

Chatham County/Cary Joint Issues Committee Meeting Verbatim Minutes

June 11, 2010

8:30 AM

Jordan Lake Visitor's Center

280 State Park Road

Apex, North Carolina

Members Present: Co-Chairs Sally Kost and Jennifer Robinson and Members George Lucier and Ervin Portman

Absent: Julie Robison

Chatham County Staff Present: County Manager, Charlie Horne; Planning Director, Jason Sullivan; Planner Ben Howell; and County Clerk, Sandra B. Sublett

Cary Staff Present: Town Manager, Ben Shivar; Planning Staff Scott Ramage and Bill Moore; Engineering Director, Tim Bailey; and Town Attorney, Chris Simpson

Agenda

8:30 AM

- I. Call to Order
- II. Approval of the Agenda
- III. Approval of Minutes of April 15, 2010
- IV. Approval of Minutes of May 18, 2010

8:40 AM – 9:00 AM

- V. Issues regarding local bill (follow-up to the May 18th discussion)

9:00 AM – 10:20 AM

- VI. Discussion of Map-Related Public Comments on DRAFT Joint Land Use Plan

- **Mixed Use Node:**

- **9:00-9:30 AM**

- Staff presents detailed information on Mixed Use Node location Option 6A
- Staff presents detailed information on Mixed Use Node location Option 6B
- Staff presents environmental information and comparisons of Options 6A and 6B

- **9:30-10:00 AM**

- Subcommittee discussion and decision on the following questions:
 - should the Node be renamed to Employment Node?
 - Should the Mixed Use Node/Employment Node location be moved to another location in the Joint Plan area – See Options 6A and 6B
 - Should the size of the Node stay the same?

- Should the mix of uses (commercial, office, residential) stay the same?
- Should the density of residential uses or allowable non-residential square footage remain the same?

- **Mapped Comments:**

10:00-10:20 AM

- Staff will present further options for the two remaining mapped comments from the March meeting regarding density changes on the map.

10:20 AM

VII. Other

VIII. Next Meetings on July 13, 2010: 8:30 AM – 10:30 AM – Cary Fire Station #7 Training Room

- August 13, 2010: 8:30 AM – 10:30 AM – Location TBA

IX. Adjournment

CALL TO ORDER

Kost: Good morning. Good morning. Let's get started. Welcome to meeting number eleven of the Chatham County-Cary Joint Issues Committee. Julie Robison will not be here today. She is in France and between being with us or being in France, I think she chose France, but we will go ahead and proceed.

APPROVAL OF AGENDA

Kost: The first item of business is approval of the agenda. Is there a motion?

Lucier: Motion to approve

Portman: Second

Kost: Ok, Commissioner Lucier made the motion to approve the agenda, seconded by Mr. Portman. Those in favor?

NOTE FROM CLERK: All members said "aye"

Kost: Those opposed. None.

APPROVAL OF MINUTES

Kost: And then if you will allow me to just combine the motion of the next two approval of the minutes, that would be the April 15th minutes and the May 18th meeting, which are the verbatim minutes. So, is there a motion to approve both sets of minutes the 15th of April and the 18th of May?

Lucier: Motion to approve the minutes of the 15th of April and the 18th of May.

Kost: Commissioner Lucier made the motion, is there a second?

Portman: Second

Kost: Mr. Portman made the second, is there discussion? Those is favor aye.

NOTE FROM CLERK: All members said "aye".

Kost: Those opposed? None, it's unanimous.

ISSUES REGARDING LOCAL BILL

Kost: Ok, the first item is carryover from our last meeting dealing with the issue of the local bill. We know that there will be no local bill in the short session because we missed the deadline, but there was the issue of the language and what would be included and not included in the bill, and I heard Cary loud and clear that the plan would include some of the detail that we had in the original draft of the bill and I think everyone was in agreement with that. The one outstanding issue was a statement and I have just pulled from the minutes a copy of one of the statements that was made that Chatham would like included in the bill and that was the issue dealing with zoning versus land use. Commissioner Lucier at the last meeting, this is from page 34 and 35 of the verbatim minutes, "zoning decisions made by Cary and Chatham County must be consistent with the adopted or amended joint land use plan." Chatham's preference is to have this in the bill itself and so, we would like to hear from Cary regarding that. I believe we've all agreed on that and I think it was some confusion and miscommunication at the last meeting what we were trying to accomplish; but of course, as you said in the last meeting, this is your practice, but also at the last meeting we talked that there are exceptions. We would just like to have some protection that this is going to happen.

Robinson: So, with this language, does that mean that we will be going after this land use document and rezoning your land from one unit per acre to five units, one unit per five acres?

Kost: That was what we had talked with staff, I will let Planning staff address how that process would work.

Jason Sullivan: As far as rezoning property, if the conclusion once the plan is adopted at the direction of the Board of Commissioners if they want to move forward with rezoning then we would go ahead and process the rezones of properties, go through the notification process and hold a public hearing to downzone the property and just currently zone one unit per acre.

Portman: It might be just to ask Cary staff to speak to the issue in terms of Cary's practice. I believe I know it, but I will not speak for staff. What is our practice as it relates to rezonings inconsistent with the comprehensive plan?

Ramage: If an applicant submits a rezoning request that does not conform with the comprehensive plan, the procedure is that the comprehensive plan amendment case is initiated and that case has to go, goes ahead of the rezoning request that we have as public hearing for council and board, and its final action by county council. After the plan amendment request has been acted on, then the rezoning case comes forward which enables the Planning Board to make the finding of whether or not the rezoning is in conformance with the plan or not. So, by the time the rezoning request will be in council for action, it will be clear whether or not the rezoning is in conformance.

Portman: Is that a matter of practice or is that covered by ordinance and/or the state law?

Ramage: It's a combination. State law a couple of years ago was changed to somewhat clarify that the planning boards need to make the finding on whether a rezoning case is in conformance. Procedurally it presented a little bit of a dilemma to the staff that if cases went in tandem there would not be a way to find out if the case is in conformance. We want to close the issue of determining when a comprehensive plan should be amended, when not amended. Once that decision is made, then it brings up the zoning piece brought by the planning board and now they can make a determination on whether the case is in conformance. We are pushing in a couple of directions to try to change that process so that we didn't have an open issue book and how we can possibly tell if a case is in conformance with the plan given the amendment of the plan. If we close the amendment, decide whether the plan should be amended, then decide how the rezoning issues should proceed.

Portman: I think the point is for the record, the citizens and the audience listening, I think there is a clear case here where we are probably in (inaudible) agreement, because I served on Cary's planning and zoning board for five years and before serving on the council. It is common, if anyone ever comes to us and asks for a rezoning, which is inconsistent with the comprehensive plan, the first thing that is done is the consideration of should the comprehensive plan change and there's a vote on it and if that vote does not support change in rezoning, the rezoning issue is not addressed. We actually had several of those in the last month or two, where we dealt with those kinds of issues and decided not to change the comprehensive plan. The site plan then does not change; that is not only a practice is also a good land use plan, that is an easy thing to do. The thing that is a little bit concerning for us, is that part of what we are doing here breaking new ground in Chatham County, in Cary we do not have approval from the Wake County Board of Commissioners for the comprehensive land use. It is a municipal decision, it's a plan within the Town of Cary and it's not something that the county board deals with. The Wake County Board does not deal with rezonings. The Wake County Board does not deal with the comprehensive plan in any way. It's a function of the municipality. We said when we began this process that we were open to working with Chatham County to develop a joint land use plan because we felt that it made more sense to have a shared plan, shared vision that would guide development for the next twenty thirty years. Our record supports doing that and ensuring our rezonings are consistent with that. The whole issue of the bill is a point where there is some difference of opinion in terms of the importance of the bill. It was voiced by representatives from Chatham County that they

would like to have a bill and state legislation, who in fact speak to this issue. It has been my opinion since the very beginning that that is unnecessary because if we need the state legislature to tell us we can do the plan, but we believe we have the right to do a joint plan. We are prepared to proceed doing it. We also are comfortable, if it's important to Chatham County, to seek a bill to support that because this is nothing more than what we are already doing. I don't know if you plan to speak to the exact wording here, if you have any concerns with this being consistent with what we are doing.

Robinson: It is consistent with what we are doing. In fact, we are not trying to rush this through to get it in for the short session. I think we have time to work on this. We think it would be in Cary's best interest for us to take this back to the council and let the council weigh in on it and get their feedback on it.

Lucier: So what I hear you saying is that if this is your practice you wouldn't have any difficulty putting it in a local bill that this is the practice and express your intent on continuing this practice. All this does is solidify that practice, is what I hear you saying. There is nothing here that is inconsistent with how Cary functions or how Cary would like to function. If that is the case, there would be no problem. There is also another phrase that needs to be included in that, an amendment which I believe we have already agreed to and we know that adding amendments to the plan require approval by both jurisdictions.

