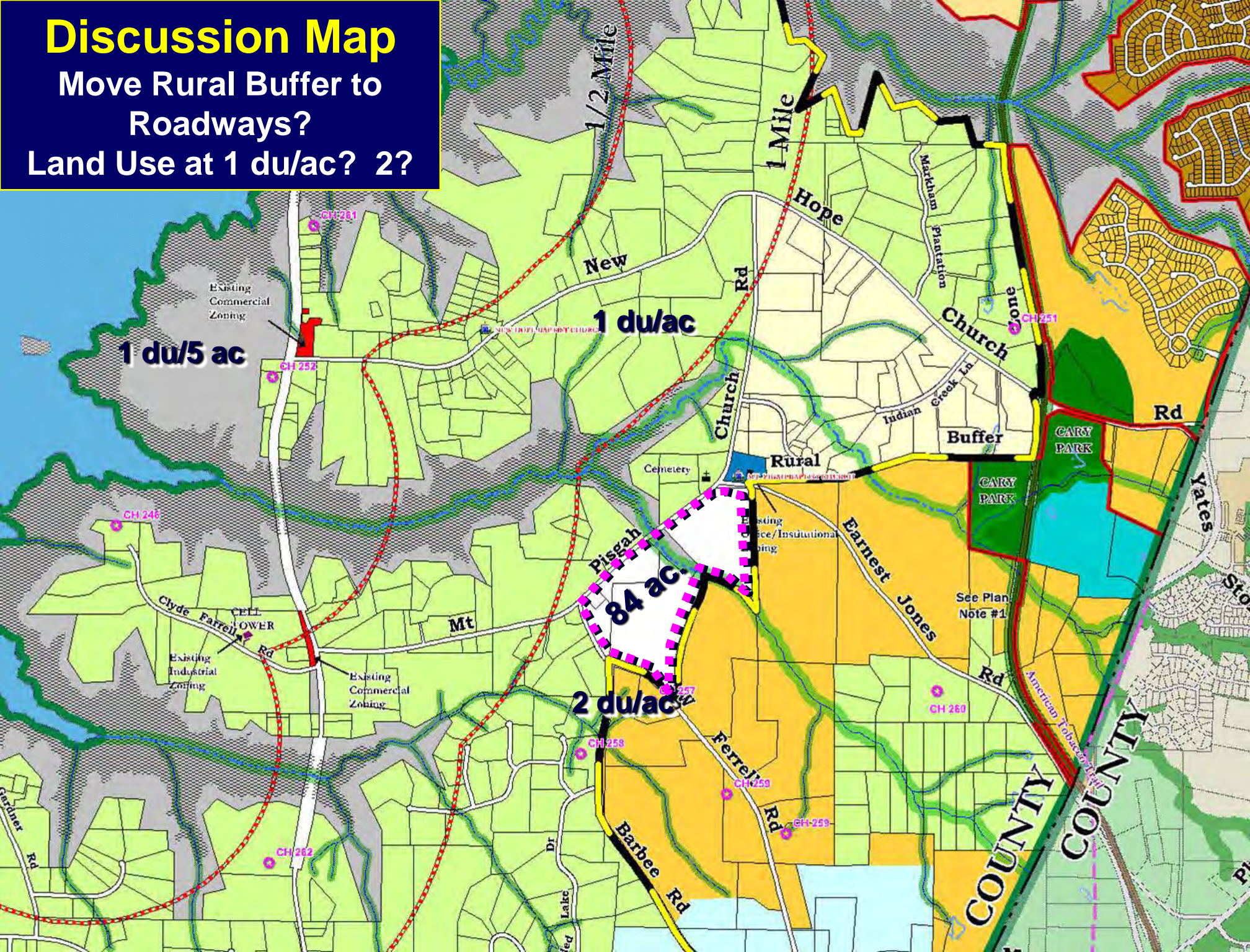
Mt. Pisgah Church Road & W. Ferrell Road Area

Old Plan 6
1 du/ 5 ac.



Discussion Map

Move Rural Buffer to Roadways?
Land Use at 1 du/ac? 2?

