

Chatham County/Cary Joint Issues Committee Meeting
July 13, 2010
Cary Fire Station #7
6900 Carpenter Fire Station Road, Cary, NC
8:30 a.m.

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

The PowerPoint Presentation, which was presented during the meeting, is attached to and incorporated herein as **Exhibit A**. Refer to maps that were referenced and discussed at the meeting, which are attached to and incorporated herein as **Exhibit B**.

The meeting agenda follows:

8:30 A.M.

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

8:35 A. M. – 10:20 A.M.

- IV. Discussion of Map-Related Public Comments on DRAFT Joint Land Use Plan
 - o **Employment Center:**
8:35-9:05 A.M.
 - Staff presents detailed information on new Employment Center locations
 - Staff presents environmental information for new Employment Centers
 - 9:05-9:50 A.M.**
 - Subcommittee discussion and decision on the following questions:
 - Where should the Employment Center be located?
 - Should there be one large Employment Center designated on the map (Option 6, 6A), or two smaller areas?
 - What uses should the Employment Center include – office, commercial, residential?
 - Should the Employment Center depicted on the Plan Map designate specific areas or the different uses, or just depict the overall area?
 - What should the overall size (acreage) of the Employment Center(s) be?
 - What should the density of residential uses or allowable non-residential square footage be in the Employment Center?
 - o **Mapped Comments:**
9:50-10:20 A.M.
 - Staff will present the options for the Hodge/Horil properties and the area along Luther Road.

10:20 A. M.

- V. Other
- VI. Next Meetings
 - o August 13, 2010: 8:30am – 10:30am – Cary Fire Station #7 Training Room
- VII. Adjournment

Robison: Let's call the meeting to order. (Note from clerk: The meeting began at 8:39 a.m.)

Robison: Our first item is the approval of the agenda.

Portman: I make a motion to approve the agenda.

Kost: I was going to say the minutes aren't ready yet and recommend to delete the approval of minutes from the agenda.

Robison: Mr. Portman, will you amend your motion to delete the approval of the minutes from the agenda?

Portman: Or we can approve the agenda and not approve the minutes.

Kost: Well, either way.

Portman: I'll amend my motion to defer the minutes to the next meeting.

Kost: Second

Robison: All in favor?

(Note from clerk: All stated aye.)

Robison: Do we have a date when the draft June 11 minutes will be distributed?

Kost: The problem was the audio was a poor quality due to all the discussion in the audience. Staff will need some time to produce the verbatim minutes.

Robison: Oh, okay; alright. Well thanks for that explanation. With that, let's go to the presentation. Ben, are you going to walk us through?

Ben Howell (Chatham County Planner): I can start off.

Robison: Let me just say that this is a discussion of the map related public comments on the draft joint land use plan, and we're going to look at the – particularly the employment center. And look at some detailed information staff has developed based on the follow through from the last meeting on locations for the employment center. We're going to look at environmental information related to the new location proposed, and walk through a series of discussion points and decision points. That's our goal.

Howell: Alright. As you'll see here, here's the quick agenda for the activity node/employment center discussion. I'll give a quick presentation of the new employment center locations, which these are locations that staff developed based on comments and discussion at the last joint subcommittee meeting of June 11. We have included environmental information on the maps you'll see. And once I finish presenting the new employment centers, we are going to go back to our structured decision tree discussion, and you'll see – it looks like six or seven questions that staff has developed to answer to hopefully focus the discussion and get us to a final decision. So, just to remind you once again, we have a current draft plan -- #6 – which is the last approved plan. Again, the school symbols have been removed, the park symbols have been removed, the greenway lines have been removed, and the Verde Road Subdivision was changed to one unit per three acres, which was based on some public comment that the subcommittee has received.

Lucier: One second. I don't think we ever approved that, did we?

Howell: Yes, back in April or May.

Kost: That's on the opposite side of the Ferrell one. Ferrell is the one that's still pending.

Lucier: Okay.

Howell: And then again, draft Plan 6 – the current last approved plan – shows the mixed use node of approximately 452 acres located at the intersection of 751 and Lewter Shop Road. Now we are going to what staff has worked up as two locations for a new employment center. One small node – or one small center – located at Lewter Shop Road and NC 751 intersection, and one located along Lewter Shop Road at the Chatham/Wake County line. This is the map – and you also have copies of the maps in front of you – of the Lewter Shop Road/NC 751 intersection showing the topo lines and the streams based on the GIS data we have. This is what staff has developed as the proposed location. Based on the subcommittee discussion at the last meeting, ya'll had stated that you would like to see a node around 150 to 200 acres in size, and you would like it to cross over 751. After looking at all the topo information, all the environmental information, and all the parcel information, staff has – in the red line you'll see a 178-acre sized node. But you'll see the squiggly lines with the smaller acreages in size. Based on the environmental information we have, those are what staff sees as being the probable building pads or building sites, which comes out to about 91 acres of buildable land inside that 178-acre node. That's if all those streams and creeks are indeed on the land and they need to be buffered. And you'll see here is an aerial photo with some of that information overlaid on the aerial. Again, you'll see the building pads here and here and here. One of the reasons staff did go north of Holland's Chapel Road here is the thought is that if we can go – if we take it up a parcel north of the road here, there's a possibility of being able to straighten out this intersection through the land here and have more of a four-way intersection through here if all that land was developed.

Howell: The next (interrupted)

Kost: Let me ask one quick question.

Howell: Yeah.

Kost: And Patsy's here; maybe she can answer this. Martha's Chapel was designated in that area. Was that on the Historic Register? I mean that's a very old church. Do you know if it's (interrupted)

Comment from audience: Inaudible

Kost: Okay.

Howell: Moving on to the next location at the county line along Lewter Shop Road. Plan 6B that the subcommittee saw last month had more of this node area going into Wake County, and the discussion was that the subcommittee would like to see more of the node in Wake County, and would like to see around two to three hundred acres. So, staff came up with this area here, which is about 299 acres, and this is only in Chatham County. There may be more in Wake County eventually, but we're focusing on Chatham County at this point. Out of that 299 acres of total area, staff came up with about 157 acres of buildable area – again assuming that all the streams are indeed there and need to be buffered and looking at topo lines and everything else – these are the areas that are the best guesses at what would be the buildable areas. If this node were to stay the same, staff would recommend moving that rural buffer boundary line to the edge of the node at a minimum in order to make sure all this node got services. And then you'll see the aerial photo here. Again, you can see most of the clear land is where the building sites end up being, because that's the flattest area of the land in most cases.

Kost: The yellow and black line is the urban service boundary line?

Howell: Yes.

Kost: So why is it going to the intersection as opposed to the 10-acre parcel and that 16-acre parcel?

Howell: This is how the line currently is.

Kost: Oh, okay.

Howell: When we mapped this we decided not to mute the line, although we would recommend if this is the final node or final employment center the subcommittee would agree on, we would – staff would recommend moving that buffer line to a minimum at the edge of the boundary here.

Kost: Okay. So that is not your recommendation as far as the urban service boundary.

Howell: No; that's just the current – where it is. We were doing that to try and keep it as most similar to Plan 6 as possible.

Kost: Okay; thanks.

Howell: And the next – we'll get right into the decision tree discussion unless there's any other questions.

Robison: I do have a question about the proposed boundary in terms of how it follows through. Are you going to cover that later?

Howell: The rural buffer boundary?

Robison: Yeah.

Howell: Staff is recommending the boundary stay approximately the same in a lot of the cases. However, I think we do have some recommendations for some changes in other areas. At this point we're just trying to focus on the employment centers.

Robison: Right; okay.

Howell: This is about the end of staff's presentation, and we want to make sure the subcommittee had plenty of time to discuss these new employment center locations. You have three questions here, and then we have another three questions to cover after this. But these are the first three that staff believe need to be covered. You have small maps – 11 X 17 maps in front of you, and we have also printed out larger scale maps here if you want to – and we have markers if there's a desire to draw or change what's shown to hopefully help the subcommittee get through this discussion.

Kost: Can I make a suggestion that we reorder those three questions, because it seems to me that middle question should be answered first. Should there be one large employment center or two smaller. And once that decision is made, then the second one would be where should they be.

Portman: That's a good point.

Lucier: Well I think the question is incomplete. Should there be one large employment center, one small employment center, or two smaller centers.

Kost: Right.

Portman: I think we can take the spirit of all of that and address that question. When we answer that one then we can move to the other two. I'd like to compliment staff. This is a good, concise, clean presentation. I very much appreciate you red-lining buildable land in the parcels, so that we can clarify when we're talking about acres how many acres are really subject to employment center as opposed to the acres/parcels which we know may not be buildable due to slopes and streams and those types of things. I think we've got good information here, and it should help us focus in on making decisions today I would expect.

Kost: I have a clarification, too. I understand the buildable areas, but did you assume something as far as a boundary – a buffer. Was there any sort of assumption there, because I know that previous discussions (interrupted)

Howell: No, we did not assume a boundary or buffer around the exterior of the node areas. But, as you'll see, most of the buildable areas do not go to the boundary, so that would be easily the (interrupted)

Kost: So from the road – just looking from the road to where the pinkish line starts – was that assumed to the right-of-way? Is that what that is?

Scott Ramage (Town of Cary Planner): All we've done is just swagged in some lines to show just conceptually here's about where the buildable area is. They're not meant to be survey quality. We're just trying to illustrate generally here's the flatter, more buildable area, and the pinkish lines can move around.

Lucier: Yeah, you take into account streams, slopes, etc. – right?

Ramage: Right

Lucier: I agree with what Erv said. It's valuable information.

Kost: It is good. I just want to make sure I understood (interrupted)

Howell: These are very, very rough, and this is just for display purposes only for discussion purposes to give the subcommittee an idea of what could be done. It may be much more land; it may be much less – depending on the final decision and final policies and ordinances that go in place. But, based on the previous discussion and all the information that has been discussed and that we have at this time, this is what staff felt comfortable showing.

(Note from clerk: Member Robinson arrived at 8:52 a.m.)

Robison: I'd like to clarify. The second point under the staff presentation has to do with environmental information. Is there anything else that you have that would be helpful to answer a question of one, two and where?

Howell: Not at this point. We've tried to focus on primarily the main environmental discussion that – or the information that's been discussed so far, which was a lot of the concerns that we have heard have been on slopes and on streams and Jordan Lake water quality. And so that's what we mainly focused on.

Robison: Basically all the environmental factors that have been raised and discussed by the committee have been integrated into what you have come up with here.

Howell: As best we can.

Robison: Okay

Robison: Hi, Jen, how are you today?

Robinson: I apologize for being late.

Robison: That's alright. We've just gone through the four maps that you'll see in front of you – the two different employment center options. I think it would be – I think it's important we just take a second and get Jen up to speed quickly. The map #1 is proposal 1 with the topo and the buildable area. And the second map moves the employment center closer to the Wake line. And that's the second option. So, in a nutshell, that's what we've just gone through. And we're now at the discussion point in terms of looking at are we interested in one employment center, two employment centers, one big one, two small ones. Based on staff's recommendation now between these two options, what do we think. Well not necessarily these two options, but something. Maybe if someone has a burning desire to launch in on answering, I think the set of questions that George posed – I invite that.

Lucier: I think we probably ought to think about taking to public hearing two different options, and not pre-judge them at this point.

Portman: What would those two options be?

Lucier: That's the question. I would recommend that the one on – what are you calling the second one? The 299-acre one?

Howell: The county line

Lucier: The county line one. I would recommend that we take the concept of two smaller ones or one at the county line.

Robison: So the one at the county line you would refer to as the one large employment center?

Lucier: No, I'm not calling it anything. I'm saying that large or small, I'm not making a size distinction. I'm saying that we take the two ones – one option is to take the two that we have presented to us today. And the second option would be for public hearing take only the one at the county line.

Robison: Okay; I'd like to clarify, and this could be because I missed discussion the last meeting. Is the committee interpreting these two as two small ones?

Lucier: I think that's the phrase that's used, although 299 acres isn't small.

Robison: Well that's kind of why I was thinking it struck me as perhaps the one large, but I need to be clear on what (interrupted)

Lucier: I think what was (inaudible words due to multiple people speaking) about the one large was the original one.

Jeff Ulma (Town of Cary Planning Director): It was considered 572 acres, so now these would be two smaller ones.

Robison: Okay

Lucier: But my proposal for discussion in any event is to take what was presented to us today as an option. Call them large, small, whatever you want, but both of them. And then the other option be the county line one only – take that to public hearing. Because we've talked about this a lot. We've had input sessions before, but our thinking has evolved, and the thinking of the citizens has probably evolved since plowing through this. I think that doesn't preclude us – once we have

that information at hand – from making a decision, because both will have been taken to public hearing.

Robinson: I think it's important that it goes to public comment, because the original employment center was taken to public comment. If we're going to move that from that location -- I don't think there's any problem if we kept it in the same location and decreased its size – but if you're going to move it to a new location, you have to have public comment. All those people who didn't come out didn't think their land was going to be planned for an employment center or was going to be adjacent to it.

Lucier: Exactly. That's not fair not to give them that opportunity, and that's what I'm thinking.

Robinson: It's the right thing to do.

Robison: One question I'd like to pose is there was a Map 6C that had a potential employment center that was at the county line bleeding over into Wake County.

Howell: 6B

Robison: 6B; okay.

Howell: And that's right behind you there.

Robison: Okay. I'd like to propose that if we're going to take these to public hearing – and I agree that that's appropriate – that this right now is a Chatham plan, and I understand that. But, if we have a vision of the employment center at the county line moving over into Wake County, I think that that would be important to approach this in a holistic fashion.

Robinson: You mean as far as regarding public comment from citizens, that people need to be notified in Wake County?

Robison: Yeah, and that seems reasonable that we approach this from a standpoint that has lasting value.

Kost: Do we know what the land designation of the Wake County section in the southwest area plan – what that designation is? I think it was one acre, is what I was thinking.

Ramage: 1.5 units per acre.

Kost: 1.5; okay

Robison: Right, and with the Western Wake Expressway (interrupted)

Portman: I think that your comment is a good one that clearly looking at this in a more holistic manner makes sense. That's one of the benefits of us having a joint Cary/Chatham task force to do that. So as we go forward with the option of a joint land use plan, there would be vetting in terms of Cary and Chatham County for citizens to have public hearings, chances to speak, etc. I think it's important for us to kind of go on record of what we think should be done when we ask for citizen input. Because if we just go with, 'do you want A or B', I don't think that's reflective of the kind of long-range planning that we have a responsibility to do. When you come forward with an option, you say okay, this is long range – what we think should happen here, and you get citizen input. You want to be open to that input; you don't want to be rigid on it. But you want to be able to say that this is the long-range plan. And it seems to me that the dialog has sort of evolved around a concern that the first one on Lewter Shop Road was too big. Reducing it – another one near the county line – the focus of this is more from mixed use development to employment center. I think we're kind of at a good point in terms of where this is ending up. Now, if we get

citizen input that citizens feel strongly that this shouldn't be done and it isn't a good long-range plan – that's the whole benefit of formally adopting a plan. And, in the end, both governing bodies would listen to that citizen input, listen to those public hearings, and then make a vote. And that vote will end up adopting a joint land use plan. So, what I'm hearing is – and I guess I want to be clear from the Chatham County side – is it your objective that strategically you think it's important there be an employment center in this area of Chatham County of about this size?

Lucier: I told you what my proposal is, and I don't find your argument convincing. I think this one on the county line is one that we have not received public input on. It's substantial in size – it's 299 acres. We have talked about the other one a great deal, and there are many people who didn't like that – and the size – and may not like it at all. I think this gives us – you have to remember we're a subcommittee. The process is that we're going to come up with some recommendation to our respective Boards, and I believe that our recommendations should be to take to public hearing two different options for the people to comment on. And at that point we have to go back with that information at hand and make a decision as respective boards and then collectively. And I think what will happen if we just select one of them and change it, we're going to have to go back to public hearing again because that would have been a substantial change from what the citizens had an opportunity to talk about. So, what I'm proposing I believe is the most efficient and most open and most transparent way of proceeding.

Portman: Let me make sure I understand this, because I've got a problem in my mind of what I'm hearing, because it sounds like a re-do of what we did a year ago. We had a joint land use plan a year ago. Our two boards met. We had a map. We said we wanted to get public information. We got the public information. We held meetings. We're now here. And we're about to say what we think it should be. At some point in time there's a responsibility to take to the public what we think this should be. I think we're saying the same thing, but it doesn't sound like we are.

Lucier: It's not a re-do.

Robinson: Both of you are saying that you believe public comment is valuable here. Erv, you're saying let's, as a committee that understands all the nuances here – let us propose what our land use plan is and take that land use plan as a strong recommendation – this is our land use plan recommendation – take that to public comment. George, it sounds like you're saying before we say this is our proposal for the land use plan, you want to go and get public comment on the employment center. Do I understand that correctly?

Lucier: No; I want to take it before the citizens in a formal public hearing – it's my proposal – at least two options – public input sessions, which are more informal.

Robinson: So you are seeking that public input on two different options before we finalize our draft land use plan that we're proposing to our Boards?

Lucier: Not necessarily. What I'm saying is here's the process relevant to what I'm talking about. We have two options, and I think everyone understands what those options are. And then we take those two options back to our respective Boards and call for our formal public hearings on those two options.

Portman: Now is that formal public hearing in the adoption process, or is it an information gathering process?

Lucier: I want to hear what the citizens have to say. If you prefer to have a public input session before we do that – we make a decision – then that's fine. But in any event, I think we need to hear what the citizens have to say on that part of it. Whether we take it to formal public hearing and get public input first – but I'm certainly not going to come up with a single plan without getting public input on that county line.

Portman: This is a really important discussion, because it determines what we're doing. My approach has always been – and my understanding has been based upon the way we develop plans – every plan we've ever developed when the plan is ready, it's recommendation of what we think it should be. We, of course, want public input. And we go forward and say here's a proposed land use plan. Citizens, what do you think? We publish the public hearings. That's actually a part of the process of adopting the plan. And we're open in that process that if we hear things from citizens that cause us to want to change it, there's a motion made, and changes made, and that's how it's adopted. That's the approach I'm comfortable with; that's the approach I've seen us use in everything we do. If that's the approach you're requesting, then we're in complete agreement.

Lucier: What I'm saying is I'm not going to vote for either of those things until we receive public input.

Robison: Would it be (interrupted)

Lucier: Because we haven't received that on the one at the county line.

Robison: Understanding that, would it be safe to say that of the options the committee has reviewed and analyzed at this point, that the two options before us are our best proposal in terms of the options. These are the two scenarios that the committee agrees we put forward for public hearing, and that there is consensus that this is our best effort to come up with two alternatives.

Portman: At this stage it's really three. I think your question is an important one. Is this our best work? Is this what we want? The reason I say it's three – it's a 751/Lewter Shop Road option, it's one near the county line, it's an option of both or one.

Robison: I'm going back to two because that's what – I'm just referring to what George said – Option 1 and 2 – without really defining them. I'm trying to understand if there's (interrupted)

Lucier: That's what I said, and I didn't add the other one as an option. Anyone can – we can talk about that, too, in terms of having only the one at 751. But that's not one of the options that I had stated. The third option would be, of course, to have none at all.

Portman: What do you think we should do?

Robison: I would appreciate it if George would entertain my question.

Lucier: I'm not quite sure what your question is.