Robinson: I think when we embarked on this joint land use plan originally (inaudible) Since then, it has grown into something that we would jointly (inaudible) continue the cooperation, that in itself far exceeds what we do with Wake County. Now we don't go to the county every time there is a comprehensive plan amendment. It is our urban services plan (inaudible) What we want to make sure is that the council is completely comfortable with not only having us jointly own this plan and have Chatham County's feedback every time we want a comprehensive plan amendment, but that they are also comfortable in tying zoning into this marriage. I don't feel that Erv and I are committed to going with that agreement at this time. I just want to go back and just make sure that the council agrees.

Lucier: No one is saying that Chatham County will make zoning decisions for Cary; that is not what we said. The reason why I am asking for permission from the state legislature is to proceed with the plan. The local bill presses a different issue. It codifies that this is a partnership and in the past there has been difficult interaction between Cary and Chatham by putting in (inaudible) by codifying it with a local bill further adopting that this is our intent; that this is a partnership and that we are working together on it. So I just don't see why you would have any difficulties with it, but I think what you should do is take it back to your full board. I don't have any issue with that. (Interrupted)

Robinson: (inaudible) your comments too (inaudible)

Lucier: Then I think that ultimately, if your board is in support of this language being in the local bill then we should add any amendments to the plan that will require joint

approval by both jurisdictions. Then, when we vote on it, we will mail a letter to our state legislature as to what our intent is and, if necessary, meet with our legislators for Cary and Chatham County to express what we are doing so they are all aware of it and there are no surprises for them.

Portman: We have already voted on our support for a joint land use plan and support a joint bill. I guess I would like to ask some of the Cary staff, Chris Simpson to speak to this. We sort of covered some of this ground already. Earlier in the year the council voted (inaudible) do you know?

Simpson: That's right. That is what was on the council's legislative agenda for this year. I think might have been a carryover from last year. If I can just clarify, that early on the 17th, we got the local bill that Chatham County had proposed, learned that it was due that Wednesday and we quickly marshalled our forces in the town, to address it and propose some changes (inaudible). The next day we had indications that it was acceptable and then later heard that it might not be attempted by Chatham County. Cary had a local bill (inaudible) and you know it was based on Chatham County's. (interrupted)

Kost: The communication back to us was that your council had members that had problems with the bill. Because it was clear that we had issues to iron out, it made no sense to rush it through the short session so that we do have more time in order to make sure that we are all fully in support of the language that is in the bill. All Chatham is asking here is because there is a way, and it's not current council that we are concerned about. The reason for the local bill is to protect you from future Chatham County board of commissioners and for Chatham to be protected from future town councils. We know that the make-up can and will change at some point, so that is the reason that we wanted the bill because there is a mechanism so that we could make decisions not based on the land use plan. This just covers that back door for us. The fact that it is something that you do in practice now seems to me, and again I respect that you need to take it back to your full council, but I don't really see what the issue is here. I understand what you are saying about Wake County, but we are in a different relationship than you are with Wake County. Wake County grants you an ETJ and allows you to plan within that area. It is a different situation in process since you cross the county line.

Portman: Well, I think we understand your desire to get this language clarified. We agree to take it back to our council and review it with them and we are prepared to do that (inaudible).

Kost: Right, but this is important to us. If you will let your council know that we do consider this to be an important issue.

Portman: I think our staffs deserves some credit for actually turning around here literally in a day in time to respond and get it submitted for the short session. I am not aware of any town position that would be more comfortable with what staff has said, so that is a little surprising, but it's an important issue for Chatham County. We hear you on that. We

will go back and review it. We were prepared to proceed and our staff went through considerable effort to respond within 24 hours.

Kost: And we do appreciate that, but I also give credit to the Chatham staff and the attorney because the fact that Chatham was then responsible for drafting the local bill came as a last minutes surprise to us as well. I think everyone tried to respond quickly, but the fact that we are holding off, pulling back and going for the long session I think is a prudent decision.

Robinson: I think it is what is best.

Lucier: It's important again to add that other sentence, and amendments to the plan-must be the full statement- amendments to the plan must require approval by both jurisdictions.

Portman: I certainly think that that makes common sense because any comprehensive plan that is adopted, will be amended.

Lucier: (inaudible)

Portman: (inaudible) if we had the ability today to see thirty or forty years out what would make sense. (inaudible) that would be part of that process and we can assume that that will happen.

Lucier: So, please add that phrase so we do not have to come back and do this again. I agree with you. Any plan that is used will be amended because we learn from that plan (inaudible) to use it.

Kost: Are there any other issues we need to discuss regarding the local bill before we move on to the next item on the agenda?

Portman: I have one item and it deals with the sequence of what we are doing. My understanding is that when we met last summer or fall at the school with the full Chatham County Board and the full Cary Town Council, we agreed to adopt a joint land use plan and it was articulated by this committee, the map be prepared and we did that. I heard this week that there may be some concern about whether or not there will be the intent to adopt this plan prior to the legislatures input into this issue. That was a surprise to me. Is there any concern? Are we proceeding to develop and adopt a plan and seek the joint legislative approval of it or the framework or is the legislature's vote a pre-requisite to adopt the land use plan?

Lucier: It was our intent to put this in the local bill, but we missed the moment on that. I am not too happy with that sequence, but I am not going to tell you today what that outcome will be because we missed the local deadline. The fact is we don't have a plan in place. We don't have a plan that this board has recommended.

Portman: We do have a plan that the Chatham County Board of Commissioners recommended and that the full Cary Town Council recommended that was reviewed last fall at the school house when both boards met.

Lucier: What we agreed to do was to have a subcommittee to take what was currently on the table and go through it as we have done. This is what we agreed to and this subcommittee would come back with a recommendation that the Chatham Board of Commissioners and the Cary Town Council for it to enter into the public process of public hearing and those sorts of things. I think that that's what we agreed to.

Portman: From a timing standpoint, can we see when we would expect to get to a second joint plan that we would ask for consideration?

Lucier: We do have a schedule. We are not going to meet that schedule so we probably should revise it.

Portman: (inaudible) anything?

Lucier: Look at all things you have to do and you have a couple of major issues we have to deal with yet.

Kost: I am anxious to move forward just as quickly as we possibly can, but it has already taken longer than we all hoped it would. As George says we are juggling, as you all are sure, many other things and we are trying to get this through as quickly as we possibly can because I think it is a good land use plan.

Portman: Is it fair for us to agree to go back to our council to do this or is better for us to leave that for the next meeting and see if we can maybe resolve some decisions actually on the land use plan in progress of moving toward a shared plan.

Kost: That's fair

Lucier: I think we should try to make progress today and come back and revise the schedule.

Robinson: Also, we have a lot of work ahead of us. Once we get this and that established, then we have the design principles.

Kost: OK

Robinson: (inaudible) because I think it is in the best interest (inaudible)

Portman: Agree

Mixed Use Node:

Kost: With that, then let's talk about the map. The next item on the agenda is the mixed use node. This is where we are really picking up, at this point, where we left off at our last meeting.

Ramage: This is the proposed agenda for discussion and presentation. We are going to present plan 6, which is the drawing that the committee has agreed on (inaudible) update, then 6A and 6B. In 6A there is a series of changes proposed by Chatham staff and Commissioners. Plan 6B there is a series of changes proposed by Cary staff. We also have some regional and environmental data that was requested or suggested for review at the last meeting, and then in closing, we have a discussion tree to start addressing the issues regarding mixed use node one by one. The first part is the (inaudible) plans. I will do a quick recap of where we are with plan 6 and then Jason will present plan 6A. You should all have a copy. If you did not bring your copies we do have extra copies with us. We brought (inaudible) table back there for committee members. All that has happened with plan 6 is that as requested, the schools symbols have been removed as well as the greenway lines and the Verde Road subdivision has changed to one unit per three acres (inaudible). In draft 6, the mixed use node is pretty much is centered around Lewter Shop Road and NC 751. It is about 452 acres and includes the right-of-way. Now I will let Jason present plan 6A.

Sullivan: As Scott had said, this is the Chatham proposal for version 6A. You have copies and we also have large copies of it posted on foam boards. This is a zoomed in area of the current plan 6 that shows the existing mixed use node with 452 acres mixed use node at the intersection of Lewter Shop Road and 751 and you can see (inaudible) that property is zoned currently. We move to propose plan 6A. The recommendation is to move the existing node to the east, closer to the edge of the Wake County and Chatham County line. What is shown here, there are three different options that are shown on the Chatham version of plan 6A. If you look at the map that you have there are different colors around that boundary to show the different positions. This is the largest boundary for this node at 483 acres. You can see the entire boundary here. It is the largest mixed use node. This shows the second medium layout for the mixed use node. It will be 300 zoned acres with the office and employment and the balance of that will be zoned to 2 dwelling units per acre, which is consistent with the current version of plan 6. The third option is to reduce the node to 238 acres, and it would be south of Lewter Shop Road and the balance of that node of the larger node will be zoned 2 dwelling units per acre. Some things to know about the overall plans, the recommendation is to have an overall density regardless of the size of the employment portion of this and to have an overall residential density of two dwellings units per acre in the entire node with a cap of 1,000 dwellings for the entire node in that area. There is also a 200 foot vegetative buffer along the boundaries of the mixed use node. The existing node transitions to one dwelling unit per acre. 452 acres goes to one dwelling unit per acre.