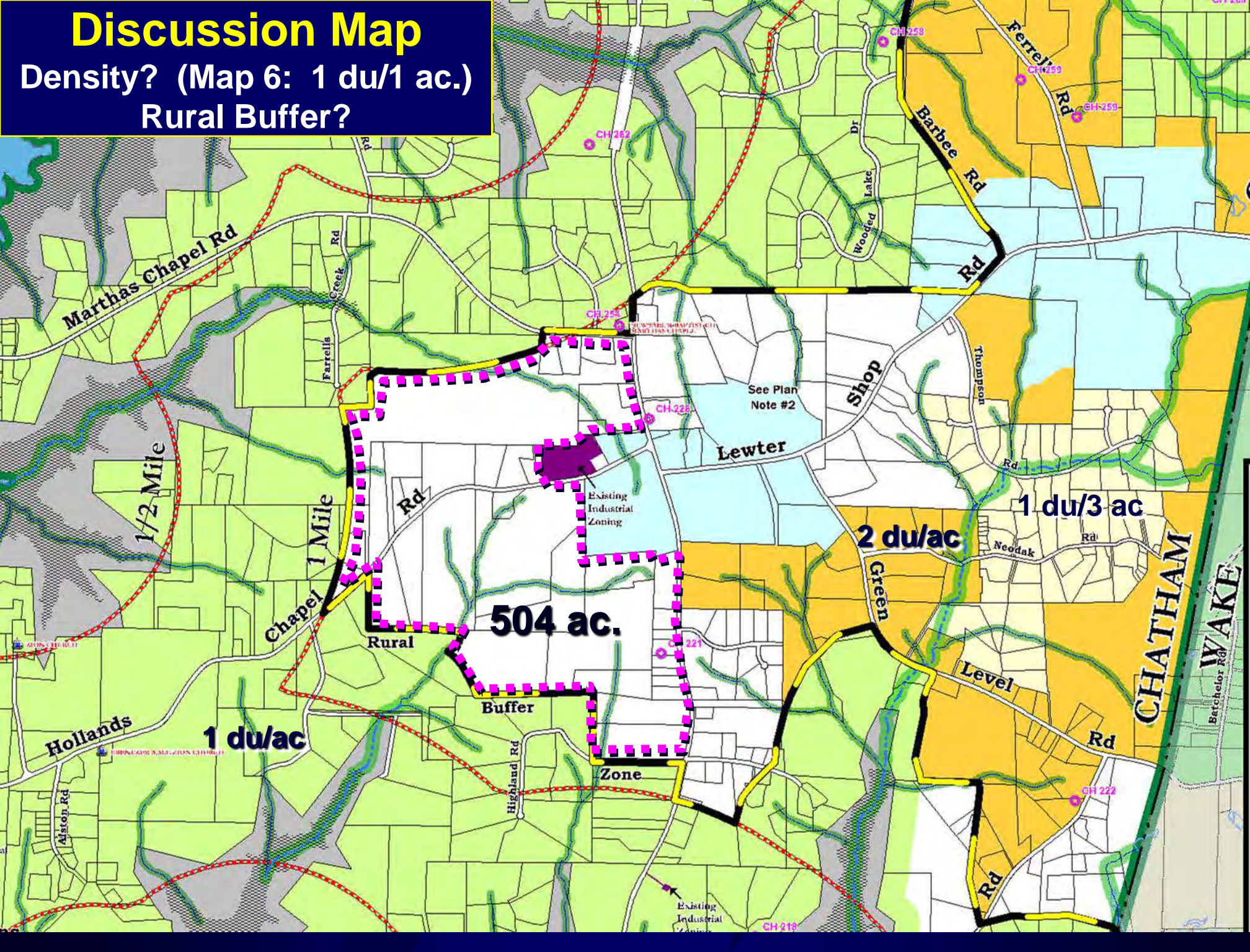


NC 751 & Lewter Shop Road Area

Discussion Map

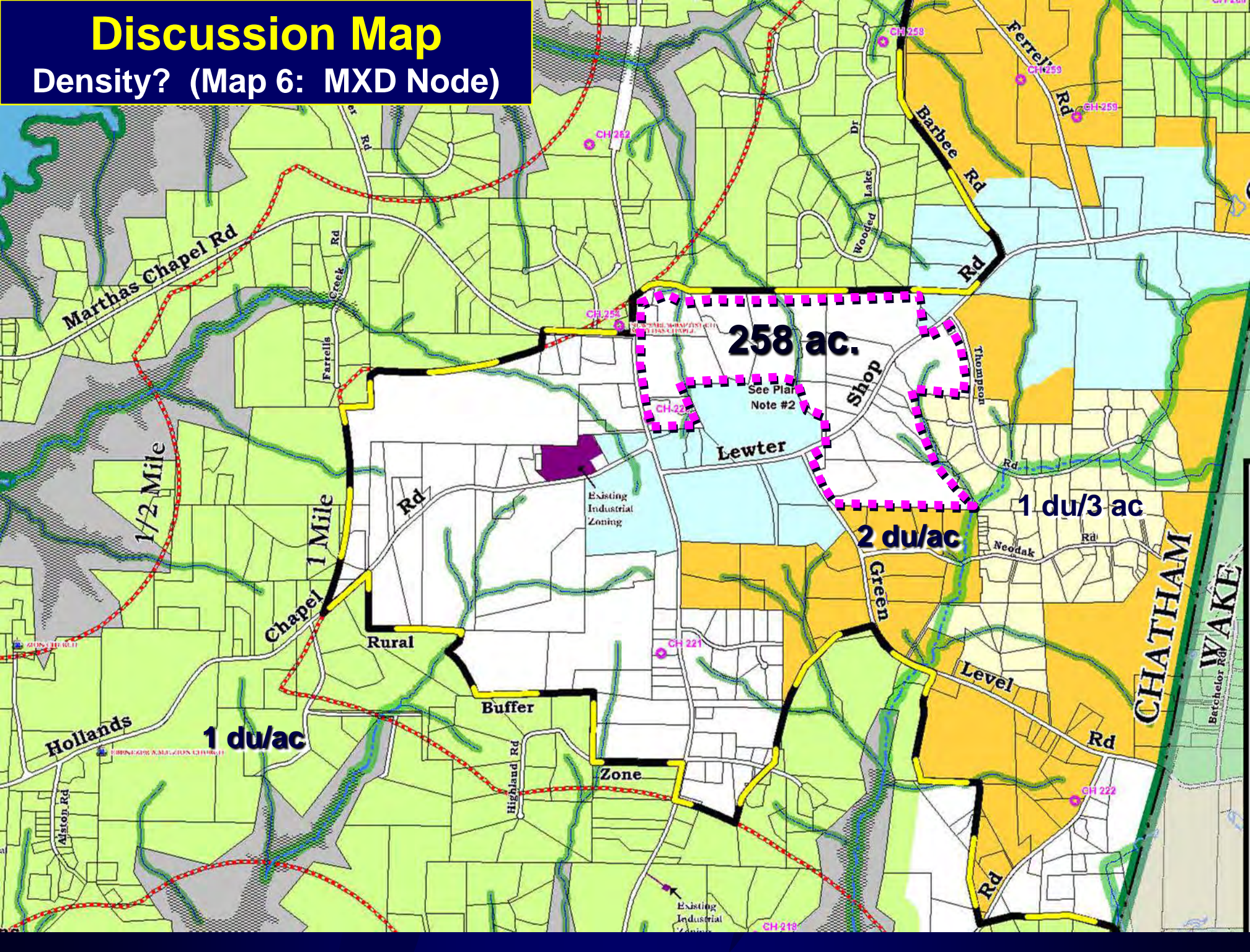
Density? (Map 6: 1 du/1 ac.)

Rural Buffer?