Robison: My question was do you believe this is our best work? Is what's represented on these two maps in terms of options for employment centers – given all of the study that we've done, all the analysis – are these two locations the best work that we can put forward to the public?

Lucier: The answer is I don't know until I hear from the public.

Robison: Okay

Robinson: We're going in a circular fashion here.

Robison: Actually I think that it's important to understand who agrees that these options are the best ones. Or, are we open to considering more? I don't think that we – I do not want to see us in a position where this committee goes forward and says here are two options, but we haven't really explored everything. I'd like to understand if we think that we've explored the best possible options and that this is what we come down to.

Portman: I think that Council Member Robison is raising a very important issue, and that is before you go to the public and you ask for input on a comprehensive long-range land use plan, you damn well better be certain or relatively certain that you've done your work and that you can articulate why are you telling a community that this is a good comprehensive plan. What are the reasons – what are the pros and the cons that have been looked at, and how do you see that balance. I think that is our work; that is our task. You don't do that in a manner where you say now I'm not open to input. Of course you want to get that input. But if we're going to bring forward a joint land use plan we have to be articulate. We have to be clear in terms of why we're posing this as a long-range land use plan, what we looked at, what were the pros and cons, and what will be the benefit to this region if this is done. And that means we've got to put – I think we have to put ourselves on the table in terms of saying as you asked the question – is this our best work. If it is not our best work, if we're not sure whether this should be done, whether this is really a good idea or not, we shouldn't go forward. Because there's a big difference between rezoning and site plans and a long-range comprehensive land use plan. This is a 20 to 30 year vision of what we think this area – how it should develop. We're making that statement because we understand that if we don't make that statement, it doesn't mean it won't develop. It will develop. We have every reason to believe – given what's happened in the past 20 to 30 years – this area is going to change. The only question is are we going to do our part as elected leaders in helping to shape that vision to provide the best good to the community, in terms of what we think the best good to the community is. Once we complete that at this table and can answer the question you've asked, saying this is our best work, then I think we go to our public communities and we vet that process through the formal process of adopting a plan. We listen; we do public hearings; we're open; if we hear new information – good, compelling information for a reason to change – we change it. But otherwise I do think we're in an endless loop that will never get anywhere. And I think we're at the point where this should be crystallized with our best effort. And I think we've done that. I think we have hashed and rehashed and rehashed this issue over for almost two years now, and I think we've gotten to a pretty good point with it. So, I'm less comfortable in terms of going out and saying to the public, pick A and B or C and tell us what you think, because I don't know that I can think of an example – Mr. Shivar or someone from Chatham County – planning director – how would we do that? If we wanted to go with a public tell us what you think.

Howell: If you wanted – I would recommend if you wanted – if the only place where the question is going to be is the employment centers, it sounds like the subcommittee is okay with the two locations shown as options, and maybe the best thing would be to take the one map showing those two locations and getting public comment on the overall map as well as the two locations. Through that I think you're going to get a lot of comment on the employment centers themselves. Based on what we've seen, that's going to be a lot of comment in the public hearing process anyway. And I don't think there's anything stopping both full Boards or the subcommittee after the public hearing process from coming back and saying based on public comment we're going to scrap one node or we're going to change them a little bit. Does that sound (interrupted)

Robison: That would be expected.

Howell: That's what it sounds like maybe the way you're leaning.

Lucier: I'm pretty clear the way I'm leaning. It's not a question of leaning. In terms of your question, I think we've done good work. We have a lot of information, and I want public input on that other section. That's not a lean, that's a position that I have that I think is important.

Portman: But, George, we're all saying we want public input.

Robison: I think we agree on that point.

Portman: None of us want to adopt a land use plan without public input. What we're talking about is are we at the point to propose a land use plan for adoption and take it to the public and get that input, or are we at the point where we're not sure and we want to hold community informational

meetings and ask people to put post-it notes up and give us comments, which we've done at least two or three or four times.

Robison: Yeah, but in all fairness we have not done that on the county line option.

Lucier: That's never been done for that.

Kost: Could someone explain to me, other than this isn't how we normally do it, why you can't take two plans to a public hearing. What's wrong with that? Other than – why can't we?

Robison: I think we can.

Kost: But what I'm hearing is resistance to doing that. It's what George has suggested, and I think it's actually a good idea. So I'm trying to understand the arguments against it, and so far I haven't been convinced that (interrupted)

Portman: Let me try to be articulate then. The public hearing is what? It's for the adoption of a comprehensive land use plan.

Kost: And to get public comment.

Portman: Well obviously you're having a public hearing to get public comment, right? So are we going forward and asking the citizens of Chatham County and the citizens of Cary to weigh in on a comprehensive land use plan? If that's the case, I'm fully for that. If it's for asking the citizens to write the comprehensive land use plan and have us then come back and listen to their input, and then come back into this room and meet and talk about that input, and then come back with defining a plan, I think that's an endless loop that we've been stuck on here for two years.

Kost: Actually it seems like two; it's only been one year.

Portman: That's the difference. So (interrupted)

Robison: We started in June 2009. But the point is perception. But, you know what, this type of work (interrupted)

Portman: Wait a second. We didn't start in June 2009, because we met – was it (interrupted)

Kost: It's only been a year.

Portman: Wow.

Robison: Let me ask another clarifying question. My sense – if I can repeat what I heard Ben say – is that it looks like with the best information that we have -- these two options – there's agreement that we put them forward. And we seek comment at a public hearing. My interpretation would be that these two options are one element of the plan – of the joint land use plan that is put forward at a public hearing. That this plan is put forward and the employment center discussion is one element in particular that we are seeking comment on. So, I just want to clarify that that is what goes to public hearing.

Portman: Are we going to public hearing with a joint land use plan that happens to have some options on employment centers – two employment centers on the map to get input?

Robison: Can I ask Mr. Ulma to help me out here.

Ulma: What you would do is say this is draft 7 that you've generated. It shows two blue bubbles – two nodes on it – and all the rest of the land use designations. And you say this committee puts

forth draft 7 with those components on it, and we're ready to go to public hearings for consideration of adoption by both Boards. Every plan has different designations and pieces that you can always adjust and refine through the public hearing process. So, it seems like you're hung up on whether there's two node designations or only one and you would just say we've generated the final draft version that this group would recommend to both full Boards be considered at public hearings.

Robison: And take it to the full Boards.

Lucier: How many times do I say it, that I'm not prepared to recommend both nodes until I have public input.

Ulma: George isn't ready to do that, but the rest are.

Robinson: I think the Cary representatives probably are, and the Chatham County representatives would prefer to get public comments so they know whether or not they want to make draft 7 the draft that goes to the citizens as the proposed draft.

Kost: George raised a really valid point, though, to get clarification on. For the employment center it's not as much of an issue, but we have some other decisions to make today, and when we recommend – let's say there's a parcel that's five acres and plan whatever number was before. And now today we change it to something else. During the public comment 200 people speak out against it. I'm just making up numbers. Then would we have to take it back to a public hearing if we changed it again? I think the answer is yes. That's what our attorney advises us. So that if we make substantial changes after the public hearing, then we would have to take it back to another public hearing. So, by doing two options, you actually save time as opposed to costing time.

Portman: So the two options say – you actually propose two maps? Is that what we're talking about? We're going to go forward with two draft land use plans for adoption?

Robinson: I think what George is talking about is he would like an opportunity to have a meeting of citizens sometime in the next six weeks or so where they show two maps, and I believe one has just the small one at Lewter Shop and one has both – is that right, George?

Lucier: No, I was saying one would have the larger one at the county line, and the other would have both.

Robinson: Okay; so you would show these two maps, then we'd reconvene and we would have – we would take that public input and then at that point you would feel comfortable going forward with draft 7 – whatever it is. You may say yes, let's go with one large one, or let's go with both. But at that point you would feel comfortable having heard from your citizens that you're ready to go forward.

Lucier: Because they have never had a chance with the county line one, and, furthermore, we've changed substantially the other one from whatever draft that was.

Robinson: Okay, but you feel – should you have this public comment experience -- that you would then be ready to go forward with the draft step.

Lucier: Yes, but I want to hear (interrupted)

Robinson: Okay, then I think we should let Chatham County go through this, because it is important when you make a sizable change like this, we should give them the time to get the input that they need. And then we come back here and pick this discussion up from where we are right now saying, ok, now that we've had this public comment, which map are we going to say is

Map 7 that we're going to take to the citizens in both Chatham and Cary for public comment for adoption.

Lucier: That's what I propose.

Robison: That's a reasonable phasing.

Lucier: That was my initial proposal.

Robison: Well, you know, it just takes some time to figure it all out. So, do we agree?

Kost: I do have one suggested change to the map, but I don't know when to bring that up.

Robison: Why don't we tie this loop. I think that Jennifer pulled together a phasing proposal, which represents George's interest, and that would be – a next step would be a public input session – a community meeting specifically on the employment center options.

Lucier: You have all the other changes that you've considered, too.

Robinson: Let's make sure that whatever they put into their public comment is as close to what we want Map 7 to look like as possible, so that we don't have to go through this again.

Lucier: So we have some other decisions to make.

Robison: Alright; so, then it's a community workshop on the draft plan to-date.

Robinson: And what we would like to see is that we schedule our next joint meeting in a timeframe that gives you – Chatham County – a chance to take that information, digest it, and talk among your Board and know which of those two options you want to move forward, so when we come back here we're not debating the merits of the public comment that was received. Just come back and have a feeling about what you want to do.

Lucier: That was what I proposed.

Robinson: Super

Howell: One quick note on the timeline before we get too much further on this. Currently there is the next joint subcommittee meeting scheduled for August 13. Obviously we wouldn't be able to get the public input by that point. I think that would be very difficult. The other thing is that – as far as the planning staff goes – our schedules are a little jumbled up in the next few weeks, so we might need closer to two months in order to be able to get everything prepared and get the public input done from the staff timeframe -- between Jason and myself, between vacations and other things we have scheduled going on. So it is – I just want to make sure that everyone is aware that as far as staff time goes, that's going to be needed to prepare this, we're going to need more time that you might expect.

