



## Chatham County Planning Board Minutes April 5, 2022

The Chatham County Planning Board met in regular session on the above date and the meeting were as follows:

### Present

George Lucier, Chair  
Caroline Siverson  
Brittany Harrison  
Alex West

Jon Spoon, Vice-Chair  
Allison Weakley  
Bill Arthur  
James Fogleman

### Absent

Clyde Frazier  
Jamie Hager  
Eric Andrews

### Planning Department

Jason Sullivan, Director, Chance Mullis Planner II, and Dan Garrett, Clerk to the Planning Board.

#### I. CALL TO ORDER:

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

#### II. VIRTUAL MEETING GUIDELINES:

#### III. DETERMINATION OF QUORUM:

Chair Lucier stated there is a quorum, 8 members present.

#### IV. APPROVAL OF AGENDA:

Approval of the Agenda - Chair Lucier asked the board members if there were any issues with the agenda. There were no objections, and the agenda was approved.

#### V. APPROVAL OF THE MINUTES:

Consideration of the February 1, 2022 Planning Board minutes, motion made by Vice-Chair Spoon to approve the minutes, second by Ms. Weakley. The February 1, 2022 minutes were approved 8-0, unanimously.

#### VI. PUBLIC INPUT SESSION:

- Ms. Mary Gillogly stated I am the co-founder of Tiny Living NC which is a non-profit that serves as a resource to individuals who are interested in learning more about the affordability and feasibility of smaller alternative residential structures. The benefits of establishing guidelines to legally permit and allow these type of dwellings have been proven solutions for affordable housing and the preservation of our environment and its depleting resources, our network of professionals have been able to act as a resource and partner for several other states CA FL LA CO MA TX NH OR who adopted ordinances and guidelines to allow such structures in an agreed upon, safe and life changing way. Ms. Gillogly thanked the Planning Board for their time.

## VII. ZONING ITEM:

1. A quasi-judicial public hearing for a Special Use Permit requested by Chatham County Facilities and Construction for a new EMS station to be located on Parcel No. 62221 (2.3 acres) and 94711 (.69 acres), 9251 US 15-501 N, Baldwin Township.

In reviewing a request for Special Use Permit, the Board of Commissioners must find in favor of all five findings with provided support and may request specific conditions outside of standard conditions to further support the findings. The five findings and the supporting information is all follows:

1. The use requested is among those listed as an eligible special use in the district in which the subject property is located or is to be located. Emergency medical service facilities is listed as allowed by SUP in the R-1 zoning district. **Planning review confirms support has been provided for this finding.**
2. The requested special use permit is either essential or desirable for the public convenience or welfare.
  - There will be minimal traffic associated with this use. Traffic generally limited to answering emergency calls and employees. Access will be via a right in/right out only drive on the southbound side of US 15-501.
  - Existing tree vegetation on the rear and sides will remain with a 30-foot landscape buffer along the front. The building will also have a front setback of an additional 30 feet due to Duke Energy and county water line easements. Due to this, a retaining wall will be needed in the rear.
  - Lighting will comply with the Chatham County Zoning Ordinance regulations.
  - Any noise associated with the operation of the facility which includes sirens is exempt from the Chatham County Noise Ordinance chapter 92.05(c).
  - Signage will comply with the Chatham County Zoning Ordinance regulations. **Planning review confirms support has been provided for this finding**
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety, or welfare of the community. There are not any similar uses in close proximity to this parcel and the need for increased emergency medical services with all of the residential and commercial development in the immediate area continues to grow. There will be no hazardous materials or waste associated with the facility. Buffers, setbacks, and landscaping have been reviewed to facilitate views from the roadway and adjoining parcels. **Planning review confirms support has been provided for this finding.**
4. The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof (i.e., Comprehensive Land Use Plan) are:
  - Goal 7 of the Comp Plan supports providing infrastructure to support development and economic and environmental objectives
  - Goal 8 of the Comp Plan supports becoming more resilient by mitigating, responding, and adapting to emerging threats. With the increase in development in this immediate area, this will provide faster response times for emergency medical calls.
  - Strategy 1.2 Utilities and Public Services Plan Element supports developing utilities, policies, systems, and services that facilitate compact development and support economic development in defined areas. The second bullet point is to locate new public services and facilities in growth areas identified on the Comp Plan map or where existing services are needed. **Panning review confirms support has been provided for this finding.**
5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies, and regulations.
  - The site will be served by an eight-inch county water line at an anticipated usage of 50gpd per person per shift.
  - The site will connect to the Briar Chapel Wastewater Treatment facility. A waiver was provided and approved in June 2021 to remove trees in the required undisturbed perimeter buffer of Briar Chapel in order to obtain the easement to connect the service.

- A commercial driveway permit will be issued by NCDOT and will be limited to right in/right out only access. The county is to receive the old roadway of 15/501, (parcel 94711) from NCDOT and recombine with the larger tract.
- A storm water control measure is to be located on the southwestern corner of the parcel and will comply with all regulation's county and state. **Planning review confirms support has been or will be provided for this finding.**

Based on all five findings being supported, it recommended the request be approved. See below for conditions, if applicable. The Planning Board has up to three meetings in which to make a recommendation for approval or denial of the request to the Board of Commissioners.

The following conditions have been provided for your review and consideration of approval:

**Site Specific Conditions**

1. Signage shall follow the regulations under Section 15.6 Signs Permitted in the O & I, Office & Institutional Districts.
2. The landscaping plans as reviewed by the CCAC with suggested replacement of Burford Holly with Hypericum "sunburst" shall be followed. Any deviations from the plan will require re-review by the CCAC and planning staff. Periodic inspections of the landscaping shall be made to ensure survival and meeting landscape buffer requirements.
3. A building permit shall be obtained and remain valid at all times within two (2) years of the date of this approval or the SUP becomes null and void.
4. The old 15-501 right-of-way shall be abandoned and combined with the county property prior to issuance of a building permit.
5. All land disturbing activity shall be reviewed and approved by the Watershed Protection Department prior to disturbance to ensure no water features, streams, storm drainage ditches, etc. are present or for any associated riparian buffers are impacted.

**Standard Site Conditions**

6. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
7. All required local, state, or federal permits (i.e., NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

**Standard Administrative Conditions:**

8. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
9. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
10. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.
11. Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

Board Discussion:

- Chair Lucier asked how many EMS sites we have that are not associated with fire departments and where are the EMS sites that are Co-located with a fire department? Mr. Sullivan stated currently there are 3 EMS-only stations (Siler City, Pittsboro, Goldston) and 4 EMS/Fire Co-located Stations (Farrington, Bennett, Cary, Moncure).

- Vice-Chair Spoon stated there is population and age demographics that demands this service. Mr. Sullivan stated that is correct, we are in need to get this constructed as soon as possible. Vice Chair Spoon asked if it will only be employees entering and exiting the EMS site because it is right on Hwy 15/501. Mr. Sullivan stated it will only be employees for that location and it has about seven parking spaces proposed so it will not be a place to hold large meetings, the traffic impact will be low.
- Ms. Weakly stated this is a needed use in that area of Chatham and is in support of this EMS site, but there is some concern about the utility plan and the wash area. Is this wash area for washing trucks, there is not a legend in the plan, so it is not clear. Mr. Sullivan stated he will need to check with Brian Stevens and the designers on that question. Ms. Weakley stated if it is for washing vehicles it is recommended that all drainage should go underground and to the bio-retention area.

Motion made by Mr. Arthur to approve this item, second by Ms. Siverson. Chair Lucier conducted a roll call vote, and the item was approved with a vote of 8-0, unanimously.

VIII. NEW BUSINESS:

IX. BOARD MEMBERS ITEMS:

1. Update from the Planning Board liaisons.

- Chair Lucier stated he did not attend the Pittsboro Planning Board meeting because he went to the BOC meeting with the UDO Audit Report presentation. The agenda had three items; one was the 212-acre project to rezone from heavy industrial to mixed-use plan development. Chatham Concrete wants to make modifications to their site plan, and the parcel behind the old Chevy dealership wants to be rezoned from R12 to Office-Institutional.
- Ms. Siverson stated the Siler City Planning Board agenda had nothing to report and the Agriculture Advisory Board did not meet in March.
- Ms. Weakley stated the Chatham Conservation Partnership will have a meeting on April 21<sup>st</sup> from 9-11:30 AM and the topic is turtles with several guest speakers.

2. Discuss resuming in-person meetings.

- Chair Lucier stated a lot of places are opening and getting back to in-person environments and wanted to get a feel from the Board members about starting in-person Planning Board meeting in May. There was some Board discussion about different concerns and coordination. Chair Lucier stated because there were some concerns from several Board members the May 3<sup>rd</sup> meeting will be remote.

X. PLANNING DIRECTOR'S REPORTS:

Mr. