

Chatham County Planning Board Minutes March 3, 2015



The Chatham County Planning Board met in regular session on the above date in the Agriculture Building Auditorium, Pittsboro, North Carolina.

Members present were as follows:

Present:

B. J. Copeland, Chair
Bill Arthur
Brian Bock
Stacey Curtis
Jim Elza
Barbara Ford
Gene Galin
George Lucier
Caroline Siverson
Cecil Wilson

Absent:

Tony Geata

Planning Department:

Jason Sullivan, Planning Director
Hillary Pace, Planner II
Lynn Richardson, Subdivision Administrator
Kimberly Tyson, Clerk to the Board

I. INVOCATION AND PLEDGE OF ALLEGIANCE:

Chair Copeland delivered the invocation and afterwards the Chairman invited everyone to stand and recite the Pledge of Allegiance.

II. CALL TO ORDER:

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

III. DETERMINATION OF QUORUM:

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

IV. APPROVAL OF AGENDA:

See Item V. below.

V. APPROVAL OF CONSENT AGENDA:

Minutes: Consideration of a request for approval of the February 3, 2015 Planning Board minutes.

One minor change was suggested and board members had no objections to above items IV. and V. and were considered approved as submitted.

VI. PUBLIC INPUT SESSION:

Tommy Glosson, 738 Mt. Olive Church Rd., Pittsboro, NC, spoke in opposition of zoning the unzoned areas.

Tommy Emerson, 186 John Emerson Rd., Siler City, NC, spoke in opposition of zoning the unzoned areas and asked the board to keep the farmer in mind doing the process.

Jim Vanderbeck, 111 Greg Trimnal Circle, spoke in opposition of zoning the unzoned areas.

Etsa Cohen, 688 Van Thomas Rd., Pittsboro, NC, Chair to Chatham County Advisory Board. Requested to the board that any zoning proposal that's affecting agriculture are presented for discussion to the Agriculture Advisory Board before moving forward to the Board of Commissioners.

Sonny Keisler, 3006 River Forks Rd., Sanford, NC, spoke in favor of zoning the unzoned areas.

Wayne Sears, 774 Copper Mine Dr., Sanford, NC spoke in opposition of zoning the unzoned areas.

VII. SUBDIVISIONS:

Request by F-L Legacy Owner, LLC for subdivision preliminary plat approval of The Legacy Phase 4A1, consisting of 32 lots on 11.66 acres, located off S. R. #1716, Big Woods Road, Williams Township, parcel #17378.

Ms. Richardson reviewed the agenda notes for Legacy Phase 4A1. The Legacy at Jordan Lake Subdivision was approved by the Board of County Commissioners on March 15, 2004 as a Planned Unit Development for a cluster development. Modifications were made to the plan in 2005 to add 50.6 acres and change the number of lots to 463. The project is approved for 463 lots on 626 acres with an amenity center. Phase One received final plat approval in December, 2005 for 105 lots. Phases Two and Three, consisting of 114 lots received preliminary / final plat approval in 2006 (54 lots in Phase Two and 60 lots in Phase Three).

In 2011, the developer submitted a request to the Board of County Commissioners to relinquish the final plat approvals for Phases Two and Three (undeveloped); to recombine the 114 lots with the remaining undeveloped portion of the property into one parcel of land containing 402 acres; and to allow Phases Two and Three to revert to their approved preliminary plat status as of November 20, 2006. The BOC approved the request on November 7, 2011. The Resolution Accepting The Voluntary Relinquishment of Final Plat Approvals of The Legacy at Jordan Lake, Phases Two and Three is recorded in Book 1593, Page 272. The recorded recombination plat can be viewed at Plat Slide 2011, Pages 199 & 200 and at Plat Slide 2012, Page 10. The Resolution stated that the recreation fees and the water availability fees previously paid by the developer would be retained by the county and credited toward any similar fees

incurred by the developer in future submittals until December 31, 2015 or any later date required by an amendment to the Permit Extension Act.

Status of project to date:

--Phase 1 consisting of 105 lots received final plat approval in 2005

--Phase 2 consisting of 54 lots received final plat approval in 2013

--Phase 3 has preliminary plat approval

--Phase 4, 5, & 6 have sketch plan approval

As part of a 2014 CUP revision, the final plat sunset date for all phases is December 31, 2020. The Phase 4A1 layout conforms to the revision to the CUP approved in 2014.

Roadways within Phase 4A1 will be private, with a 50 foot wide right-of-way. The roadways will be paved to the NCDOT standards, but not reviewed and approved by NCDOT. Sidewalks will be provided.