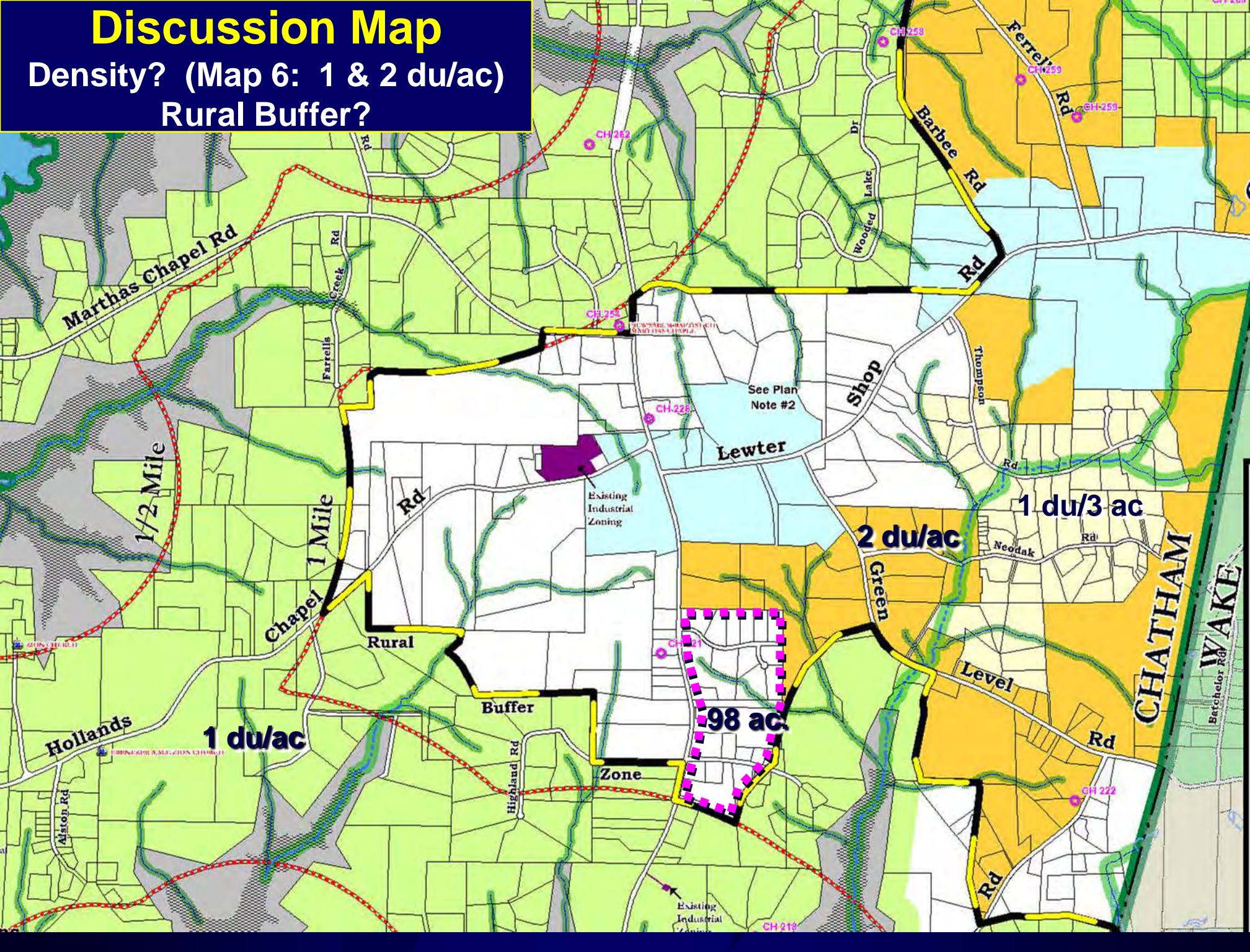
Discussion Map

Density? (Map 6: MXD Node)



