



CHATHAM COUNTY PLANNING BOARD

Minutes

January 8, 2013

The Chatham County Planning Board met in regular session on the above date in the Henry H. Dunlap, Jr. Building Classroom, Pittsboro, North Carolina. Members present were as follows:

Present:

Karl Ernst, Chairman
B.J. Copeland, Vice-Chair
Philip Bienvenue
Philip Canterbury
James Elza
Tom Glendinning
Mike Grigg
Dwayne Howard
Donna Kelly
Cecil Wilson

Absent:

Deepa Sanyal

Planning Department:

Jason Sullivan, Planning Director
Lynn Richardson, Subdivision Administrator
Angela Birchett, Zoning Administrator
Kimberly Tyson, Clerk to the Board

I. INVOCATION AND PLEDGE OF ALLEGIANCE:

Mr. Grigg delivered the invocation and afterwards the Chairman invited everyone to stand and recite the Pledge of Allegiance.

II. CALL TO ORDER:

Chair Ernst called the meeting to order at 6:30p.m.

III. DETERMINATION OF QUORUM:

The clerk stated that a quorum was present to begin the meeting (10 members).

IV. APPROVAL OF AGENDA:

See Item V. below.

V. APPROVAL OF CONSENT AGENDA:

Minutes: Consideration of a request for approval of the December 4, 2012 Planning Board minutes with one correction to remove Deepa Sanyal from being present.

Board members had no objections to above items IV. and V and were considered approved as submitted.

- VI. PUBLIC INPUT SESSION: Fifteen-minute time of public input for issues not on agenda. Speakers limited to three minutes each.

There were no requests to speak at this time.

VII. ZONING AND ORDINANCE AMENDMENTS:

Legislative Request:

1. Request by Kim and Annette Ringeisen, to rezone property from R-1 Residential to CD-RB Conditional District Regional Business, on Parcel No. 63764, located at 3215 Mt. Gilead Church Rd., approximately 7.14 acres, Baldwin Township, for a special events venue to host weddings, receptions, anniversaries, reunions, company socials, photography, and other similar events.

Chairman Ernst permitted the applicant's attorney, Mr. Wade Barber, to address the Board prior to staff's presentation of the application.

Ms. Birchett reviewed the agenda notes for Ringeisen rezoning request. She stated it is staff recommendation that the request for rezoning parcel number 63764, located at 3215 Mt. Gilead Church Rd. be denied. A few of the supporting factors are:

- Ms. Birchett stated that the applicant's submittal did not state what changing conditions have occurred in supporting standard No. 2 of the General Requirements, Section 5.3, of the Zoning Ordinance.
- A real estate agent who spoke at the County Board of Commissioners public hearing on November 19, 2012, stated in a letter, in his opinion the lots would experience an immediate devaluation and some will not sell at all.
- Planning staff opinion is, the property isn't suited to allow up to 300 people with respect to parking without encroaching on surrounding properties.

Mr. Ringeisen spoke briefly following staff's presentation of the application and withdrew his request.

Quasi-Judicial Request:

2. Request by Westfall Associates, LLC, and Charles & Janet Meyers on Parcel No. 20092 and other multiple parcels that make up the Westfall Subdivision (formerly Booth Mountain), located off Lystra Rd., and Jack Bennett Rd., Williams Township, for a conditional use permit (CUP) amendment to add approximately 14.071 acres and 62 lots and decreasing the overall footprint by at least 23 acres through a redesign of the lots and lot sizes.

Ms. Birchett reviewed the agenda notes for conditional use permit amendment and the five (5) required findings. She stated at the November 19, 2012, County Board of Commissioner public hearing some concerns were stated about traffic, tree damage, not using local builders, and the need for new conditions to insure that the environment is not being damaged. Westfall was originally approved as a 294 acres PUD (Plan Unit Development) with 180 lots and 94 lots have received final plat approval. An additional 14.071 acres has been added to the overall development totaling 308.4 acres. Some areas were redesigned allowing an increase of 143.95 acres of open space from 108.081 acres originally. Ms. Birchett stated staff recommends approval of the request

and the Planning Board has up to three (3) meetings to make a recommendation to the Board of Commissioners. If the recommendation is for approval, a consistency statement is required.