Kost: Jason let's go back to option 1, 6A-1.

Sullivan: OK

Kost:Ok (inaudible)

Lucier: Well actually, the old node would not become one unit per acre it already is one unit per acre.

Sullivan: Right. We may /Lucier (inaudible)

Sullivan: Are there any questions on the mixed use node portion of it?

Portman: The caveat really of option three is how the 238 acres, there is something about so many homes per acre with a maximum number of homes. How does that math work out?

Sullivan: It's not just for node number three. It is overall node, the overall 483 acres. We have density of 2 dwelling units per acre that would apply to the entire 483 acre area, but with a cap of 1,000 dwellings, regardless of the scenario, whether the entire area is 483 acres so you would have the mixed use- The 483 acres for option 1 would have employment plus the residential mixed in if we have a cap of at least up to a 1,000 dwelling units for that node.

Portman: What is the rationale for the cap? I am just thinking in my math if we can't get to 1,000 at 2 dwelling units per acre (interrupted)

Lucier: It would be 966

Portman: (inaudible)

Lucier: it would be 483 times 2 so you have 966 acres under that option, 966 potential dwellings, about half of it could be used up for an employment center (inaudible)

Sullivan: Right. It is over the entire 483 acre area

Lucier: If half that is the employment center, then you would still have the 966 houses.

Portman: I doubt that.

Lucier: Yes. So, it keeps that, but the density is dependent upon the size of the employment center.

Portman: In effect, what you are saying is, in the entire activity center, or whatever it is called, there would be a maximum of 2 dwelling units per acre for the node, which would be a maximum of (interrupted)

Lucier: 966

Portman: I understand. That is all clear. The 1,000 cap seems to me a little redundant. I am just wondering if it is (interrupted)

Kost: I agree

Portman: My only suggestion is that if it is, if there is not a good reason for it, I suggest we eliminate it. This is confusing enough as it is to people. It's like an IRS audit.

Lucier: I am not quite sure where you are going with this.

Portman: (inaudible) interrupted

Sullivan: And I guess one thought is, as the discussion moves forward with the node in that direction that the boundaries can be adjusted to include more acreage, we can at least have (inaudible) under the current scenario we would never achieve 1,000 units.

Kost: OK. Mr. Howell.

Howell: Another thing too, talking about residential density, we are talking about gross versus net a little bit. The idea being that the gross density over the possible 483 acres size would be 2 dwellings per acre. The reason we are saying a 1,000 unit cap is that is actually been used in (inaudible) net density of 4 dwelling units per acre. In those cases, if you put 1,000 dwellings in half of what is going to be the employment center mixed use node area. The cap is currently, even though the current plan 6 for the mixed use node, we have a residential dwelling cap of 1700 units. We were keeping that same idea going and it is more of a discussion between gross and net densities. You would end up in the mixed use node area or the employment center node area. In reality you would end up with more density than 2 dwellings units an acre, but the overall it would very closely match the surrounding areas and that is the thought (interrupted)

Lucier: Ben I appreciate what you said, but I think that after listening to that, Erv is right. It is confusing. It is not 1,000 it is 966. It is simple math.

Robinson: I have a question. It is clear it was all about residential what the cap would be. If half the land was developed for office, would you still have that 966 units on that (interrupted)

Lucier: Yes

Kost: We just achieved our original (inaudible) as we talked about mixed use to have a compact community employment center (inaudible). To us, it seems to make more sense.

Lucier: In this case, the employment center is obviously does not detract from the number of houses. It looks like you have a cluster development with open space, open space in this case being the employment center (inaudible).

Portman: We have an original plan. We have plan 6A versions 1, 2 and 3.

Sullivan: Correct. Moving forward onto the next slide, in addition to moving the node to the east, we also pulled the rural buffer boundary, which is outlined in pink, and this would be pulled over to 751, and that is shown on version 6A of the maps you are looking at.

Lucier: That should be consistent with a lot of the public comments we received?

Sullivan: The rural buffer boundary, as well as (interrupted)

Lucier: Is that correct? That is my recollection.

Robinson: I'm sorry. It was my recollection at the last meeting we talked about this, at the last meeting, did there (inaudible)

Kost: We were talking about the pump station and the ridgeline, that development on the west side of 751 would require a pump station. Am I correct in that?

Sullivan: One of the things we discussed was that 751 is kind of a natural break in drainage that drains into some of these creeks. Drainage (inaudible) 751 has had a natural break and it is an existing well defined boundary. It's clearly marked on the ground.

Robinson: Service wise, we (inaudible) because it requires a pump station.

Portman: (inaudible)

Robinson: We already talked about- we thought it was reasonable to take our urban services into this area up to the one mile mark (inaudible). We are just trying to understand what the justification is. (inaudible)

Tim Bailey: If the entire boundary was turned, it likely would require a couple pump stations. Usually you tend to move across those lines just slightly because the pump station usually has been keeping up on that side to serve some portion west of 751 (inaudible) land use plan (inaudible) some portion of the pump station. We need some analysis of that to see (inaudible) especially when the nursery (inaudible) probably pretty easy to serve that property without an additional pump station. The entire area then would need 2 pump stations to serve the entire area (inaudible)

Robinson: From your engineering perspective, does that justify (inaudible)?

Bailey: This area will have a lot of pump stations anyway. It is part of the fact that the lake is there and you can't use gravity sewers along the stream and so with regional systems, it is going to be necessary anyway. We just need a slightly higher cost system than there could be drained by gravity. We have those offset dead end terminal pump

stations that are temporary in nature and we have a lot of redundancy in those (inaudible) purposes and that increases the cost a little more than typical.

Portman: It seems to me that the issue on whether this is one dwelling unit per acre is somewhat contingent on whether or not the mixed node will be used. I don't have a big issue with that. (inaudible) I do question the merits of moving the urban service boundary to 751 because in effect what you are doing is you are simply taking away the option of the one dwelling unit per acre. If the landowner wanted urban services, there is really no option for them. All of the rest of our boundaries have been done with our one mile protection of the lake. (inaudible) if this is consistent with that. We might be able- what I suggest (inaudible) compromise is, to leave this as one dwelling unit per acre, but leave the urban service boundary following the guiding principle we used at the lake one mile from the lake which we basically do (inaudible). There will be no urban services there unless the landowner asks for them. We get into this tough conversation where if we move the urban service boundary, that language says there should not be urban services beyond this line; that is the joint agreement between Chatham County and Cary. Then, we get into if there is need for urban services, then it is incredibly expensive for a person with a failure in well and septic to be able to effectively use that emergency rescue to the point where I believe that it would not be a viable option. I don't know what is accomplished by doing that for this land if you zone one unit per acre. The best compromise is, if you want to use the mixed use node, move it. I think leaving this one unit per acre makes sense, but I would leave the urban service boundary, following the original guidelines we talked about the one mile from the lake.

Lucier: Well, you know we don't necessarily adhere, if you look at the map, to the one mile from the lake. The rule was that it was at least one mile not (interrupted)

Portman: It's pretty close (interrupted)

Lucier: Not exactly, just north of that blue thing, number 6 extends pretty far back, even more so than what we are proposing here.

Portman: Can we talk through, from your standpoint, the pros and cons of moving because this is the suggestion of moving the urban service boundary from the plan that both boards have been working on. We talked about the pros and cons of doing that.

Lucier: We did not vote on that. We voted to have the subcommittee take a look at it and then make some recommendations.

Portman: Well OK. I need to clarify that because if that is (inaudible) clarify so that I am not mistaken. We voted about two years ago to have a subcommittee work on the joint land use plan. We spent a year doing that and then we met at the schoolhouse and we voted on the work that we had agreed upon, saying that was the joint land use plan (inaudible). Am I mistaking on that?

Lucier: (inaudible)

Robinson: (inaudible)

Lucier: Then we go forward with the adoption?

Ulma: At the community meeting (inaudible) we agreed to move forward to the formal adoption process (interrupted)

Portman: In that draft, where was the urban service boundary for this area? It is where it exists in plan 6, right?

Lucier: That does not mean anything because what the subcommittee is supposed to do is just to take a look at the public input process, the public feedback and make revisions as appropriate. (interrupted)

Portman: But if (interrupted)

Lucier: Based on further information, so (interrupted)

Portman: I understand that (interrupted)

Lucier: We never voted on a plan, that would be premature. We voted to have the subcommittee proceed and proceed with getting public input. Thus gathering our own information and come back with a plan, but then go through the public process consideration by both boards and go through the public process.

Robinson: I think the purpose of the meeting of both boards was to get buy in from those boards that we had adopted regionally acceptable principles for this draft plan. It is my recollection that the boards firmly (inaudible) encouraged for us to move forward with the public comment period, getting all the comments and then tweak the draft plan accordingly. (inaudible) plan and tweak it so that we could move towards the set of guidelines and adoption. I believe that one of those principles that the two boards agreed on was an acceptable boundary for the urban service area roughly one mile off the lake. There are a couple of things. I think that this would be a perfect location to maintain urban services. (inaudible) Ferrell Road over to Pisgah Church might also be appropriate to come up Pisgah Church Road to Green Hope Church Road, in that vicinity. We were just trying to buy in with the shortcomings of (inaudible) would be appropriate to discuss.