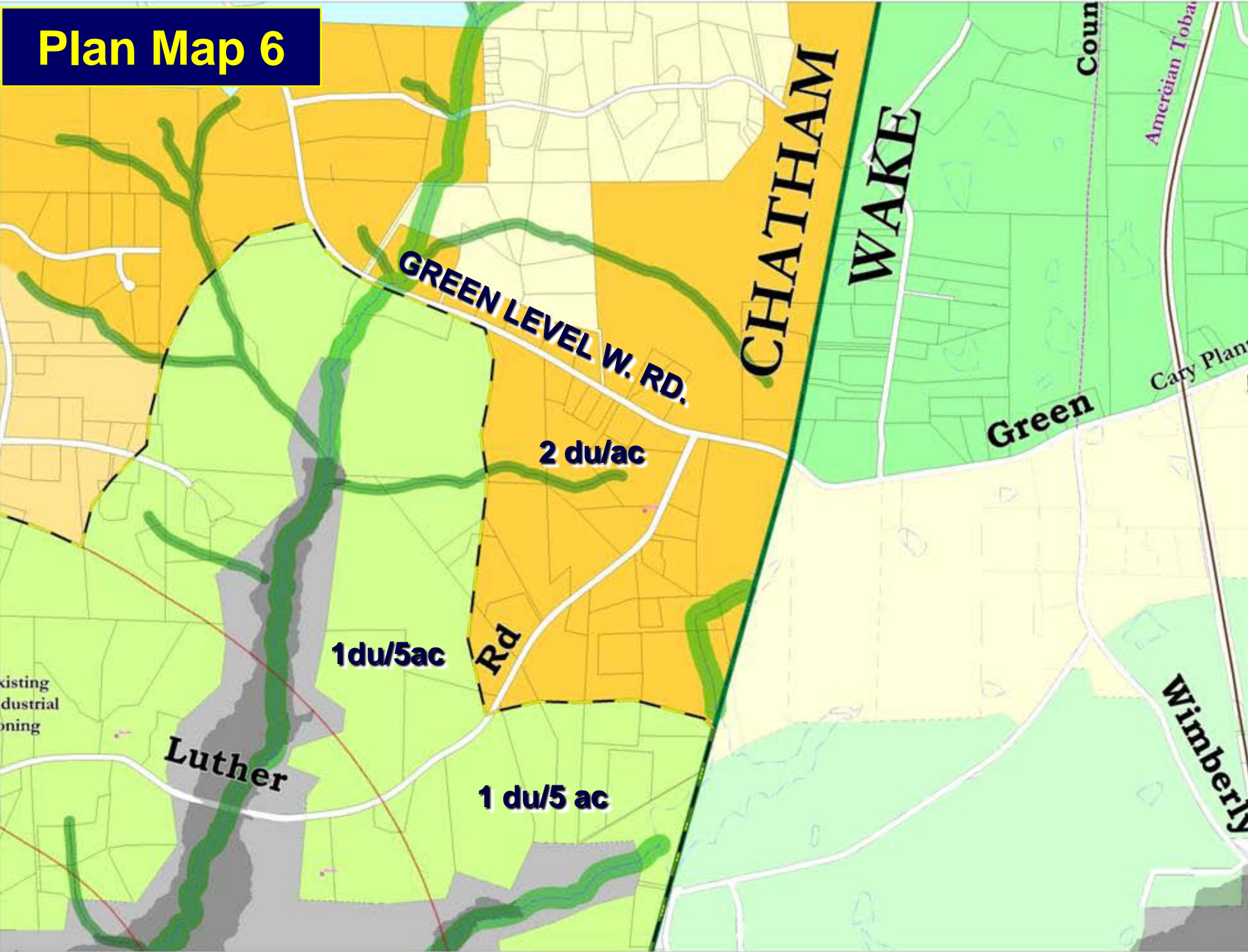
Discussion Map

Density? (Map 6: 1 & 2 du/ac)
Rural Buffer?