Portman: I think we know that and we respect that. What I would suggest we do is not meet again until the Chatham County side has had the chance to get their input, to digest it, and is comfortable in terms of presenting a proposal.

Lucier: What Sally and I need to do is sit down with the staff and see how – what timeframe we can get that done in and reasonably expect to be complete.

Robinson: If there's some reason the staff knows we do need to meet in August – if there's some other topic we need to discuss – you all can decide that among yourselves, and either schedule it or remove that from our schedule.

Kost: I can't make the August 13 meeting anyway.

Robison: Okay, why don't we just make the decision that the August meeting will be canceled?
Okay, alright. We have (interrupted)

Portman: But even potentially – I mean the important issue I think – this has been a cause for several meetings. I think the important issue is to be respectful of that public input and the Chatham County side's time. And, when you're prepared to absorb that and have a proposal that you feel makes sense for Chatham County, then we should schedule our next meeting.

Robison: I'd like to make one important point. We do have a request for audience comment, and I do want to get to that. But the committee is working through some process, okay? We'll be right with you. We'd like to give you that opportunity to talk.

Note from clerk: Inaudible comments from person in audience.

Robison: Okay; is it critical to the discussion at hand right now?

Note from clerk: Inaudible comments from person in audience.

Robison: Okay, go ahead.

Sue Rowland (Town Clerk): I'm sorry, but if you're going to speak could you come to the table so we can hear you?

Robison: And could you please – there's a microphone right here, and could you please state your name and your address for us?

Heather Johnson (audience member): Heather Johnson, 449 Foster Lane, Pittsboro, NC. I feel that these meeting notices are being sent through Chatham County action alerts and the Chatham County system, and citizens are being given the opportunity to come and have input on, you know, all of these decisions. We see all the changes and all the plans. They're sent to us via Chatham County anyway. So for the commissioners to make the assumption that the citizens haven't been given the opportunity to weigh in on these decisions, and that we have to go and take more time, I feel is a politicized decision-making process. And I hope that this subcommittee will look at the fact that the Chatham County citizens have been given ample opportunity through our own alert system to be at these meetings, have access to all of the changes – they're on our Web site, and it's a totally politicized decision. And I hope that this board jointly will make a decision to continue moving and not – I don't think that it's a fully factual statement that our citizens aren't being given the opportunity for input. And these are our elected officials, and they need to be making these decisions.

Kost: But you're assuming that everyone has high speed internet that can download these very, very intensive maps.

Johnson: Inaudible comment

Kost: They don't. Heather, I live there and people don't have high speed internet.

Robison: Excuse me; excuse me. As chair, I take the prerogative to ask you – thank you, Ms. Johnson, for your comment. We've received it, and I think it's appropriate that we as members not comment on the public comments at this point. But, you're registered, and thank you.

Robison: I have two points I'd like to make. First of all, we have an issue of scheduling that is part and parcel of how we go forward. And I brought with me today for everybody a copy of the

updated project schedule that we did in March that Ben is referring to in terms of the schedule and the layout for how the staff would proceed. And they have been working carefully to try and abide by this. This schedule has us going – taking something to public hearing in August I think. And so I thought it would be good just to remind everybody through a quick look, and then also there are other topics here that are on our list that we all agreed that we needed to do – to keep in mind as someone asked a question what else there is to do. Okay, so that's just an FYI, and I wanted to get that just to everybody.

Lucier: Actually I don't think this is the latest version. I think this version was modified at the meeting we had in your big room – your big fancy room.

Kost: You're absolutely right. This is not the latest version.

Lucier: This is not the latest version.

Robison: Well I apologize. This is what I found on the Web site as the last version. Oh, you know, this is actually what the minutes reflect. The minutes reflect that there was a decision – a recommendation – in fact, I think Mrs. Robinson made it – that this was not – the timeframe was not completely realistic and that we needed to push the public hearings into September and October and look toward adoption of a plan in December. That that was more realistic given the holidays. But I don't – and that is reflected in the minutes of the meeting in April where we discussed this, but I do not believe that there was another plan generated. If there was I did not find it on the Web site. So, thank you for reminding me of that. It is correct.

Lucier: So whatever it is there should be an updated version on the Web site anyway.

Robison: So, but still I think it's good for everyone to – we're talking about process. Be reminded of the goal we set forward even if there's some adjustment in these dates. Okay? Now a second point. I want to bring – to get us back toward what goes forward for community comment. This has been couched as a Chatham County community workshop or input session. I'd really like to change kind of the way we're looking and talking about that. I think that we need to – we need this to be – we need to focus ourselves on this being a joint Chatham/Cary community workshop or input session. And I'd like to see – I'd like to see the Wake portion of an employment center as part of that. And I think that that makes sense, and by separating out and saying, well this is a Chatham community workshop and you bring back your input to us – I think that doesn't reflect the spirit of a joint approach. And I don't know if it's just semantics or it's my interpretation of comments, but I'd really like to see us do this in a way that's – the mindset is real collective.

Lucier: If that's what Cary likes and wants to do, I'm very supportive.

Robinson: I don't see why we can't do that. Consider it done.

Robison: Okay; great.

Robinson: Staff, make it happen.

Robison: Why don't you snap your fingers.

Robinson: I know; that's what I feel like doing. I know they can do it.

Robison: Okay; alright. So, who'd like to take a shot at summing up exactly where we're at?

Robinson: I will.

Robison: Go for it.

Robinson: The Chatham County staff will work with Cary staff to set a date for a public input workshop, at which two options will be shown. The first option will be a large employment center at the county line. The second option will be the large employment center at the county line as well as the small employment center at 751. Following that public comment period, Chatham County will come to resolve what they think is the best option to pursue in what we will call Draft 7. We will reconvene, and we will discuss Draft 7, and hopefully by the end of that meeting we will be prepared to take that final draft to our citizens for public comment on the adoption of a comprehensive land use plan.

Portman: Through the process of adoption.

Kost: One clarification, though – what we will take to this community meeting will also include all the other changes that we have made since the original Plan 6 (inaudible words).

Robinson: That is correct.

Portman: Good summary.

Robison: Right, and can you clarify, Jennifer, the point about Chatham County taking the comments and making the decisions. I mean we are Chatham County, too.

Robinson: Yeah, we are Chatham County, too. I think that at this juncture I think Cary would be ready to move on one of these options. I think it's the Chatham County representatives that aren't sure about how their Board wants them to proceed. So I think that we just want all members of this committee to come prepared to make a decision on what Draft 7 is.

Robison: I think that's more appropriate. And, could this summary also reflect an inclusion of any employment center spillover into Wake County that are staff would recommend?

Robinson: Yes

Kost: More residential

Robison: Yeah, whatever. I mean look, life doesn't stop at a county line.

Robinson: No, it doesn't. I want us to be careful how much change we do in the Wake County portion, since that is in the adopted southwest area plan. I want us to be cognizant of the dominoes that start to fall when you start changing one land use plan after another.

Portman: And we will probably not meet before that, so at the very least if there are changes, they need to be vetted to the committee through e-mail, so if there are any concerns we are able to speak to that.

Robison: There was a proposal put forward in the Plan 6B.

Howell: Yeah, which is shown behind you.

Robison: My perception is staff put something out there. Maybe we haven't fully vetted it.

Portman: So to the extent it stays within that footprint, I'd be fine with that.

Robinson: Okay; I'd be fine with it, too.

Robison: Okay; alright. Jeff, would you like to make a comment here?

Ulma: The other thing we can do there is just be able to represent that with arrows or something that would just show the possibility that it could expand to the east. So it gives that sense that it's not finite or fixed at this point.

Robinson: It's not defined.

Robison: Okay, but then it's more conceptual.

Ulma: Okay; alright. And then that would be worked through further. Okay.

Lucier: I think it would be helpful to have some idea what that might be in terms of the public input session on the Wake County portion. It doesn't have to be exceptionally detailed, but at least some concept of what it might be.

Robison: Yeah, because what happens on the Chatham side is going to affect the Wake side. And, what we do on the Wake side will determine the potential success of the Chatham side. I mean, it's (interrupted)

Robinson: In addition, I think that anyone with property over there will feel insecure if you just – if we make it too vague. They'll say what are the implications here. I own this parcel and you say that an arrow is pointing at it. I don't know what that means.

Lucier: Whether it's a target (interrupted)

Kost: Yeah, if it's a target – exactly.

Lucier: There has to be some detail I think.

Robinson: I think there's a road that runs right through that blue area there. I can't see it clearly from where I am.

Robison: You mean the red line?

Robinson: No; there's a red vertical dashed line, and I think that we should probably stop the employment center at that road, rather than having the employment center bump right up to a park. I think one of the values of the park is that you give homeowners an opportunity to be in close proximity to a park. By running the employment center right up to it, I don't know if that's the best thing.

Note from clerk: Inaudible comments; multiple members speaking simultaneously.

Robison: I think that's a point well taken. How about we let the staff bring that back?

Robinson: Okay.

Robison: Okay. So, Scott, you had a point you needed to make?

Ramage: Well, staff – we'd just like to make sure we understand. On the county line node, is the option you want us to show the extent of what we've presented today? Either yes or no on this.

Robison: Yes

Ramage: Or, are we also inferring that the original 6A – the three options in 6A would also be presented?

Lucier: No

Ramage: Okay; so it will be either this or not this?

Lucier: No, that's not what I said.

Ramage: We're looking for clarification.

Robinson: It's the big parcel. Option 1 would be the big parcel – the 299. And Option 2 would be the big parcel in addition to the small parcels – the two parcels.

Ramage: Oh, okay. But we're only working with the ones we've seen today?