Nick Robinson, Attorney, was present and spoke briefly of the request.

- Mr. Robinson stated North Carolina Department of Transportation will be doing a safety realignment of a curve on Jack Bennett Road.
- Two community meetings were held, about fifty-seven (57) land owners were notified, ten (10) were present at the first meeting and one (1) was present at the second meeting.
- The Chatham County School Superintendant received notification and Mr. Robinson stated they received a positive response.
- Mr. Robinson gave a short summary of the request.
 - Property adding 14 acres
 - Sixty-two (62) lots added but decrease impervious surface development by 23 acres
 - Increase open space by 35 acres

Jennie DeLoach, Leila Webster, Pierce Cassidy spoke in opposition to the request.

Board discussion followed.

Motion to approve:

Mr. Glendinning made a motion; seconded by Mr. Grigg to approve the conditional use permit amendment as submitted. No further discussion and the motion passed unanimously (10 members).

Board discussion followed.

Motion to approve:

Mr. Elza made a motion; seconded by Mr. Glendinning to adopt a consistency statement that the request is consistent with the Land Conservation and Development Plan. No further discussion and the motion passed by vote 7- 3 with Howard, Canterbury, and Wilson voting against.

VIII. SUBDIVISIONS:

Public hearing on following item

1. Request by Westfall Associates, LLC for First Plat approval of Westfall to add approximately 14.071 acres and 62 lots and decreasing the overall footprint by at least 23 acres through a redesign of the lots and lot sizes, located off S. R. 1721, Lystra Road and S. R. 1717, Jack Bennett Rd., Williams Township.

Public Hearing:

No request to speak at this time.

Public Hearing Closed

Ms. Richardson reviewed the agenda notes for first plat request and stated the application is reviewed under the 2008 subdivision regulation. Nick Robinson, Attorney,

Mark Ashness, P. E., CE Group, and Joe Faulkner, RLA, CE Group were present to answer any questions. Ms. Richardson gave a brief history stating an old chimney was found on the property and Chatham County Historical Association looked at the site. Chatham County Historical Association has reports that an old cemetery may also be located on the property. Jane Pyle, Historical Association and staff looked at maps and it doesn't appear that the cemetery is located on the Westfall property. The applicant is aware and will need to contact the county if any additional historical features are found as they move forward with development. Chatham County Emergency Operation office has approved the road names that were submitted by the applicant. Ms. Richardson stated staff recommends approval of road names and approval of Westfall Subdivision First Plat subject to the approval of Conditional Use Permit.

Motion to approve:

Mr. Wilson made a motion; seconded by Ms. Kelly to approve First Plat and road names as submitted. No further discussion and the motion passed unanimously (10 members).

IX. NEW BUSINESS:

2012 Annual Report

Chair Ernst stated he will have 2012 Annual Report ready at next February 5, 2013 meeting.

X. PLANNING DIRECTOR'S REPORTS:

1. Minor Subdivisions / Exempt Maps – **Spreadsheet included in packet**

Mr. Sullivan stated to refer to the sheet that was included in the packet.

2. Next Month – Election of Chair and Vice-Chair

Mr. Sullivan reminded board members that they will need to elect chair and vice-chair at February 5, 2013 meeting.

3. Conceptional Land Use Plan Update

Mr. Sullivan gave a brief update of the Conceptional Land Use Plan.

4. Annual Survey

Mr. Sullivan asked the board members to fill out and turn back in, the survey helps with Planning Department work plan.

5. Public Hearing Item

Mr. Sullivan stated the public hearing packet they have received, is the text amendment in the Zoning Ordinance and this will go before Chatham County Board of Commissioners' at their January 22, 2013 public hearing meeting.

6. New Employee

Mr. Sullivan stated Hillary Pace will start work on January 22, 2013, in the Planning Department.

XI. BOARD MEMBER ITEMS:

XII. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:38 p.m.

_____/_____
Karl Ernst, Chair / Date

Attest: _____ / _____
Kimberly Tyson, Clerk to the Board / Date