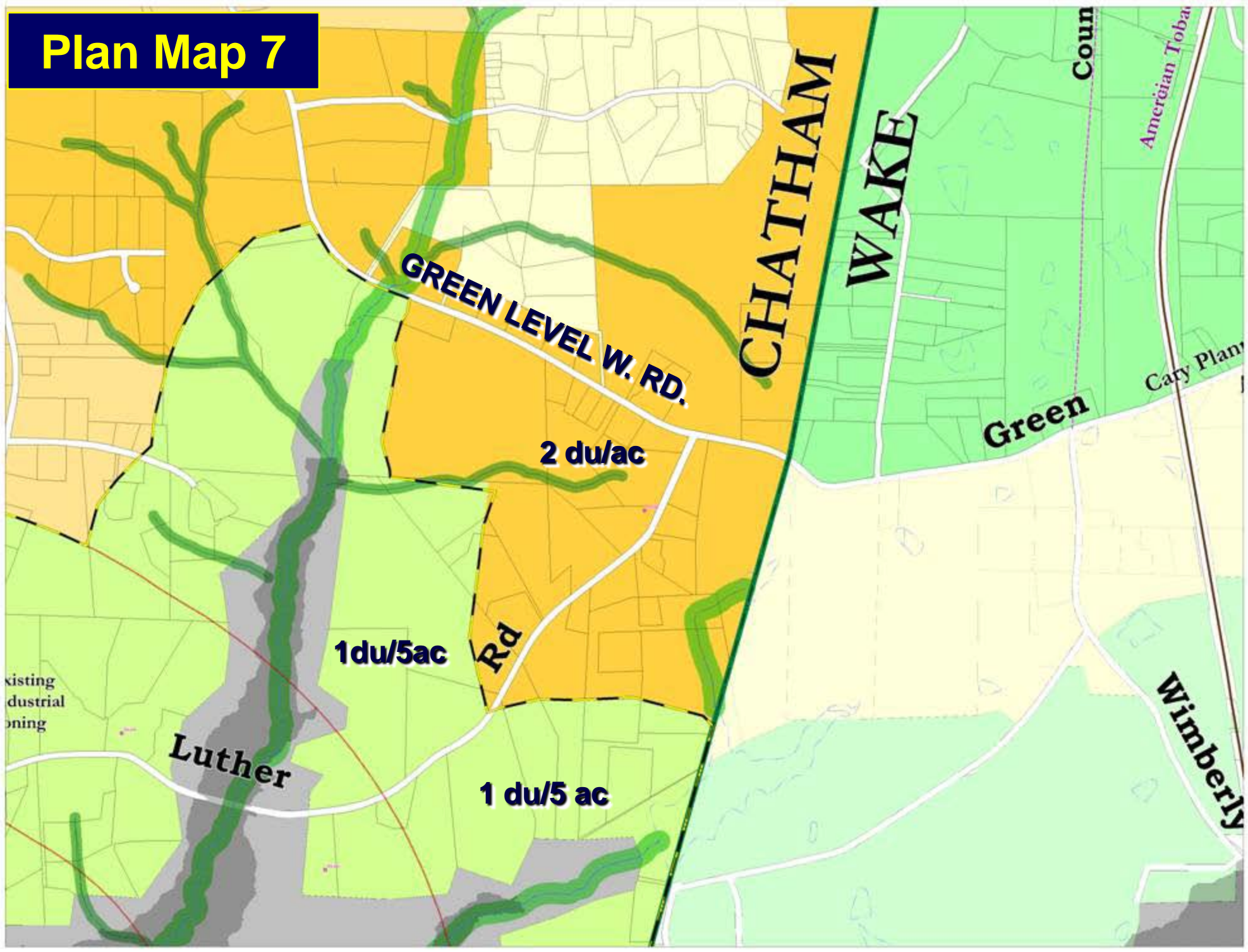


Ferrell Properties & Luther Road Area

Plan Map 6

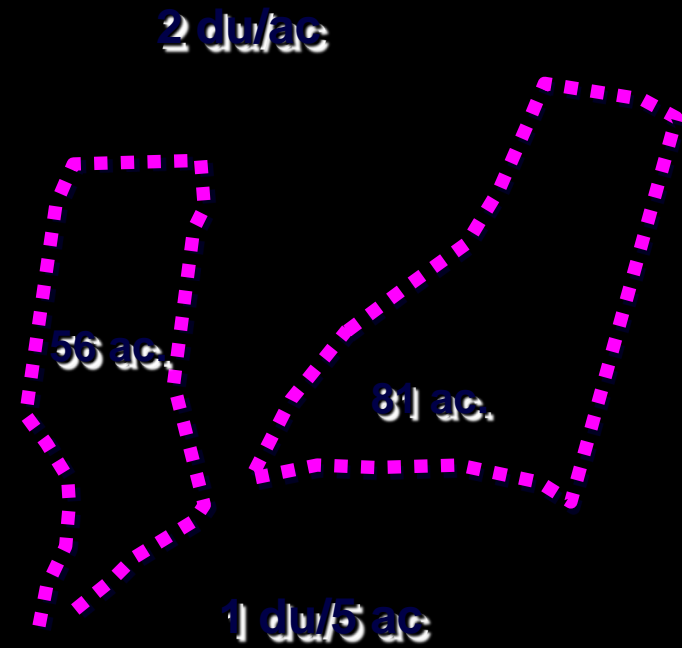