Lucier: The principle is at least one mile. (inaudible)

Kost: I don't recall at that meeting anyone saying that the urban service boundary needed to be the one mile. We may have to go back to that meeting's minutes and see. I want to go back to the comment, is that after that joint meeting at the school of the two boards, Chatham County held a forum that solicited a great deal of public involvement because that is very important to us and if we had not planned to do anything with that comment, those comments that we got from the public, then why did we go out to get them? I

believe that we were charged with going through and listening to what the citizens said and to incorporate that into our decision -making and that is what we have done.

Portman: If we go back and answer my question, there is a recommendation to move the urban service boundary to this area west of 751 from what we had in the draft. Could someone help me understand the pros and cons of that recommendation? What do we achieve by doing that? What do we accomplish by doing that? How does it benefit the residents and why is it a better plan than leaving it where it is? Is that what we are being asked? (inaudible) should and should not do. What I want to understand is, what is the advantage of moving?

Lucier: The original blue mixed use node or employment node, whatever it is called, is adjacent to it. The concept then was to have a graduated change and if that mixed node moved, then that rationale has disappeared because it's not next to that mixed use node anymore. Furthermore, there were a couple of figures that are not there, fairly close (inaudible) to the lake in terms of those drainage patterns (inaudible) why we left there. Ultimately I think our purpose is, as we have gone through this, is a main (inaudible) pole. I think we have articulated in every meeting that we have had that number one is to protect Jordan Lake, that was number one, in all our goals. We saw cases where Jordan Lake was not protected and saw the consequences of that and that is what we are trying to prevent. The other is (inaudible) to increase the opportunity of bringing good jobs to Chatham County taking some advantage of the proximity to Jordan Lake and that is what led to the concept of the employment center. (inaudible) and the third is to give Chatham County some control over the annexation possibility by Cary. My comments have never vacillated (inaudible) point and I recognize that. By moving that urban service boundary to 751 is consistent with each of those goals.

Portman: It really becomes a dependent decision on where the activity center is. (Inaudible) pros and cons of the three activity centers because if it has moved, then this is an appropriate conversation. If it has not moved, then this is not.

Robinson: (inaudible) agree. I see it slightly different because we have here on both plans same land use for the land, so (interrupted)

Sullivan: Would it be beneficial for us to finish up the 6A here and then kind of go through that decision tree?

Kost: Yes. If that is OK with everyone, could we do that? I think it would help.

Ramage: (inaudible)

Sullivan: We are going to move along with the mixed use node and employment center recommendation. On version 6 of the plan, this is a full (inaudible) property which is outlined on the computer. You see the number of comments on that property within that boundary we changed the zoning designation that was shown. This is version 6, which shows one unit per five acres. Version 6A has been changed in density to one dwelling

unit per three acres and to leave that rural buffer boundary as is shown in plan 6, so that is fairly straight forward, showing the changes in the plan.

Kost: What are those stars?

Sullivan: Those are the properties where we received comments.

Ramage: The properties with the stars are the ones owned by either the Horil or the Hodge families.

Kost: Those other- some of that is vacant land. (interrupted)

Sullivan: Right (interrupted)

Kost: It is the one owner and they have multiple stars it is not (interrupted)

Sullivan: It's two owners.

Kost: individuals. OK. It is two different people making comments for the entire parcel.

Sullivan: Right

Kost: and not 2, 4, 6, 8, 9

Ramage: Right- the reason why we show you the properties that were involved.

Lucier: Those other lots are, I believe three acres now, a minimum of three acres? Is that correct right?

Sullivan: The existing subdivision here, I think, when we looked at the final plat that was recorded, I think it is like two and a half to five acres lot size (Interrupted)

Lucier: But in that range?

Larry Ballas: Four to nine.

Lucier: So, one dwelling unit per three acres would be consistent basically with the current (interrupted)

Sullivan: with that existing zoning

Lucier: What is the name of the subdivision?

Sullivan/Kost: Woods of Chatham.

Lucier: How many acres is that all together?

Sullivan: 134 acres

Lucier: So, it's 134 acres of (interrupted)

Ramage: Is it all Woods of Chatham on both sides of the creek? And that 112 acres is everything that is not Woods of Chatham.

Sullivan: The Woods of Chatham straddles, is on both sides of that creek that runs in the property, but the road does not connect between (interrupted)

Lucier: So, fifty percent of the property is Woods of Chatham?

Sullivan: Yes, it is already developed.

Lucier: OK

Sullivan: Moving on to the Ferrell property, this is another area where we received comments. This is version 6. This is Green Level Road.

Lucier: Are we going to come back and make decisions on those things?

Kost: I think we are just going to present all of 6A and all of 6B and then come back and put it into context.

Sullivan: Is that OK with the subcommittee?

Kost: Yes

Sullivan: This is version 6 of the Ferrell property. We have two dwelling units per acre in orange and one dwelling unit per five acres in green. This was the owner's request and their request was to move the two dwelling units per acre boundary, basically to the 255 foot elevation contour, that is what is shown on this request, the owner's request. Here is Army Corps of Engineer property in white. This is the proposed plan 6A version. There will be a few 400 foot buffers on the boundary of Corps property. When you get to the northern portion of the property, you would follow the 255 foot contour and take that to Green Level Road. This will be the boundary between the two dwelling units per acre and this portion will be one dwelling unit per five. You end up with about 33 acres at two dwellings per acre and that is what is shown in plan 6A. Now we will shift to plan 6B.

Portman: Just a question, that is consistent of plan 6A- 1, 6A-2 and 6A-3?

Sullivan: Right. No changes on the Horil/Hodge property or on Ferrell properties.

Kost: There are just three options on the employment center/mixed use area.

Sullivan: That's right.

Robinson/Portman: (inaudible)

Kost: There's 6A option 1, 2, and 3 for the employment center.

Sullivan: Right

Ramage: Plan 6B is the Cary response or proposal. Again, starting with the current plan 6, I am going to start with the mixed use node. Again, here is where we are now 452 acres of mixed use node. The plan to 6B has a compromised plan that suggests using two smaller nodes and moving the higher 400-500 acres node to the county line, so there are two smaller nodes. Like plan 6A, it also uses small, medium and large versions. The smallest version is about 140-odd acres for the two nodes. If the community wants to make them larger, you can grow that way. We have identified about 220 acres per each node, again selecting the land based on environmental constraints (inaudible) and so forth. The definitions of the nodes are the same as in plan 6. So far, we have not talked about changing the overall densities in the plan. Obviously, the non-residential buildout will be different, but the residential components at this point are still capped at anywhere from 1 to 8 units per acre. We picked and (inaudible) the smaller size 140 acres size based on the core of Ferrington Village. Taking the old village mixed use centers, shops, and the barn, everything here as well as the patio home section, which is about 140 acres, about 40% permanent open space. If we add the recent addition, that is another 50-60 acres taking it close to that 200 acres, so that was the model for doing it, plus it kind of split the difference. Our thought was that by shifting the node farther, on plan 6B has a node here. You shift it a little bit so we can take advantage of a major intersection. This is County Line Road which is an extension of Yates Store Road, which will be a four-lane divided facility, as is Morrisville Parkway which turns into Lewter Shop Road. We think the intersection exposure is going to be critical to having (inaudible) business center. There is potential, we think, for a connector road, perhaps improving connectivity by shifting it, by connecting Ferrell Road over to County Line Road, it is just a concept. Based on discussions at the last meeting, that may be too much of the node in Wake County (inaudible) compromise, perhaps you can pull it out on the southeast end a little farther to the west to have the node straddle both counties. Plan 6B provisionally accepts the suggestion to move the urban service boundary to 751, but instead of making this area one unit per acre the staff thought was that without urban services, if in fact the urban service boundary stops here, that marking it as one unit per acre was never going to happen based on soils (inaudible), we'll be lucky to get five to seven acre lots anyway. So, without urban services, really we should go ahead and mark them down to one unit per five acre. The subsequent changes you will see kind of compensate a little bit for the reduction in this area. We also look down here- right now this is a mix of one unit per acre and two units per acre, but considering that that is really is an existing subdivision that is really platted out down here. You are going to get to another drainage basin, we thought that is probably not going to change in the future, so we are recommending a further pulling up of the urban service boundary, not including those lots and then changing that area, which was one to two units per acre, also changing it to one per five