Robinson: Yes, that's what we focused – and you know what? That gets back – do we all agree on that point? Right? We're focused on these two.

Lucier: Yeah, that was my original proposal. I do agree.

Robinson: Alright. Let it be known that there's consensus. Sally, are you (interrupted)

Kost: Right, except I still want to make a change to this map.

Robinson: Okay; alright. With one exception – this caveat that the county line node extend to the Wake County concept – include a Wake County concept. Okay.

Portman: *Inaudible words* by that road.

Robinson: I'd like to hear what staff has to say. Jeff? Ben? Scott? Any staff?

Lucier: Inaudible comments

Robinson: Okay; alright. Can we move on then?

Robinson: Yes

Robinson: And Sally has some particulars that she wants to specify.

Kost: Just one. On the top page – the 170 acres – I asked the question about the church. I would ask that where you see Chapel Road – that's Martha's Chapel Road. I would ask that we stop the – move the red line along Martha's Chapel so those two one-acre buildable area – that whole area comes out. Because the one acre is in a platted, already developed subdivision – Chapel View Farms I think, and the other is a historic church.

Howell: Sally, actually that's Holland's Chapel Road I believe.

Kost: Oh, that's Holland's Chapel?

Howell: Yes

Kost: Oh, okay. Why didn't you correct me before?

Howell: That's Apex Nursery area to the south of (interrupted)

Kost: Okay; we only have partial names of the roads, and every road out there is either named Church or Chapel. Okay, then I'm okay. Sorry. I thought that was Martha's Chapel.

Lucier: There's a house there that's actually owned by the people who own the nursery.

Kost: Right

Note from clerk: Inaudible comment from audience.

Lucier: Right, Will Copeland is – that's his house. Is that correct? Obviously, he might want to weigh in on that.

Robison: I don't feel so bad. Every time I look at one of these maps I have to like look at the big map to situate myself.

Robison: Okay; and other comments?

Portman: So we're deferring on these three questions until after the (interrupted)

Robison: Yes – this – yes.

Robinson: No more comments on this.

Kost: Thank you.

Robison: Alright. So, let's move on now to the unresolved map change request. And, thank you everybody. Good work.

Howell: We're going to the Horil and Hodge properties now. This is – we've received public comments from the property owners of the Horil and Hodge properties. They had requested that the land use – the proposed density be changed on their properties. In Plan 6, which is the last approved plan by the joint subcommittee, their property is designated as one dwelling unit per five acres. Here you see is an aerial photo, and the property in question is outlined in that purple line there. Just to the southeast here – this is an existing subdivision – Woods of Chatham I believe – which is three- to five-acre lots. And then you have New Hope Church Road and Mt. Pisgah Church Road. And you can see the creek areas that are flowing through here. I believe that's Indian Creek. So this is the current Plan 6 – draft Plan 6. All this area shown as one dwelling unit per five acres. The stars designate the properties from which we received comments, which are all owned by Mr. Horil – or by the Horil and Hodge families. Total area of about 246 acres. Woods of Chatham Subdivision is about 134 acres, and there's about 112 acres owned by the two families that submitted comments.

Howell: The proposed Plan 6A, which is what the Chatham County subcommittee members had discussed and have proposed is to change this entire area to one dwelling unit per three acres, which would provide a density – would provide a transition area from the one to five to two to one – as well as match the approximate density of the Woods of Chatham Subdivision, while still allowing a little bit more density in the area where we've received comments from the Horil and Hodge family.

Howell: Plan 6B, which was proposed by the Cary staff, was to change this entire area to one dwelling unit per one acre and move the rural buffer boundary – the urban service boundary to come up New Hope Church Road and then down Mt. Pisgah Church Road, and then cut back over by Earnest Jones Road. And there you see – they also were recommending moving the urban service boundary to continue down Mt. Pisgah Church Road actually to that next right there – West Ferrell Road, and including the 84 acres here in the two dwelling units per one acre. And if you'll see currently this is that area currently shown as one dwelling unit per five acres with rural buffer boundary here. Cary's proposal is to move the rural buffer boundary to follow the road and redesignate this two dwelling units per acre. And with that we'll allow the subcommittee, if they have any questions or further discussion.

Robison: Well, I'll tell you – what would be really helpful to me is, you know, over the last couple of days we've received comments from the residents, and it would be helpful if those who might be more familiar with the case sort of help me understand – and if others have the same question – exactly how well this proposed – the last slide – the uses proposed coincide with the expressed interest.

Howell: The Horil and Hodge families who own all the properties started here – they have been requesting a designation of two dwelling units per one acre. Staff – both staffs feel that that would be – to give the two dwelling units per one acre out here – to make sense we would need to redesignate this entire area as two dwelling units per one acre. And staff feels that that would probably be a little too much – especially considering the existing subdivision here. The primary difference of opinion of staffs is whether to designate this entire area at one dwelling per acre or one dwelling unit per three acres. There is a current minor subdivision that's been approved for – I believe it's Mr. Horil – Hodge – Mr. Hodge – through here, and I think averages three to five acre lots through here.

Robison: Through where?

Howell: Right through these four stars here.

Kost: I have a question. The Woods of Chatham is already a platted, developed subdivision. Larry lives there. And when we had the original maps, when we had subdivisions that were originally platted, we tried to fit the land use with how it was already developed in these platted subdivisions. So, case in point, Markham Plantation was discussed – north side of the purple line – north side of New Hope – yeah, there. If you were making the Woods of Chatham one acre lots, why would you not do Markham? And then all the other areas? So, I think – my point is I think that's inconsistent with how we treated all the other areas in this joint use area. So, I definitely do not support changing the Woods of Chatham to one-acre lots.

Portman: So what do you support?

Kost: Well I think it was up there – the one dwelling per three acres.

Howell: And this is – Chatham staff – we worked with our – with the subcommittee members and our commissioners to come up with this. And the one dwelling unit per three acre density was chosen because we did not feel comfortable recommending the rural buffer boundary be moved to this point. And, also, we felt one for three acre would more closely mimic what's existing in the Woods of Chatham area, while still allowing for some future development in this area. And it would also provide a transition from one to five to two to one.

Portman: And what's staff's recommendation on the urban service boundary?

Howell: From Chatham side, at this point we did not look at moving the urban service boundary at all. The Cary proposal does discuss moving it to follow New Hope Church Road down to Mt. Pisgah Church and then swapping the density and adding 84 acres here into two dwelling units per one acre.

Robison: Would that be then – just to translate that here – would that be pulling that out here?

Howell: Yeah. You can actually see it on Plan 6B that we provided a couple of months ago. The Cary staff did include their proposal.

Robison: So it would be here?

Howell: Right

Robison: And if I understand correctly, the property owners that are in this area are the ones that would like to do something like a long-term care – they'd like to do something that would require services.

Howell: I believe in one of their recent comments they did mention that if they were allowed more density and urban services in this area, they would like to do some sort of planned care center or -- you know -- something more dense -- one dwelling per one acre – one dwelling unit per three acres.

Robison: But your proposal is one dwelling unit per three acres.

Howell: Correct. That is what the Chatham staff and commissioners have (interrupted)

Robison: Could we – we don't provide services to one dwelling unit per three? No. So then – so there would be no possibility then for the Horil family to have anything other than septic, or whatever your provisions allow.

Howell: Correct.

Portman: Well, per this comprehensive plan, if it were to be adopted – the long-range comprehensive plan would preclude that. Any citizen at any time is always free to come forward and recommend a change to the comprehensive plan. Based upon the merits of their change, it would be considered. And good comprehensive plans are changed.

Robison: Well I understand that, Erv. I'm just saying that that's the implication. I'm really trying to crystallize and understand the comments that we have received specific to the proposal.

Lucier: Given the current use, I support what Sally said – the one dwelling unit per three acres, and if in some point in time – you're right – if there's reason to change that, then our policy would be if both Chatham County and Cary agree, then it could be done. But at this point in time, given the current use and the current subdivision that's there – it's substantial – it's actually more than half of that area that's in the dotted area – it's already three to five acre lots. It just makes sense to me that we leave that as one per three acres.

Robison: It's consistent.

Lucier: Not leave it, but change it from one to five to one to three.

Robinson: How would the map be denoted if we wanted to put an option on there that was either one to three acres or it could be used for some kind of institutional use? Our design guidelines – we would have adequate buffers on that. But, how would that be denoted on the map?

Kost: I don't know if it could be institutional at that – I mean, institutional use on that road structure would be a question for me.

Howell: Yeah; if the subcommittee were to move forward with anything other than residential in this area, the urban service boundary would most likely need to be moved to include this area. Without urban services, this area would have a hard time developing as anything other than larger lot residential.

Robinson: I understand that. So, if we wanted to give the homeowners the option of either developing it at a low density or putting in a continuing care kind of facility, can we accommodate that in the map?

Ramage: We haven't done that sort of thing yet on this map, but we have – in Cary we have other plans where we've used notes and put alternate uses – put a little boundary and a note on the

map – to say like one dwelling unit per three acres or institutional use. We could do something like that, but it does raise the question of is it feasible unless you also move your service boundary.

Portman: To me, the logical thing to do here – if there's argument from staff on the proper transition of one to three, there seems to be good merit in terms of that and it's being supported by the Chatham County side. I would say the right thing to do is go one to three, but include it in the urban service boundary. And the urban service boundary map (inaudible words) – on Plan 6B – I think is more logical of a map, because it respects the boundary of the lake. Everything we set out as our ground rules up front are reflected by that. So, I propose that as an alternative if that's acceptable.