Plan Map 7



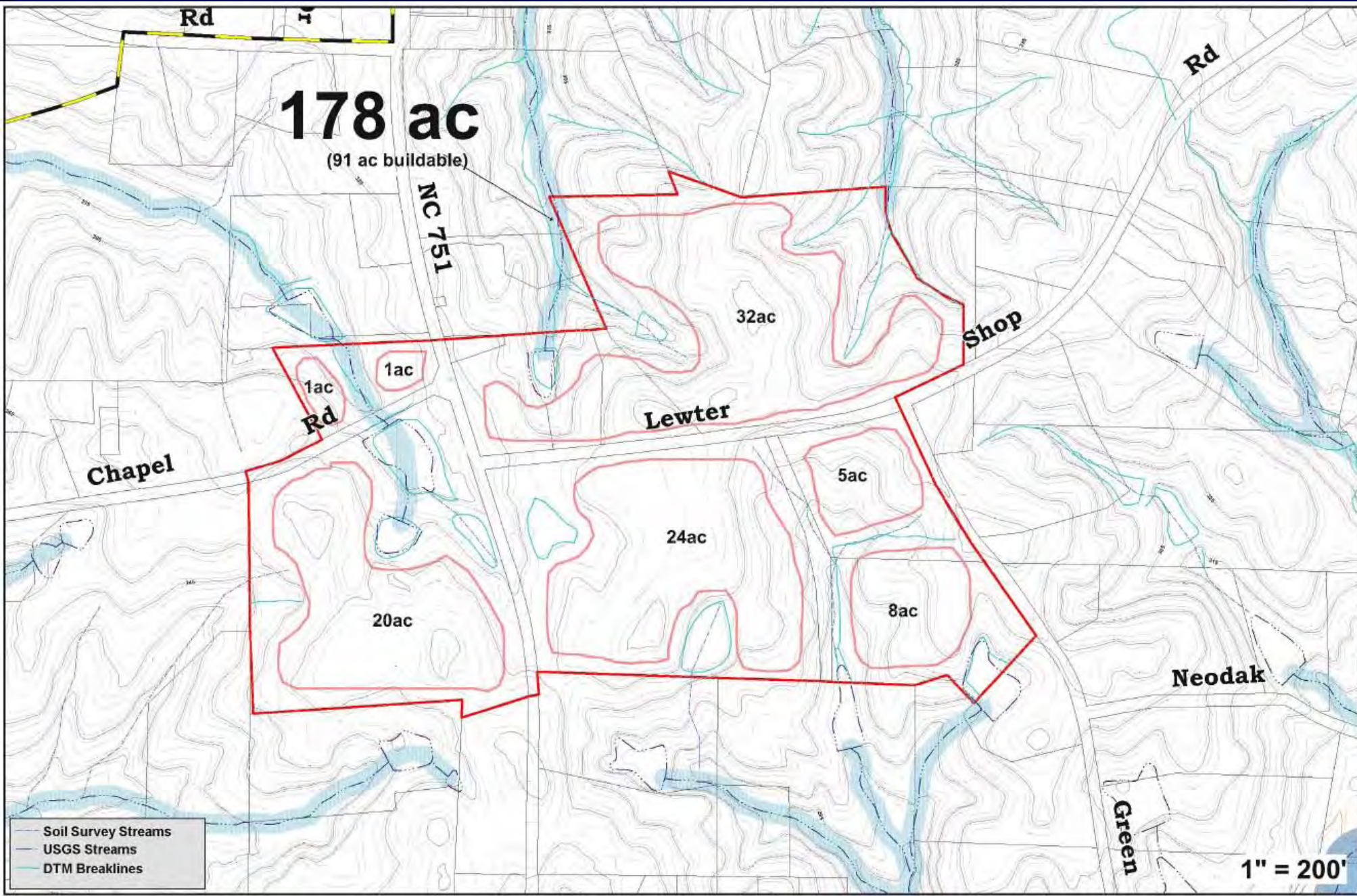
Discussion Map

Swap land use categories
between the 81 and 56
acre pods?