acres. The view up here is a little bit different, currently one unit per five acres, the Horil and Hodge properties up here and the Woods of Chatham (inaudible). The proposal in 6B is to make them one dwelling unit per acre, but put it inside the urban service boundary, so that (inaudible) cluster development (inaudible). We also looked at the area down here where, just going to back up one, currently the boundary, the urban service boundary, follows the (inaudible) the boundary is kind of weird, chopping parcels in the middle possibly because of the one mile plus the quarter mile buffer from Corps property. Some of these changes again, are recommending the loss of land area west of 751 and south of the old mixed use node (inaudible). We think there is a good net gain for the plan, and that if we can take that we can actually use the roadway to (inaudible). Plan 6A, Jason just went over the Ferrell property right here, move the two units per acre line out to 400 foot boundary. Plan 6B uses that same thing, but we also look at proposing a change here. When we look at how this thing is arranged here, two units per acre west of Luther Road and east of Luther Road- this is the Town of Apex's ETJ urban service area- Cary's jurisdiction stops at Green Level Road and Green Level West Road in Chatham County. The Town of Apex, we think, is a little bit awkward to make the transition not at the roadway. The second consideration was, the roadway here is a ridgeline so, we have a small area that sort of drains down in this direction, requiring a small pump station for this rural area. We thought this was not as easy to serve as doing it small and taking those 81 acres- units per acre and moving it over here where it is more able to be served by one pump station. It gets rid of the friction with the Town of Apex it makes it divide on Luther Road. With this next plan 6B, we provided community members with a variety of handouts. The difference in the rural buffer area- it is probably easiest to look at these and their differences. In plan 6A, the unserved area has grown by 529 acres the area that can be served within the Cary side of the rural buffer is fallen by 529 acres. Plan 6B is a little more of a compromise, that west of the rural buffer the unserved area has also grown to 400 acres instead of 529. The area east of the rural buffer, the possible served area has still fallen, but it still has fallen by 400 acres a little less than the 529. Some of these land use changes were intended to offset some (inaudible) areas. There is also a table that staff prepared showing the overall change in acreage and this is the summary of one of the tables you have in the handout. We can take the residential category to see what has been changing between the two. So, the area of one unit per five acres in plan 6A- that has actually fallen by 173 acres, in plan 6B has grown to rural one unit per five acres by 311 acres. The one unit per three acre area though in plan 6A has grown by 241 acres that is the same as in plan 6B and so forth. The one dwelling per acre (inaudible) 6A, it is followed by 130 in 6B, the two units per acre area is followed by 206 acres in 6A, has grown by 97 acres in 6B. The mixed use node area and the office and employment and residential sections are each following about 107 acres in size. In 6A, the total is followed by about 139 acres in size. In 6B, most of the (inaudible) we are looking at Chatham County figures over and not the part of the eastern node in 6B, which is in Wake County. Finally, the buildout - both plans reduce from plan 6 the maximum dwellings in 6A is followed by 1200, is followed by 900 and 185 in 6B. The maximum population- these are all figures at the absolute maximum- (inaudible), but should they happen at the maximum, in 6A has dropped population by about 3900 people, 6B by 2600- same population is followed by 315 students in 6A, 271 in 6B. The non-residential floor space is slightly different and it is followed by 800,000 square feet in 6A, it is

followed by 1,000,000 square feet in 6B and employment is followed by 3,000 people in 6A and is followed by 4,000 people in 6B. That is a quick summary of the two plans. Staff is prepared to repeat in addition of some of the environmental data of the two mixed use nodes. At this time check in and find out about- we want to go back to the language discussion (inaudible).

Portman: I've got enough numbers in my head to be completely confused. It is good information and I appreciate you going through it. It is hard to evaluate all of this. It seems to me that the three options, and it's the permeation within those, and in guiding principles we start talking about whether our decision should be based upon what land use plan best protects the lake, so I would like to see the environmental information as it relates to the impact on these three choices, really on mixed used, that is a big decision and see whether or not that environmental impact is equal across all of it or is one better off worse than the other.

Kost: Jennifer, do you agree with that? (inaudible)

Ramage: Moving forward, I will go past the environmental- from the regional comparison we saw last time where we were just looking at the roadway network structure, comparing how the nodes fit into the roadway- the roadway network for plan 6, for plan 6A and for plan 6B.

Portman: Just one important point on that before we- there was a surprise and- Sally you and I talked about this- there was a surprise that the interchange to the 540 expressway will be Green Level west. There is no interchange currently at Morrisville so, the major traffic pressures will come off that 540 interchange. Is that correct?

Ramage: Correct. What is approved so far, as Mr. Bailey explained last time, is that there is not any- inside plan- that we won't have an interchange at Green Level Road west and the new western Wake freeway so, without providing a direct route to Green Level west out to Lewter Shop. This County Lane Road will eventually come up and get up to the node here, off the freeway to (inaudible). There is a (inaudible) add more to that. It was also explained that the long range land use plan with the town does recommend pursuing an interchange in that location, but it is not part of the EIS original base of construction.

Lucier: I believe it's not like it won't happen because of that because I think it comes (inaudible) lessen the desirability of DOT doing that.

Robinson: (inaudible) we just don't know at this point.

Portman: Well, from a planning standpoint, with what we know today do we think that the interchange will be agreeable with us?

NOTE FROM CLERK: Robinson, Portman, and Lucier nod approval.

Lucier: Right, that is all we have to go with.

Kost: We also know that 751 is not slated for any major improvements until the year 2035

Ramage: All I can say about the proposed northern interchanges is- they happen because they don't meet the spacing requirements for interchanges. The environmental data- and Mr. Bailey may just add more onto this- when Mr. Portman, the last time you had asked to see some information that was presented almost a year ago or longer- we had a slide that was presented- I think it was actually a couple of years ago- this is taken from the Jordan Lake water quality model for final report (inaudible) the consultant that was hired by the state had a model that was approved by DWQ used different loading rates for different kinds of land uses. (inaudible) this whole nitrogen loading and this whole phosphorus loading and over in the column with the acronyms here, but it does inherit different kinds of residential land use loadings across and it is all expressed in pounds per acre per year, so there's quite a bit of range while unsewered residential lots of up to an acre generate 41 pounds per acre per year in nitrogen. Sewered lots, a quarter acre lots and half acre lots generate about 11 pounds per acre per year, so there is a wide range of data and we can focus on any of the pieces you may or may not care to look at, but I hope that answers some of the questions, pastured land (inaudible) we also have cropland that has, of course nitrogen, you know, about the same rate as, for example, quarter acre residential lots. Any of these rates that perhaps, Mr. Bailey you want to add anything to the data table?

Bailey: No, just to say that we use that data in order to produce this study that you have all see and are aware of, that said that the land use plans were similar in (inaudible)

Lucier: That does not mean too much to me unless I see the parameters that went into that model. The assumptions about residential fertilizer usage and herbicide usage and those sorts of things. If I don't see those, these sorts of models do nothing for me.

Bailey: They used this data. They did not use further assumptions, this was (interrupted)

Lucier: Right

Portman: Where does this data come from?

Bailey: It originated from the Jordan Lake water quality study by the state that produced the Jordan rules and then we used it in the model and used the same consultant to continue with the other study and then we (inaudible)

Robert Sears, citizen: (inaudible)

Lucier: That is exactly my point. Unless I see the assumptions that go into these models

Sears: I meant that is saying that (inaudible)

Bailey: As far as (inaudible) denuded the cover on it (inaudible)

Lucier: That is good that you can see. You get a lot of soil and sedimentation erosion run-off and of course that carries with it organic material into the streams. I assume that the assumption is that that is going to be dependent upon a lot of other factors too so, I just have to see all of the assumptions that go into the model and judge for myself.

Ramage: What some people do not realize is that the models have to account for a strict deposition. A huge amount of nitrogen is cycled and actually comes out of the atmosphere and is deposited and flushes out rain water and (inaudible) so, as rain water flushes nitrogen out of the air bubbles, the pollutants come down, on a barren property we do not have enough vegetation to stop the polluted rain water from going straight into the lake. There are a lot factors that go into these models. I am not the expert, but we did pull up that- I believe some studies were provided- when you look at- staff looked at some other studies as well and other sources out there where information can be obtained. I guess we would probably need more information from the committee about the specific kinds of information that you are looking for and that may be the discussion that may be helpful. We have not had the time frame- if you actually want another study done or something, or more research- short of coming to these meetings it is not reasonable to collect much more and produce some of the answers, but we are happy to look into information (inaudible) what is exactly that we are looking for. We are just going to repeat some of the slides we had for the 751 node, last meeting we saw the composite data. This is a summary that has everything on it. It has the USGS streams, larger streams, soils streams tend to be the thinner lines in this stream right here. Clean DTM breakline streams are the thinnest little blue lines poking out in places like this. None of these have been field verified. Chatham-Cary stream buffers have been added in this kind of light green color so you can see how the buffers would work. In Chatham the regulated slope is shown in red so, there is the existing mixed use boundary. In that same location the smaller of the plan 6B boundary is shown here so, the handout you have showing full stream length in each of the nodes actually uses larger boundary (inaudible) with plan 6B boundary here. The stream numbers are less than plan 6 because you cannot get out to with some of the more constrained areas especially (inaudible) that of some of this in here and also, we have the LIDAR data which we explained has quite a number of caveats on it. It's good for general slope information perhaps is not as accurate as actually going to contour lines. The county line (inaudible) aerial photograph is shown here, there is a lot of existing tree cover on the site today- again, same data USGS streams in the dark blue, soil streams in the next break of blue line and the cleaned DTM breaklines streams are the thinnest blue lines you see here, buffers are light green and the regulated slopes are in red. The heaviest topography is in here is actually in this quadrant right here (inaudible) bring out the topo map, this bottom has the most constrained slopes in that area. The plan 6B boundary would be over here- that is the larger of the plan 6B boundaries and then if we add the LIDAR data, which is only available for Chatham County (inaudible) so, that is the quick summary of the environmental data. Any specific issues or questions will be cleared up by staff.