Other agency permits as required for preliminary plat submittal have been received as follows:

NCDENR	Water Main Extension	January 15, 2015
NCDENR	Authorization to Construct (Water System)	January 16, 2015
NCDENR	Wastewater Collection System Extension Permit	January 29, 2015
Chatham County Environmental Quality Dept Land & Water Resources Division	Erosion Control Permit	January 5, 2015

Per the engineer, there are no historical structures, i.e. buildings, chimneys, fences, etc, 50 years or older or cemeteries, located within the Phase 4A1 area. It appears there may be a portion of a cemetery, E84.1, located in the common area proposed for Phase 3. Fred Ward, Consultant, has offered to meet with Bev Wiggins with the Chatham County Historical Association to visit the cemetery site. Per Mr. Ward, the cemetery appears to be located on a portion of the Legacy property and on a portion of an adjoining property.

The road names *Legacy Club Drive*, *Sweet Briar Lane* and *Village Walk Drive* have been reviewed by the Emergency Operations Office for submittal to the Board of Commissioners for approval.

Mark Ashness, P.E. updated the Conditional Use Permit stipulations. A copy was provided in member's packet.

There are no water features, i.e. creeks, streams, wetlands within the Phase 4A1 area that require an undisturbed buffer.

Tom Bender, Chatham County Fire Marshal, reviewed the plans for Phase 4A1 regarding access for emergency vehicles and found the plans acceptable based on road width and size of the cul-de-sac (42.5' pavement radius and 55' right-of-way radius) for turnarounds.

The TRC met on February 11, 2015 to review the plans for Phase 4A1. Mark Ashness, P. E. was present to answer questions. Staff had questions regarding the placement of the water lines. Mr. Ashness stated that there is a 10 foot wide utility easement shown on the plat for placement of the water meters and that the water lines are installed within the private road right-of-way. There were no other questions.

The plat meets the requirements of the Subdivision Regulations for preliminary plat review.

The Planning Department recommends granting approval of the road names Legacy Club Drive, Sweet Briar Lane and Village Walk Drive and approval of the request for preliminary plat review of "The Legacy, Phase 4A1" as submitted.

Board and staff discussion followed.

Mr. Mark Ashness, P.E. was present for question from the board.

Motion to approve:

Mr. Lucier made a motion; seconded by Mr. Wilson to recommend approval for preliminary plat. The motion passed unanimously.

VIII. ZONING AND ORDINANCE AMENDMENTS:

1. A legislative public hearing request for a proposed county-initiated text amendment to the Chatham County Zoning Ordinance Section 18, Board of Adjustment, to update the ordinance in response to statutory changes.

The item above was tabled from February 3, 2015, meeting. Staff was tasked with gathering additional information from the Board of Commissioners. Ms. Pace stated no additional information was available at this time because the Board of Commissioners' tabled the discussion item to the March 16, 2015 Board meeting. This item will be brought back to the Planning Board at the next meeting April 7, 2015 for Planning Board discussion and recommendation.

Ms. Pace stated she contacted the county attorney about referencing other ordinances within Section 18. It was determined that you could include references to the ordinances in Section 18, however the ordinances correctly cross-reference currently.

IX. NEW BUSINESS:

X. PLANNING DIRECTOR'S REPORTS:

1. Minor Subdivisions / Exempt Maps

XI. BOARD MEMBER ITEMS:

1. Land Use Sub-Committee Update

Mr. Elza stated the goal of the sub-committee is to prepare a Request for Qualifications (RFQ) for a consultant to come help prepare for a comprehensive plan for the county. The sub-committee met on March 18th and talked about the different elements of the plan. They came up with the horizon year of 2040 and to do a hybrid of the topical and area studies.

Board discussion followed

2. Alternatives to Open Use Zoning Sub-Committee Update (formerly known as Interim Zoning)

Mr. Lucier stated the sub-committee met on February 23rd and would like to have an additional member to serve on the committee. The first thing that was talked about during the meeting was the scope work from the sub-committee. Mr. Lucier stated the motion passed by the Board of Commissioners' was clear that the motion stated the open use zoning meeting be postponed until the Planning Board has an opportunity to present alternative(s) to the Board of Commissioners. The sub-committee is to develop alternatives to open use zoning and to compare and contrast that with open use zoning, some of the work has been done by a previous sub-committee. Mr. Lucier stated he sees this as a three step process. He asked the question, at what point do open information meetings to the public start and who will conduct them? Chair Copeland stated that the sub-committee needs to make a recommendation to the Planning Board as the board will decide to make a recommendation to Board of Commissioners. The sub-committee name changed from Interim Zoning to Alternatives to Open Use Zoning.

Board discussion followed.

XII. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:15 p.m.

_____/_____
B.J. Copeland, Chair / Date

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