Robison: The one thing that appeals to me about that proposal is that there is an expressed interest – potentially long-term – for services. And, quite frankly, I think it's – I think that it's fair that if there's the potential for services/needs, that Cary has the ability to incorporate that into a – not to intentionally do it unless there's a specific request, of course – but to be able to take it into account for long-range infrastructure planning needs. Otherwise, we're caught off guard – I mean, we're talking about long-term water supply, wastewater supply – these things, they concern me. And I still have concerns about some of the – you know – cutting short the urban services boundary – we've already had this discussion; I'm not re-raising it. But, I will express that I have concerns about some other areas.

Portman: A little gerrymandering.

Robison: Yeah, where there's some day – long term – some potential, and I don't want to see Cary under-estimating the demand and shortchanging the planning for needed infrastructure. That's my global concern. And, from a principled point of view, I'm not out to expand our urban services boundary just to expand it, but my rationale is the ability to – in order to have the capacity necessary out into the future should it be required. I mean, I think we're all going to suffer one day if we don't do that.

Kost: It may make logical sense at our next meeting to take the whole urban service boundary – and take another hard look at it. Because, we have made some adjustments to the land use plan, and I don't think we've really focused any of our – we've focused our discussion on land use. We haven't focused it on the urban service boundary. So, I would be amenable to taking a look at the whole line.

Portman: Can we make a decision on this particular parcel today?

Lucier: One dwelling unit per three acres.

Portman: One dwelling unit per three acres, and the urban service boundary.

Robinson: Yeah, I'd like to move that urban service boundary over right up to Pisgah Church Road – completely up – like that. And I think we ought to put a note on this land.

Kost: I won't support the note.

Robison: Because you think it requires it to – you think it's compatible with the one dwelling unit per three acres, and that it not (inaudible words)

Kost: Well the note as I understood was that the property could be used for institutional use. And I don't think we evaluated that from a committee standpoint. That's the first this has come up.

Robinson: We can have our staff gather some information and talk about it at the next meeting. But, we can come to an agreement about one to three dwelling units, moving that area to the south. And we can move forward with that.

Robison: I support one to three.

Ulma: That also brings up that general question. When we do these plans, everybody focuses on residential – just residential, just residential. I mean, everything you talked about is only residential, and somewhere within the plan we often address the non-residential or other kinds of uses there, because then – the whole discussion – you really haven't done that in this process yet either. Thinking about what other (interrupted)

Note from clerk: Inaudible comments; multiple people speaking simultaneously.

Ulma: In the other designations, though, are non-residential uses, like other support uses (interrupted)

Robinson: Like schools

Ulma: A library – an institutional – people will say, no, the plan just says residential. All you said was one per three. You obviously can't have a library or a school or whatever there. And other people say, well wait a minute, it makes sense to have non-residential uses supporting those.

Lucier: Well, if both jurisdictions agree we could. But at this point I hate guessing. I don't think we should guess. I think we should have a proposal – a need -- and then act on it as both jurisdictions.

Ulma: What we would be suggesting is in the plan -- as you write the plan that you at least discuss and include or not include in the language in the plan – are uses other than just straight residential. I mean

Note from clerk: Inaudible comments; multiple people speaking simultaneously.

Portman: For example, in Cary in residential neighborhoods, daycares are allowed. Churches are allowed. Schools are allowed – in a residential neighborhood. They are important and a part of the character of a residential neighborhood. So what he's saying is you can address that through the wording of the plan, in terms of what do we mean by residential.

Lucier: I agree with that. What I don't agree with is sort of guessing where those things may be at this point in time.

Portman: No one's arguing to do that.

Lucier: That's sort of what I heard.

Robinson: *Inaudible sentence*. It is not unusual for Cary to say, okay, this is where two roads come together, and it's a logical place for a school or a library or a continuing care facility. I mean, that's not unusual for us to do that.

Portman: We had schools on this map and took them off.

Robison: I think the point that Mr. Ulma made is well taken. Once we have made the decision about the density here, then the written plan can include in its scope the discussion about alternative uses and locations, and that would be a subsequent big picture look.

Kost: Aren't we going to have to compare what we allow and these different types of classifications and what Cary allows and those types of classifications, and come up with something that we all agree on?

Howell: And that's what I was getting ready to say, and I'm pretty sure Cary is similar. In Chatham County zoning – current in our residential zoning districts, we do allow some non-residential uses. We have minimum acreage size for some – they're more intense and whatnot. So, I think once we decide on the overall residential density of the area, then we can get into are we going to be creating new zoning districts or using the existing Chatham County zoning districts or – and at that point, that's when you would get into more of the different types of uses that ultimately will be allowed. It may show on the map as residential, but if we – I would expect the plan to say that the areas shown as one dwelling unit per three acre residential will be zoned by Chatham County, will follow Chatham County zoning ordinance. At that point, since we don't currently have a one dwelling unit per three acre zoning district, if the commissioners chose, we could create one and include in the table of uses the exact uses that would be allowed in that. And I would expect the plan would say non-residential uses will be allowed per Chatham County zoning ordinance or per Cary zoning ordinance, depending on the zoning district that is placed in the area.

Robinson: I would imagine that if you own this land, and in Cary it was one to three acres and you could put one to three acres there and you could develop it under the Chatham County infrastructure. But if you own that land and a school wanted to go there or a library wanted to go there, you would have the right under Cary zoning law to go ahead and move forward with that. In which case you would be running urban services, so you would then go under the zoning law of Cary – not Chatham County – because urban services are involved.

Portman: If it were annexed into Cary.

Kost: Is that right?

Portman: Yep.

Lucier: But again, that would require approval of both jurisdictions.

Portman: I don't think so. I don't think so. Let's be really clear on this. There are current zoning laws in Chatham County that govern everything in Chatham County. There are current zoning laws in Cary that cover everything in Cary. If a landowner in Chatham County asks to voluntarily have their land be annexed to Cary, it will be governed by Cary zoning laws if the Town of Cary annexes that land. We're not going to be able to – I know with the amount of work we've done in the last year – we are not going to be able to harmonize the Chatham County zoning laws and the Cary zoning laws in this task force. So, if in fact something comes into Cary, it's going to be covered by Cary zoning. If it's in Chatham County, it will be covered by Chatham zoning.

Lucier: That depends where we put the urban service boundary. Any change in that urban service boundary – if there's any change to the urban service boundary, that would require approval by both jurisdictions.

Portman: That would be correct. If we get to a land use plan – we adopt one – it has an urban service boundary – that's an agreement of that plan that we're going to do that, which would prevent annexation if we've agreed to that.

Lucier: Yes

Portman: Yes

Kost: So Chatham County would have maximum say, then, if we did not move the urban service boundary (inaudible words). Without that, then Chatham County doesn't really have a say.

Portman: Well that's using the urban service boundary for a different objective.

Kost: Well, it is what it is.

Portman: Well, I mean

Note from clerk: Inaudible comments; multiple people speaking simultaneously.

Robison: Mr. Ramage

Ramage: I was just going to reiterate what Mr. Ulma had said. The issue – staff had proposed probably addressing in the plan document when we describe what is meant by a category like one dwelling per three acres. For example, in Cary plans – and we could do this in this plan – could include some text that would say this category is good for – implies single family detached housing at no more than one unit per three acres, and we could tailor some text that could say and other specific non-residential uses, such as churches, schools, daycares, cemeteries – we'd come up with a list that you could look at – may also be appropriate depending on context and compatibility with the adjacent neighborhood. We could come up with some language that gives a little more definition in the plan document so that it's not just – you're not only relying on what the zoning will be. You've got some plan guidance that will limit the number of uses and set that language out about compatibility, and we can do that.

Robison: The design guidelines – the design principles and guidelines I think are always intended to compliment and give that added definition, too.

Ramage: And we could add whatever criteria to meet the committee's objectives.

Lucier: I agree with the language changes, but if you go back to that one dwelling unit per three acre – let me just give you a hypothetical – and this is an absolute hypothetical. Take the – I'm not agreeing to that urban service boundary where it is – put it back where it used to be.

Howell: This is the urban – the urban service boundary is here.

Lucier: Okay; is where?

Howell: It comes down through here and then I think (interrupted)

Robison: 6B?

Lucier: Again, so none of that in this map is in the urban service boundary, right?

Howell: Correct. The urban service boundary (interrupted)

Lucier: So you can do one dwelling unit per three acres there, right? And at some point the land – and this is hypothetical – so, if this person says, hey, we need a school here, or the county or the town says, because of the growth of the area, we need a school there, and that's a good site for schools. Again, this is all hypothetical. Then I presume the process would be that there would be a request of Cary and a request of Chatham to change the urban service boundary to include that area.

Portman: To change the comprehensive plan. Yes. A change to the comprehensive plan would be to move the urban services boundary.

Lucier: Yes; yes. And in that case services could be brought in to provide the school with water and sewer, and everyone would be better for it. That's the way I would like it to work. So leave

that one dwelling unit per three acres, and if there's some reasonable request made for use of that property at some point in the future, then we have to look at it as a change to the land use plan.

Robison: I'd like to make a suggestion based on I think what I've heard. Let's move forward what we can agree on. That there's a proposal that the parcel in question be one dwelling unit per three acres. Can we all agree on this?

Kost: That's fine.

Robison: Erv?

Portman: Uh-hu

Robison: Okay. I agree as well. Sally and George, you obviously – okay. So let's take that as a decision point, and designate this one dwelling unit per three acres for the purposes of moving forward.

Lucier: And I agree with what Scott is saying about having language in it with what alternative uses could be. So that's spelled out in the plan – I think it's always wise to do that.

Robison: And I agree. And we'll probably have many of those. And then, as per the services boundary, we don't have agreement today on that point. Sally made a recommendation that we take a comprehensive look at the urban services boundary. I think that's a good one. Let's add this particular parcel to that discussion when we have it. And in the meantime we all need to become better informed about exactly all the implications.

Robinson: *Inaudible words*... the section to the south where you have the zig-zag – it doesn't run along a road line or any logical boundary. I think we ought to move it over to the road and make it two dwelling units per acre.