Portman: I saw something in the (inaudible) talk about miles or area streams scenarios right?

Robinson: (Inaudible)

Ramage: Right. It is in the left page handout that says "Comparison of GIS Stream Lengths in the Mixed Use Nodes" and GIS staff ran it for these different categories so, _ USGS intermittent stream (inaudible) figure. Shorelines are the boundaries around the far ponds basically, so that was broken out as a separate length because farm ponds may or may not be there long term. Farm ponds, shorelines and the (inaudible). Soil Survey streams were reported separately (inaudible) grand total of the USGS plus the soil survey stream lengths and then remove the overlap, so where soil streams overlap on the USGS features we would not count twice. (inaudible) plan data, we did not add anything. We provided a completely separate figure on the bottom because of the GIS data the (inaudible) data you get (inaudible) they never overlap on top of the USGS streams and the soil streams geographically, so we wanted to report that difference, but that gives you a variety of sources to compare. The plan 6 mixed use node, the plan 6A node and 6B- because there are two nodes here we call them the 6B western node at 751 and the eastern node at the county line.

Kost: Within 6A and 6B, there are various options that you both presented, but we do not have the data broken out.

Ramage: Right. This is getting kind of complicated, so staff just took the biggest possible node from each one.

Robinson: That makes sense.

Portman: So, if I look at this and you could-lots of other factors. Just try to focus in on the environmental factor. Based upon the employment center having three locations, and the one with the most stream impact appears to be the current model and that plan we reviewed last fall and I see that in- that's just 6A (inaudible)

Lucier: That is indicated by the stream length, but this does not address the issue that I raised the other day, the distance from the lake. There is no factor for that. Is that correct?

Ramage: (inaudible) (interrupted)

Lucier: There is not factor for that. There is no factor in there for the slope in terms of all of these data and the higher the slope the faster the water moves.

Portman: You have 35,000 in 6, 39,000 in 6A and 15,000 in 6B. It seems like there is not room anywhere to develop. (inaudible) that is the environmental plan within 6B, unless I am reading that wrong.

Kost: Or some modification of 6A or some modification of 6B because- I mean, again, we (inaudible) staff and there are a couple of options, but then after I saw this data too I realized that the whole area of 6A probably needs to address, but again we have three various options, but again that is a decision that (inaudible). We have thirty minutes. I just want to do a time check on where we are because we have quite a few decisions to make. On the mixed use area, I want to see where everyone is leaning towards because we really do need to come to some conclusion. I strongly want to move away from what we had in plan 6 and I am leaning towards some sort of modification of 6A and 6B because I think there are some commonalities there that we can build on. What exactly, I can't say until I study it and I just want a little bit more information.

Lucier: Is there not a first question we need to address?

Kost: There is a question on should the node (interrupted)

Lucier: Is there not a question before that?

Portman: Does it matter?

Kost: Well, the question is (pause) The first question is, should the node be renamed to an employment node?

Lucier: I would rather address the first question. Should we have one? Let's (interrupted)

Portman: Let's do that.

Kost: OK.

Robinson: OK.

Lucier: address that.

Robinson: Alright. We will do that next.

Lucier: I have always called it an employment center

Robinson/Portman: (inaudible) (interrupted)

Kost: I mean are we OK with calling it an employment node or an employment center? Is everyone in agreement with that? That is one of our decisions on the decision tree, so

NOTE FROM CLERK: By consensus, all agreed.

Robinson: (inaudible)

Lucier: There is no doubt that this is the area where we received the most negative public input on. For any number of different reasons, we went through summarize them as a board. None the less (inaudible) impact and bring some jobs into Chatham County with this joint land use plan so, I think we should have one. I think we are the only county that is adjacent to RTP that is not taking economic advantage of it- of that proximity.

Portman: I think we are on a roll.

Robinson: Ok

Kost: This was good

Robinson: Ok so, we should have one and we should call it an employment center. Should we move it?

Kost: And I say "Yes"

Lucier: Yes.

Robinson: OK. May I propose that we do what Sally recommended that we have a combination of 6A and 6B. We have the one that we will call 6B west at Lewter Shop and (inaudible) that is about 253 acres, something like that, and then we pull 6B east over to match a portion of what you have over here in 6A, but use this stream as one of the boundaries because streams are always nice boundaries for these employment centers because you can get residential on one side and have a wider buffer between themselves and the employment center.

Kost: Ok

Portman: It is hard for you to see and usually we look at the same map so, this is (inaudible) option (inaudible)

Kost: I think we are going to have to (inaudible)

Robinson: So, the one on the map is 6B west will stay and then do we take this shape here and move it over to here so that will match up with your 6A, but possibly use this as the boundary line with this being residential on that side or we could go over to your existing western boundary if you wanted to have that combination.

Kost: Since we have heard from the Cary engineer that we could – and I am thinking out loud, this is not something I am proposing, I am just thinking- that on the 220 acres of the west side, could we not move it and just make it along the 751 corridor that we would actually cross 751 because what I heard you say is that if we move it slightly then that would require a pump station and that we actually look at the commercial really being along 751, pull it out of and change it to the area going east on Lewter Shop.

Portman: We could do that. One concern that I would see with that is now with the information we have seen, and the public feedback, and the environmental stream impact- it seems to me that that area is probably the most sensitive of the other two options. I like the idea of keeping the smaller employment center there because of the use of Green Level Road and the interchange at 540. I think it makes sense that that would be more attractive to the (inaudible) Rather than make that bigger there, I would guide us against making that bigger because of the environmental concerns and the idea of having two smaller nodes, one closer to the 540 and one closer to the county line, and still have one using the Green Level Road access- I think would be the best compromise. We probably have to realize that that concept makes sense and then have the discussion about where is the boundary on each of the two sections and then there's probably good discussion on where that should be. Philosophically, does that make sense? (interrupted)

Lucier: I am not exactly sure what you said. I have to see it on a map.

Portman: I think we should. Sally I thought I heard you talking about potentially saying- the employment center (interrupted)

Kost: Right. Shifting. Shifting. Shifting the whole thing so that it is along the 751 corridor close to- following the guidelines. I mean, I am visual so, following the guidelines of where the Apex nursery currently gives.

Portman: And my initial reaction to that would be a concern about the environmental impact (interrupted)

Kost: Right. I heard that clearly.

Portman: So, I recommend keeping a smaller scale non-employment center here because of the impact being to Green Level Road and the interchange side. I think we are onto something in terms of potentially doing another small reduction close to the county line to meet the goal of employment- the jobs and the consequential tax base that comes from. I think that may be an improvement from the plan we had last fall.

Kost: So, we certainly don't support, at least I don't, the east area there because as we talked about at the last meeting, what happens is that Chatham gets the residential and Wake gets the commercial and we get all the headaches of the commercial without any of the benefits as far as the tax base goes (interrupted)

Portman: What I was going to suggest for (inaudible) in Chatham County (interrupted)

Kost: Right. I am addressing what is up here now (interrupted)

Portman: (inaudible) (interrupted)

Kost: You gotta move quick.

Portman: She was actually suggesting for that very issue (interrupted)

Kost: Exactly.

Portman: Bringing some of this here and using this boundary of this stream as an eastern most, western most boundary.

Kost: And how many acres would that be roughly, do you know?

Portman: Same as it is now, it just moved, so it would be the same.

Kost: Yeah, OK

Ramage: We have been (inaudible) you have a portion down here that one option would be to move forward and swap out some of that grayed out part in here. This one is just looking- if you can get that road connection, you can also use the road as a divider. You know that roads make good transitions between densities, but I don't have a figure for total acreage or really the analysis of what the market would be we're still shooting blind as far as market demand goes and (inaudible)

Robinson: I think we should direct our staff to go back and propose (interrupted)

Kost: I have to ask the audience if they could- because we are doing verbatim minutes I can't have any background talking. OK. Go ahead. I'm sorry.

Robinson: Oh, I was just recommending that we direct staff to go back and bring us back a combined two small mixed use nodes pushing one here on the west and then one that shifts over east into the area we had proposed for 6A, but trying to minimize the environmental impact – in its final proposed location so, maybe not (inaudible) I am not sure.

Portman: The only thing I would say on that is- I don't necessarily agree with that, but if that is what we want to see before we asked staff to do that (inaudible) (interrupted)

Robinson: Sure.

Portman: Back together and say, well, let's ask staff to do something else.

Kost: Yes

Portman: So, can we reach agreement- we already reached agreement on a couple of things- the employment center. I think we also reached agreement that it should be moved?

Kost: Yes

Robinson: Yes and that we should have one.

Portman: That we should have one.

Kost: Yes

Portman: So, can we reach agreement on a general concept of where it should be recognizing that if we reach that agreement, we get one more shot at the next meeting by having our staff, you know, fine tune the map and the numbers behind it, but we are really looking to tell them what we want them to do.