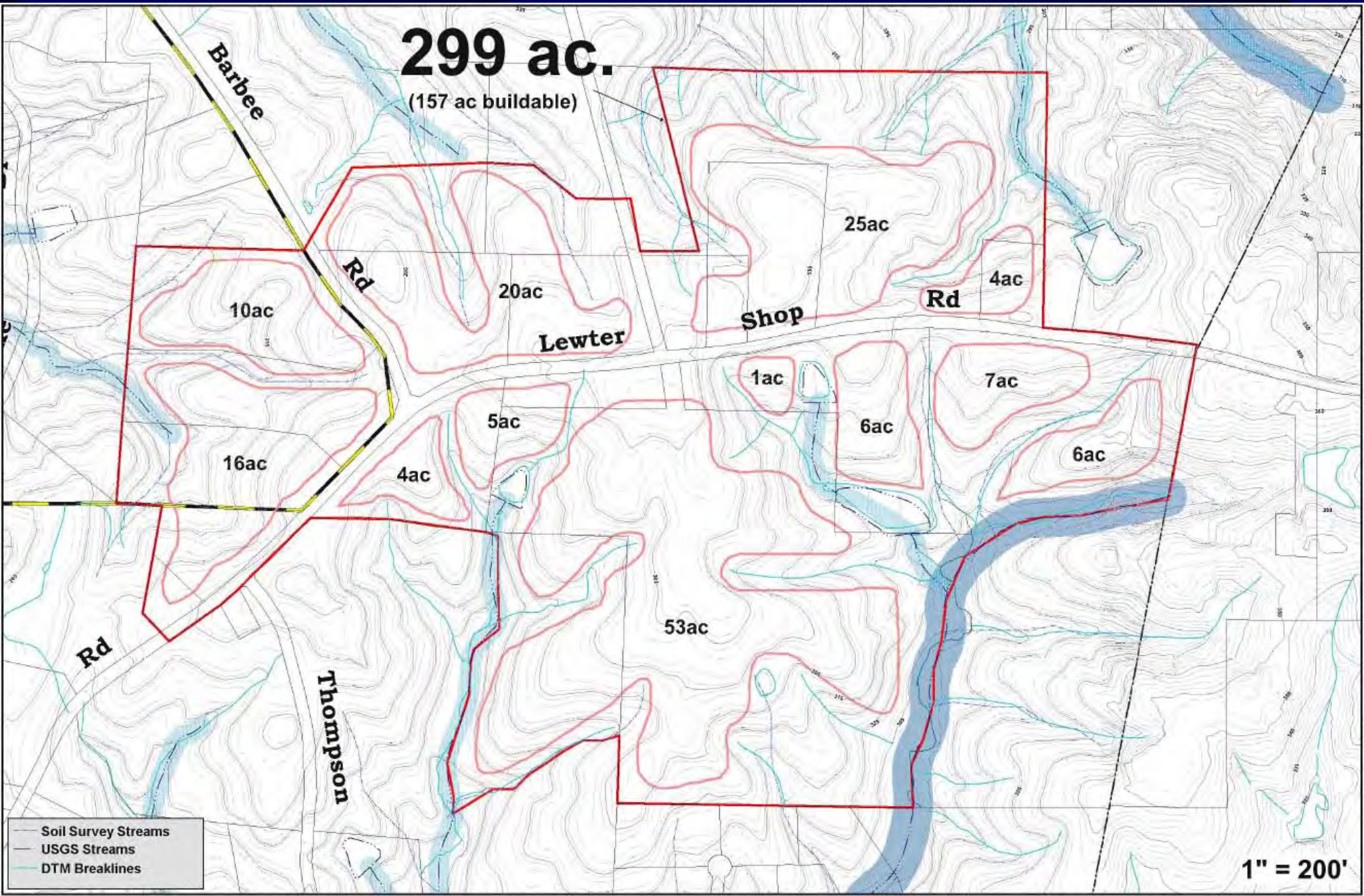


Employment Center Node

Confirmation of Boundaries: W. Node



Confirmation of Boundaries: E. Node



Definitions For Employment Nodes

- Confirm mixes and densities for Discussion Map

	Plan 6	Working Map 7	
	(W. Node only)	W. Node	E. Node
Total Gross Acres	460	178	299
Shopping Acres	24		
Office/Empl. Acres	218		
Resid. Acres	218		
Max. Resid. Density	8		
Max. Resid. Units	1,744		
Node Buffer	n/a		

Question: Mixed Use Node Area

- **Conceptual (“Floating”) Boundary or A Fixed Boundary?**
- **Use A Plan Amendment Process to Move Boundary from what’s shown?**
- **Impact of Conceptual/Floating Boundary on Intergovernmental Plan Interpretation**

END