(Note from clerk: Meeting recessed for several minutes to give people time to move cars per fire staff request.)

Robison: Excuse me everyone, I'm going to call the committee back to order, please. Everybody's smiling. That's a good thing. Thank you for making that quick adjustment so that we could accommodate the fire trucks. We have – during the break it was brought to my attention that our utilities director, Mr. Steve Brown, would just like to make a comment on the issue of the focus of the discussion of urban service boundary to share a few thoughts with us. Thanks, Steve.

Steve Brown: I just wanted to call your attention to the fact that it can take a long time to respond to changes in urban service areas. It's not a real nimble part of this, because of the long-term regulatory planning and infrastructure – planning and construction aspects of it. Services can be provided pretty much anywhere with enough cost – and there's cost implications and planning efforts. But, it really is the longer we have to plan that end of the system – because it affects everything downstream. And I just wanted to raise that issue.

Lucier: I think that's why Sally had proposed having – taking a comprehensive look at it next time.

Robison: Exactly, and I think it's good to know that our staff's in complete agreement. How much time are you talking – just out of curiosity – I mean, like 10 years, 20 years?

Brown: For example, some of these areas are not included in the environmental impact statement for our wastewater system. It may take five, seven, ten years to revise those federal documents to incorporate the area – the greater service area.

Robison: Okay; alright. We'll look forward to learning more about that. It puts us all on notice of the kind of implications. Thank you. Okay. We left (interrupted)

Kost: Jennifer wanted to talk about the issue of Mt. Pisgah Church Road to two dwelling units per acre. I think it's 83 acres. Is that – isn't that what you had said?

Robinson: 84 acres

Kost: 84

Portman: Because it's not currently being bounded by anything. It's just arbitrarily taking someone's property and drawing a line through it. Her recommendation was move it to roads as a logical boundary. And I think that's a good planning concept.

Robison: Does anyone have a comment on that?

Lucier: What's that existing office/institutional zoning?

Note from clerk: Inaudible comment

Lucier: That's Mt. Pisgah Church? Oh, I know where it is – I got it.

Note from clerk: Inaudible comments; multiple people speaking simultaneously

Kost: The only question that I have is we've tried to throughout this plan – we've tried to give some sort of transition. And we don't do that here. And I know it (*inaudible words*). So that's going from two to five.

Note from clerk: Inaudible comments; multiple people speaking simultaneously

Portman: The question is should it go from two to five in the middle of someone's land, or should it go from two to five at a road.

Kost: Well we knew that when we were going to have areas where there are extremely large parcels – that's going to be the case.

Robison: Is that based on comments from citizens that it was originally cut there?

Ulma: I think it was cut there because of the buffer adjacent to the Corps. It was the quarter-mile boundary that you started with.

Robison: Oh, I see; it was the original principle.

Ulma: That quarter-mile principle surrounding it.

Lucier: Where is it on this map?

Howell: The one mile boundary is here.

Portman: It was a map clean-up.

Robison: So maybe we should just leave it.

Robinson: Really?

Kost: Do you have a topo?

Robinson: No

Portman: It was an illogical map clean-up.

Robinson: It's well outside of the one-mile guideline, which was our general principle of staying (interrupted)

Robison: Oh, I thought he said it was

Robinson: No, it's outside of it.

Ulma: An added principle was a quarter-mile off Corps property in addition to do the rural designation. So that quarter-mile approximation came through here, so that's why that boundary was there, and you would then be changing that in this instance. So that's the logic of why it was (interrupted)

Robison: Yes, Jennifer, that was what I was referring to. If that principle is applied throughout (interrupted)

Portman: I don't think it is. I think it's a good move to make it (interrupted)

Ramage: The staff motivation here was that the quarter-mile buffer in most cases came close enough to property edges that we could take it to an edge. And this is one of the big areas for staff to look at. Are there any places that really splits a property kind of awkwardly? And that was one. So we just looked at it for that and for (interrupted)

Kost: And then the property line, if I'm reading this correctly though, doesn't go to the road. You're still splitting if you do it like that then. I mean, you would follow the property line, not the road line. Because that was the argument you just used to make this change to begin with.

Portman: Does the property go across the road? Is that what you're saying?

Robison: It appears that perhaps one or two cross the street.

Portman: It's already been separated by a road.

Kost: Do you have the topography for that?

Robison: Does somebody have a recommendation that they'd like to put on the table?

Portman: Yes. We made one.

Robinson: I have a recommendation that we make this map change (interrupted)

Robison: Is there support?

Portman: I support it.

Kost: I don't.

Robison: George?

Lucier: I don't support the two per acre. I would support something in between the current one per five acres.

Portman: Do you want to suggest something?

Lucier: The current zoning of it is one per acre.

Portman: Right

Robinson: Okay; one per acre and you move the urban service boundary over to Pisgah Church Road.

Kost: One to one and we revisit the whole urban service boundary at the next meeting.

Portman: George likes that.

Lucier: We're not talking about the urban service boundary today.

Robison: That was the suggestion. Alright, folks, look, this decision point is not coming together, and we have five minutes left.

Portman: I thought it just did come together.

Kost: Yeah, I thought we did.

Robison: Okay; maybe I didn't hear correctly. Pardon me.

Kost: I mean, you're okay with us revisiting the urban service boundary all in a comprehensive approach.

Robison: Yes

Robinson: The comprehensive approach – when we come to that meeting, what I don't want to have happen is have every one of these discussion points to say, yes, Cary thinks we ought to do this, and have you guys say, no, we don't think we should do this. I mean, when we come together, we need to look at this – given what Mr. Brown just said – we have to anticipate what infrastructure needs are going to be needed for the future and make a good decision on that urban service boundary. So, I want to make sure that we're all going to come to the table with the spirit of compromise, and that we're going to make the best line possible.

Portman: The other thing that I think is very important on that is that it respect roads and logical separation points, that it respect the one-mile buffer to the lake, and that we not gerrymander. The current map has a lot of gerrymandered spots where the line is going in and out and carving around. I won't support that for an urban service boundary.

Robison: Okay. Can you restate then just the density proposed.

Lucier: One per acre.

Robinson: The 84 acres from one unit per five acre to one unit per one acre.

Robison: Okay. One unit per one acre. Okay; I agree. Everyone agree? Alright. Thank you. Sorry to misinterpret all that. Okay, look we have – I'm sorry.

Jason Sullivan (Chatham County Planning Director): Just for clarification. If we're going to have a future discussion on urban services, do you want to have that prior to us having community meetings? Because it sounds like you've canceled the August meeting, so (interrupted)

Robison: Well, I think we need to quickly revisit that, because I'm not so sure that was a precipitous comment.

Lucier: That's a good thing for us to consider. Thank you.

Robison: Okay. We have one more item in terms of outstanding land use unresolved map changes. Is this a complex one?

Kost: It wasn't when we left, but it looks like it might have gotten a little more complicated in the recommendation though.

Robison: Okay, because we need like at least three minutes to do some housekeeping at the end, and I think my watch isn't correct. We can leave this to the next time, or we can decide to stay five extra minutes.

Lucier: Stay five extra minutes. If we get hung up on a lot of stuff with it, we can say we'll do it next time. But at least give it a shot.

Robison: Okay. So we're going to take three minutes on this one.

Howell: I'll run through this quickly – as quickly as possible. The current plan – and this was changes recommended in Plan 6B. The current plan you have Luther Road down here, and it has urban service boundary running again about the quarter-mile away from the Corps property, but it cuts through properties, and it has a designation of two dwelling units per acre here, one dwelling unit per five acres here. What the staff has proposed is to do a – based on some of the other changes we've already made – is to do a density swap through here in order to have the urban service boundary follow more along with what we've done at the Ferrell properties as well as follow roads, and to take this 81 acres of two dwelling units per one acre here and move that designation here, and redesignate these as one dwelling unit per five acre, which actually goes along with similar densities in the Cary southwest area plan as far as lower densities. And that would (interrupted)

Portman: So you'd be having lower density at the county line and higher density close to the lake.

Howell: Yes. But we've already discussed the Ferrell property, which is here. And agreement was made to move the rural buffer – or the urban service line – closer to the Corps property, keeping about 400 feet away from the Corps property and redesignating more of the Ferrell property to two dwelling units per acre. And this would just continue the urban service boundary down 400 feet – staying 400 feet minimum away from the Corps property to Luther Road and then pulling it back up along Luther Road instead of cutting properties like it currently does.

Portman: Why wouldn't you do two dwelling units per acre in the entire area?

Howell: You mean keeping the (interrupted)

Portman: Keeping the 81

Howell: Keeping 81 acres as two dwelling units per acre?

Portman: Yeah

Howell: That I'll let Scott address.

Ramage: We were just trying to – some of these changes from the Cary side being proposed simply would be no net change in the plan rather than increasing. It also is adjacent to Apex. On

the county line we thought having a transition between – the Apex transition happen on Luther Road might be easier than having it happen on the county line.

Robinson: So everything south of Luther Road is Apex's planning jurisdiction; it's not our planning jurisdiction.

Ramage: Well everything in this map south of Green Level West Road is – Wimberly, all of that right there is Town of Apex urban service area.

Robinson: So why are we planning this area south of Green Level West now if it's (interrupted)

Ramage: Well there is no agreement once you cross the Chatham County line. So we were proposing through this plan to make Luther Road the line.

Robinson: Between Apex and Cary.

Ramage: Or, yeah – if that should ever become part of Cary, then have an urban service – have it move over like that.

Portman: It doesn't sound quick.

Robison: Uh-uh

Robinson: It doesn't sound quick to me at all.

Kost: Originally it wasn't complicated, but it got complicated.

Robison: Okay; alright. So, let us – now that we've been briefed on it, let us move this to our next agenda. And, we have a meeting scheduled for August 13. At the beginning of the meeting there was discussion about whether we needed it. It seems to me that we do need it, and staff has commented that there's work to do, and I think that we owe it to our public to proceed on this – resolving the Luther Road issue and moving ahead with urban services boundary.

Portman: Can we stay an hour now and do the urban service boundary discussion.

Kost: I'm not prepared.

Robison: I personally am not prepared to do that.

Kost: I need to do my homework.

Robison: And I have another commitment, too. But, do you have a problem with the August 13 meeting?

Portman: No, but I know Sally's not going to be here.

Robison: I understand that, and I feel badly about that. The urban services boundary discussion is important. Ben had said, and Scott as well, during the break had said that there are a number of things that staff need to work with us on prior this going to a community workshop – community input. And, I don't have any more details than that. Perhaps what we could focus on in our next meeting in terms of an agenda is to pick up on the Luther Road properties and the other issues that the staff would determine need to be brought forward to get committee input on to take this forward to a community input session. Whatever that be – they can define it. And then perhaps we could do a briefing on the urban services boundary but no deliberation or discussion. A briefing then could be shared with Sally by form of (interrupted)

Portman: I'd rather not do a briefing on urban service boundaries if we're not prepared to deal with it.

Robinson: I agree

Kost: If George is here I'm sure we will have talked before as far as any concerns that I have, and so I imagine that George could represent my viewpoint at that meeting. And I apologize I can't be here.

Robison: Well that's okay. I missed – I had last months – I mean we have things – we know that we can't all be here. If the committee thinks that that issue is so critical – and it is critical – that we wait on that until we're all here.

Portman: What's the urgency? Is there any urgency of pushing it until September?

Lucier: The only urgency is we'll have as much of the map in place as we seek public input. That's the only sense of urgency.

Robison: Does the urban services boundary (interrupted)

Lucier: It's not a trivial issue obviously for those people who (inaudible word) move one way or another.

Robison: Are you going to be in a place, Sally, where we can include you via conference call?

Sally: No

Ulma: Change the date of the August meeting.

Robison: Change the date of the August meeting to accommodate Sally's schedule? Is that possible?

Kost: Well I feel bad.

Robison: No, don't feel bad. This is for all agreeing that this is important.

Portman: I'm going to be here. Move the meeting.

Lucier: What day of the week is August 13? That's a Friday?

Kost: Yes

Howell: Friday

Lucier: What about the week of August 16?

Robinson: I'm available

Lucier: Are you gone that week, too, Sally?

Kost: No, no, no; just (interrupted)

Robinson: One of the requests I made is that if it's at all possible to do it at this location. For childcare reasons it's (interrupted)

Robison: The next one is scheduled for here.

Robinson: Okay

Rowland: If we change the date I can't promise that it would be here, but we'll have to work through what we can do.

Lucier: Now on that week we have a commissioner meeting on the 16th.

Kost: On that Monday.

Lucier: But that's in the evening. But the 20th I can't be here.

Robison: Is there a proposal for the Monday?

Kost: Monday would not work because it's a commissioner's meeting.

Lucier: Tuesday, Wednesday or Thursday – the 17th, 18th or 19th?

Portman: Works for me.

Robinson: They're all fine for me.

Unidentified speaker: Wednesday is better for our staff, because that a (interrupted)

Robison: That's the 19th?

Lucier: Why doesn't Cary pick between the 17th, 18th and 19th?

Portman: Do we have council on Thursday the 19th?

Robison: No; p&d (*Note from clerk: "p&d" refers to Cary's planning and development committee meeting*)

Portman: Okay, I'm here.

Kost: I left my calendar at home, so I'll double-check

Portman: Thursday

Robison: Okay. We've honed it down to either the 17th, 18th or 19th.

Lucier: I'm happy with either of those. Whatever Cary wants with that.

Robison: And I'm open all three of those days pretty much.

Portman: I think Thursday is a p&d meeting, so that would be good for me to do it the same day.

Robison: The 19th? Jennifer, do you know off-hand if that works.

Robinson: I don't have my calendar, but I think it does.

Robison: Okay, so we'd like to shoot for the 19th.

Portman: And in that meeting, what will we accomplish? What do we hope to accomplish?

Lucier: Urban service boundaries and this other thing

Robison: I'll go over it one more time. The Luther Road properties – first order of business. Second order of business are other items related to preparing the land use plan that the staff want to bring forward to us. Can't detail those, because they've just said we need that time with you. And then the third is a briefing on the urban services boundary and key discussion points and decisions. And if we can get through all that, that would be miraculous.

Kost: I didn't check with staff whether the 19th works for you all.

Howell: I won't be here.

Robison: Can you call in?

Howell: No; I'll be out in Idaho somewhere.

Sullivan: I'll be here.

Robison: You'll be here. Alright. I'm sorry about that. We wish that everybody could always be here – we just love all being together so much. But, sometimes it doesn't happen. Alright, any (interrupted)

Lucier: I do have one quick question.

Robison: Alright, one quick question; okay. One quick question, and let's have it.

Lucier: Did Cary discuss the local bill issue at one of your recent council meetings?

Robinson: We have not. I think that probably what we need to do is have a work session related to that and some other legislative agenda issues.

Lucier: What I would like to do, and I asked this last time and I just don't know what Cary's response is. Do you agree that there will be a local bill? And we had this discussion before about the – that changes to the joint land use plan -- or zoning decisions -- must be consistent with the joint land use plan or amended joint land use plan. And amendments to it require approval by both jurisdictions.

Portman: We have not had a chance to vet that with our council. We have said in the past – and our council is on record saying we support a joint land use plan and a local bill that would require any changes to that joint land use plan to be approved by both Town of Cary and Chatham County. We haven't gone into the discussion about zoning, which I don't think is appropriate as it relates to that. And we articulated that – I articulated that at our last meeting.

Lucier: So are you saying you're not going to bring it up here (interrupted)

Robison: I'd like to make a suggestion if I could. We have not yet – I think it's important that we do. I think that there are technicalities here that we could benefit from some guidance from experts at the School of Government. It would be my proposal that we seek guidance.

Portman: There was an extensive conversation on this at the meeting you weren't at last month. That's the reason I made the comments that I made. We've gone over this (interrupted)

Robison: Alright; ok; I didn't realize that because there are no minutes, but that's not a dig.

Kost: Yeah it was.

Robison: It's a defense.

Lucier: The way you go about it is really up to Cary, but I would ask you to bring it up to your council. That's my request. And ultimately then to have a letter from both jurisdictions that we intend to do this. And if, in fact, we agree, it would go to our legislative representatives.

Portman: But, George, haven't we done that? Didn't we send you a letter – a resolution from our council?

Robison: Time out, guys. Time out. Alright. We agreed that we were – I appreciate the urgency of the topic, but we agreed to break at 10:35. We need a path forward to work out this issue. Is there anyone who would be opposed to having our staff – perhaps our two managers, our attorneys, whatever – work with the School of Government to bring us a proposal. Is anyone opposed to that – just as a shot.

Portman: I think it's already been done.

Robison: I don't see any piece of paper that has (interrupted)

Robinson: We're not going to resolve this right now. We're up against a timeline.

Lucier: My question was a simple one that was just did you do it, or did you not do it. And the answer was no.

Robinson: Not yet; the answer's no we have not done it yet.

Lucier: So that's as far as we can go today.

Robinson: Yes, let's move on, and we'll talk about it with our staff.

Ben Shivar (Cary Town Manager): I really feel I need to say one thing.

Robison: Okay

Shivar: We drafted language as to what we felt should be in the bill and sent that over to Chatham. We had some back and forth with it. I think the question about whether we will agree to a bill is real clear. We even sent language over to your attorney. At the end of the day, that didn't work out, but we would not have sent anything if we were not willing to do that.

Lucier: Right; we realize what you had sent, but Chatham County didn't agree with what you had sent. That's the issue.

Portman: So what is it that you would want to change from what we sent?

Chris Simpson (Town of Cary Attorney): What we sent was just minor changes to what Chatham County initially proposed. Chatham County provided the proposed local bill, and we made a few comments just to make it more consistent with the state statute and were agreeable to that.

Lucier: But the problem is – I don't know who you're calling Chatham County – but the commissioners did not agree with what you sent back. And I believe we're Chatham County.

Portman: Do you want to articulate what it was that you don't agree with?

Kost: It was the exclusion of one simple sentence.

Lucier: Let me say it again. Zoning decisions in the joint plan area must be consistent with the adopted or amended joint land use plan, and amendments to the plan require approval by both jurisdictions.

Robinson: Okay, let's mull over this and talk about it with our staff and talk about this some other time.

Lucier: And that sentence is in the detailed verbatim minutes.

Portman: And our staff explained (interrupted)

Robison: Has that been sent back?

Portman: And our staff gave a response back in terms of what we would agree to. We'll discuss it in terms of articulating what we can and can't do.

Lucier: Right. So I'm just asking that this sentence be discussed by the Cary Town Council. You said it hadn't been yet. So I don't think we can take it any further today.

Robison: So has the sentence that the Chatham commissioners proposed been sent formally back to Cary?

Portman: No, it hasn't.

Lucier: It was part of these meetings. I – in the verbatim minutes, it's stated several times.

Robison: Okay; so what you'd like us to do is to take what will be in the minutes and to take that to our council and have our council weigh in on it.

Lucier: And the sentence – I just gave it again. So if you want, it's recorded – right?

Robinson: Our staff has it; don't worry about it, Julie. Our staff has it; let's have our staff (interrupted)

Lucier: And what I said today is recorded; you can (interrupted)

Robinson: We can look at that and we'll talk about it.

Robison: Okay; great. Thank you. Is everyone ready to adjourn?

Note from clerk: Multiple simultaneous affirmative responses from committee.

Robison: Move to adjourn (note from clerk: adjournment time was 10:46 a.m.)

Robison: Thank you, everyone, for the extra time.