Kost: Yes. I am still struggling a little bit with the western area. I don't like this so, I am not sure I have to (interrupted)

Portman: Can we get (inaudible)

Kost: Well, I have to go (inaudible) I expressed what I wanted, but (interrupted)

Robinson: Is it- may I ask a question just so that we understand? Is it that you don't like the area to the east (inaudible) the part being used or is it that you think it would be better running along 751?

Ulma: Straddle the road.

Kost: I actually think it would be great to straddle the road because if we do this, then basically we have elongated the areas. I have to really think about it.

Portman: Why don't we suggest straddling the road, 751 is a major road so, let's start there (interrupted)

Kost: Yeah

Portman: So there's good merit in terms of not having houses on one side of the road, but maybe we are both looking at the employment center on the other side of the road. There is good merit in what you are saying, that if you are going to have an employment center at that intersection, straddle the road. At that intersection is the employment center so, can you articulate- is it basically moving it over into that area that is currently green in that boundary?

Kost: Well, I have to look at the stream data (inaudible), but yes, somewhat, that's with the reservation because I have to look at the data. I mean I can't (interrupted)

Portman: Well, we are going to have- If we can agree philosophically on what we are looking- if we want to straddle the road and minimize the environmental impact? Is that correct? Staff can do that for us.

Ulma: In the center or above that same size (interrupted)

Ramage: So, you're talking about

Robinson/Kost: No

Lucier: (inaudible)

Ramage: So, you're talking about using the (interrupted)

Kost: Using the west side of 751 because we already have existing industrial zoning there too.

Ramage: But I guess we need to know, for when staff looks at it, are you looking for a node that is larger in size or one that is the smaller like the two?

Portman: Let's talk about where we are going to put it first.

Ramage: OK

Lucier: The one to the far east, we're at the county line- now it is my understanding that we are going to try to shift that toward Chatham County (interrupted)

Kost: Yes.

Lucier: Right?

Kost: We agreed with that. Everyone agrees with that.

Lucier: Right?

Sullivan: Do you want us to follow the boundaries- this is where (inaudible)

Lucier: I think that is a good place to start. I believe that. The thing that I have trouble with is the other one that was a smaller version now than what we used to have that's at 228 acres (interrupted)

Portman: West or east George?

Lucier: The one that says 228 acres.

Portman/Kost: (inaudible)

Portman: So, before we go to that, can we just clarify the direction for staff on the eastern one, from Wake into Chatham? Do we want them to use all the same size and guide the recommendation back to us based upon minimal environmental impact?

Kost: Yes. I am OK with that.

Lucier: Moving it west.

Kost: And moving it west

Robinson: Put it in Chatham County.

Portman: The environmental impact as we are defining it is really interference with streams (interrupted)

Kost: Mainly streams. Yes.

Lucier: Like I said I understand that it is the stream length back, but there are other issues that I want to look at in terms of- so, you get to have the topographical map as well. I know you have those so we can look at it and see some sense about the stream flow as well and other issues. On the one with 228 acres so, I think we are clear with that and what we are asking staff to do. On the other one, that 228 acres is too large.

Portman: What would you like for it to be?

Lucier: I think the concept of utilizing 751 given what we are hoping we are going to get at Green Level Road, is probably the smartest thing to do- that is a logical plan for that (interrupted)

Portman: 228 is too big. Is there a number that you think it should be?

Lucier: I have to look at all the maps again and try to come up with something. I hate doing this in the spur of the moment.

Robinson: That might be helpful as we make the staff brings us back to show us the acreage- show us the map of that area that shows the acreage and the parcels. Maybe that will help us. We are looking for the major roads there which are 751, Lewter Shop and Green Level Church and (inaudible)

Lucier: You see along 751 in that area, there already is a lot of commercial activity. There is a boat building place there. There is obviously agricultural businesses that are operating there and the nursery including the local sales and things like that so, there is already commercial activity there and that is what is driving the official placement over there because of that the existing zoning. The rezonings have already been done, see that purple are there- both buildings are in operation so, there's already that sort of activity there. (interrupted)

Portman: You can come up with (interrupted)

Lucier: Given the fact that we received a lot of comments that were negative in that area, moving it too far to the east from 751 a long way and is contiguous. I would like to be able to utilize 751 at the same time and not make that a huge area which makes the most sense to me and probably- but you know, we have, you know- obviously what we are doing is coming up with some ideas and ultimately this will go to both boards and go to the public for their comment.

Portman: Well, then of course that is the issue- that we want the best plan of what staff thinks is the best plan to recommend to the board. The board is really counting on us that these hours and hours of meetings can vet this issue and come back to them with a recommendation that they can support. Would it be safe to say that, George, you or Sally's comment of straddling 751 with the employment center- would you make it smaller than the 200 and somewhat 1.4 acres?

Lucier: I think it might even be smaller than that. I just have to look at the whole thing.

Portman: The problem with that is, it does not give our staff direction on what we want them to do or your staff.

Kost: Without the parcel data it is a little bit difficult, but I am comfortable with 150 and below and that- to give staff direction and know that we may have to revise it a little bit so, that you know it is not 248. I would like to see something around 150 acres there, give or take (inaudible) in order to – I mean, because I know I understand that we are asking staff to come back and look at all the data and you may come back and say environmentally we really need to make it 130 so, just (interrupted)

Lucier: What is the distance on 751 that we ran with the current- to the southern boundary of number 6 to Martha's or Holland's Chapel Church Road or Martha's Chapel from- what is that linear distance?

Kost: From? Say that again, from...

Lucier: From the current southern boundary in option 6 on 751 either to (interrupted)

Kost: Martha's Chapel

Lucier: Holland's

Sullivan: We don't have a map on the computer we can pull up.

Lucier: Do you have a legend on this thing? Do you have (interrupted)

Kost: That is what I was just looking for. Do we know what the scale is on this map?

Lucier: This one here?

Bill Moore: Those large maps are 1200 scale.

Lucier: 12 what?

Moore: Large maps on the wall are 1200 scale. You don't know what these are?

Moore: I do not.

Lucier: OK. How much is it, about a quarter of a mile?

Portman: We've got half a mile bands on this map.

Lucier: (Inaudible)

Portman: Everything there is in here (interrupted)

Kost: Yes

Lucier: So, it's roughly a half a mile.

Kost: It's a little more than a half a mile. From Martha's Chapel to the southern end of plan 6.

Portman: I think we are not accomplishing some good stuff.

Kost: So, let me just summarize what we said so far is that we are going to look at employment center east at roughly 220- I don't remember the numbers, can you flip it back on- roughly a little over 200 acres, I think it is 220- 216 Ok so, roughly 220 acres shifting it more into Chatham County, scaling back employment center west to straddle the 751 corridor to roughly in the neighborhood estimated (inaudible) 150 acres straddling along the 751 corridor. Is that what I heard so far? Is everyone in agreement with that?

Lucier: I mean, it's a starting point. Like I said, I have some other issues with that.

Kost: Right. I think we all do, but we need (interrupted)

Lucier: But if you want to start with this as the starting point, that's fine.

Kost: Right. Are we alright with that?

Portman: Yes. I am alright with that and then we come back next month to see that map and we would hopefully have the data then to be able to make that decision. I would like to suggest a couple of other things if I could. Could (interrupted)

Kost: Let me just check with Jennifer. Are you OK with that?

Robinson: I am OK with that. I just want to say one thing that kind of struck me. When our staff showed us what could be put here in that 144/228 area, but it was not straddling that major road. Their choice of a Fearington type village that would largely buffer along the major roadways so, I just want to (interrupted)

Portman: You lose that (interrupted)

Kost: Yes

Robinson: You lose that along 751, I think, unless there is some other way that you can buffer (interrupted)

Lucier: Not necessarily because we have not gotten to the design guidelines yet. The only thing that is important for us to keep in mind is that we need enough on either side of 751 to accomplish that.

Kost: Right

Robinson: Right. Make it viable (interrupted)

Lucier: Right, so that's (interrupted)

Kost: (inaudible)

Lucier: that's why I was wondering about linear feet and those sorts of things

Robinson: OK

Lucier: and (inaudible) asking that question (interrupted)

Portman: But that's really an excellent point. If you think about the employment center and you straddle a major road, straddling over a major road tends to make sense for retail for commercial- that is when you would straddle a road (inaudible). The thing about an employment center- what you are really doing is you are bisecting that parcel into two smaller parcels because there is no employment concept. No major corporation can put their research center on both sides of that road.

Lucier: We might have two, one on each side of the road.

Robinson: I think one thing was- with the Fearington model, it was one of these walkable communities where people could walk from their home to their office, cut an environment when you get into crossing a road such as 751 and may not be suitable for expansion and usually with long term we see that there is a barrier for pedestrian use. Some things to throw out there that we should think about.

Kost: Exactly. As we were talking I thought the same thing, but really one of the huge issues for me was the fact that there is not major room for change along the 540 and even the 751 needs improvement, it is at least a good road to get us to 64 and that's fine for me. From a transportation standpoint (interrupted)

Lucier (inaudible)

Robinson: If you- I mean, I can see it working if you put let's say on the west side of 751 you put some employment office building there and then on the east side you have what looks like Fearrington, which is more like smaller offices, service offices and that sort of thing with regard to (inaudible)

Portman: The only concern I want to raise is that the more we go in that area the more we do what is the very criticism of this employment center in terms of environmental impact. (interrupted)

Kost: Right. It's (interrupted)

Portman: So, we might really want to be careful about what we are accomplishing as we cross over 751 because that is the guiding principle that should guide this (interrupted)

Kost: Right and I think we all said that and that will be a consideration as staff goes back and develops. We have 15 minutes left and we have one of our decision-making that hopefully will be a little bit easier (interrupted)

Portman: Before we move on Sally, there is a point that I want to make here.

Kost: Ok, on the mixed use?

Portman: Just on the map (interrupted)

Kost: Employment center

Portman: Currently, when we are talking about some of the boundaries on the map, the service boundary and the mixed use boundaries, they are all in the middle of parcels and I think that that is not a good transition. I would ask that we review these changes and we bring these things to roads- it's not logical with regard to major geographic features.

Lucier: They have done a lot of that already, but if there are other places then I would say we need to do that.

Kost: I would say when possible though because (interrupted)

Portman: Let me give you an example. If we take Lewter Shop Road and 751 just northeast of the area that you have zoned existing industrial zoning (interrupted)

Kost: Yes

Portman: There is a very large parcel that is split in the middle with an urban service boundary and that's just not fair to that parcel to have us draw a line in the middle of their land.

Robinson: (inaudible)

Portman: This little thing here?

Lucier: We can (inaudible) and maybe there are some reasons why we can't do it in certain areas so (interrupted)

Portman: But will we even ask them what we want them to do? (interrupted)

Kost: And reading back minutes we have already agreed to that with the caveat that in some places some of these parcels are really large- that it may not always be able to happen, but the goal was to try to make it.

Robinson: I think that just based on what we have seen on the Wake County side, that we do have some large lots and there are times when people need (inaudible) to them to seek urban services if their well and septic fails so, I just wonder if these places will become large neighborhoods with large lots that if we want to extend the urban service boundary are there other options should they have a failure.

Kost: Ok.

Portman: Do we want to ask staff to do that?

Kost: No because I think that takes more discussion because we talked about that a great deal in the past and in the last 10 minutes of this meeting I don't think we (interrupted)

Robinson: (inaudible) (interrupted)

Kost: Right. We have talked about it some, but I think it needs a little bit more- I would like to go ahead and address the Ferrell property because I think that that is a little bit more straightforward, that was one of the three that we had outstanding. There seem to be some agreement between 6A and 6B within the one caveat about the impact of butting up to the Apex ETJ so, what was staff's recommendation there?

Robinson: Our staff was to move the land from east that abutted Apex's property, move it over to the west and to allow that fall line to 255.

Kost: Ok so, the 6A was to- summarize this again.

Sullivan: 6A was 400 feet from the Corps. of Engineers property up to a (inaudible) limit of 255 foot contour right here and following the 255 foot contour to Green Level Road.

Kost: And both staffs agree with that? Is that my understanding? Are we Ok with that?

Lucier: We either take whichever is most limiting, either the 400 feet from the Army Corps. land or the 255 foot fall line. Right?

Sullivan: That is the blue line that was just shown on the previous slide (interrupted)

Kost: Yeah, back it up again. So, everyone is in agreement with that?

Lucier: Nothing lower than 255 and nothing less than 400 feet from the Army Corps land

Kost: OK. Is everyone alright with that? And then, the other (interrupted)

Ramage: Do you want us to continue?

Kost: Yes. Yes.

Ramage: 6B proposes a land swap, which in the end, will produce less two unit per acre land, but basically we will use the same rules, but we have not mapped it thoroughly, following the same 400 feet away from the Corps property rule, swapping land uses.

Kost: So, that the 81 acres would be one dwelling and from here one dwelling per five

Ramage: Correct.

Kost: And then the 56 would be?

Ramage: 2

Kost: Would be 2

Ramage: Right. So, two units per acre area (inaudible)

Lucier: The reason to do that is that we don't have a joint land use plan with Apex yet?

Ramage: Staff is looking at two reasons, one was having established the principle for the Ferrell property would it be fair to continue the process down the rest of that ridge, the second thought was that this all basically goes into one drainage basin. I think this way Luther Road is the ridgeline so, at two little areas, it's two pump stations, a small area that is being served and it is adjacent to Apex and we're not quite sure how that- we have not had any land use discussions to figure out what we are going to do there, but it gives you more room in the future to figure it out that (interrupted)

Lucier: Is that a subdivision, that 81 acres? An existing subdivision or just individual pieces of property?

Sullivan: I don't know right off hand, and it looks like there are some small lots, I don't know if there's (inaudible) from here or not (inaudible)

Lucier: It looks like there is a variety of size lots there.

Sullivan: There's pretty good size lots there

Lucier: (inaudible)

Kost: Ok, so (interrupted)

Ramage: You also have historic (inaudible)

Kost: So, what I am hearing is that the first piece of it be refined there was agreement that we come back and understand what is existing on that 81 acres now. Is that what I am hearing?

Lucier: Yes

Kost: Ok. Ok. Is everyone clear on that?

Portman: Why don't you guys look at that and come back with a recommendation at the next meeting.

Kost: Ok, we will

Lucier: Are there any land owners her from there?

Larry Ballas: I am a land owner, but I don't think there is any development (inaudible)

Robinson: No

Lucier: Do you have any information on it, just let us know. I mean, we will look it up in tax records and stuff.

Kost: So, then the last parcel- I don't think we have ample time now to get into that discussion- would be the Hodge/Horil property on New Hope Church Road over by Mount Pisgah because then that will also bring in the discussion about the urban service boundary and do we move that? We have 6A, which was to change it form 5 acres to 3 and then Cary plan 6B was to make it one dwelling per acre so, those are the two options that are on the table.

Robinson: and they are requesting 2 (inaudible)

Kost: 2 units per acre

Lucier: Well, I would not say that because we have that subdivision already there so, and it's 2.5 to 5 acres.

Kost: Well that is true, that's true (interrupted)

Robinson: What is the name of that again?

Kost: Woods of Chatham (interrupted)

Lucier: Woods of Chatham and that is the majority of that property.

Robinson: I'm sorry, what is (inaudible)

Kost: 4 to 9 acres. Larry you are going to have to come up. We are doing verbatim minutes and so, I am going to let you speak for just one minute, but you are going to have to come close to the table and state your name so the clerk can get it.

Ballas: My name is Larry Ballas and I just want to make a comment about this because I live in Woods of Chatham and that is an acreage of 4 to 9 and there's 21 lots that we have. But across the street, is Markham Plantation which is also a 5 to 15 acre lot and then on Pisgah Church Road as you continue across to Shad Lane which are 10 acre lots. So, my point is that they are all large acre lots and going to one house per acre may satisfy our friends over here, but I think we compromise on one house per 3 acres. It's up to you Todd.

Kost: Well, we are not going to get into that. We're not going to get into that. I just wanted- the reason I (interrupted)

Ballas: I just wanted to say (interrupted)

Kost: Right.

Keith Horil: I am offering to meet with anybody who is interested in talking about the Horil property after this. I think there has been a lot of misinformation. I am getting people contacting me saying what my plans are, frankly some of the things I am hearing have never cross my mind. Anybody who wants to talk about the Horil property after this, I would love to meet with you.

Kost: For the record, that is Keith Horil, but we can't get into citizen comment now because we have to wrap this up. The whole reason I brought it up was just to remind everybody where we are on the decision tree, that is one yet that we need to have further discussion on. Our next meeting is scheduled for July 13th at Cary Fire Station #7 starting at 8:30 AM. Is there anything else that the committee (inaudible)

Howell: A couple of things for your next meeting, for August we had been going to trading off locations between Chatham and Cary- our meeting locations- for the August we did look into getting this location, it seemed the best Chatham County location. This is not available for the August meeting and so, the staff has been trying to go on get our meeting locations done a couple of months out in advance so, staff would like direction on whether you would like your August meeting – whether you want to go back to Cary Fire Station again or if there is another location in Chatham County you would like staff to explore for the August meeting.

Lucier: Unless we have the July one here and the August in Cary?

Howell: I don't think we checked on the July one here. We would have to see if this location would be available for the July meeting.

Kost: I believe the Cary Fire Station is pretty accessible to the residents of Chatham. That is one of the concerns we have, but for many of the people that are here today- the distance is probably no worse to here than to the Cary Fire Station so, unless any citizens here today tell me they object moving it to Cary Fire Station, I would have no problem with that.

Lucier: It's farther for me to go to Cary, but that is OK Sally.

Kost: George this is in your backyard at this point. I actually like it. It's five minutes away. Are you- is Cary Ok with that?

Portman: We're fine.

Kost: OK

Howell: We will go on and talk to and see about reserving the Cary Fire Station for the August meeting as well.

Kost: Ok and if that does not work, then we will regroup and figure out another option. Is there anything else staff that we need to get to today? Anything Jennifer?

ADJOURNMENT

Kost: Ok we are adjourned.

NOTE FROM THE CLERK: The adjournment time was 10:27 AM.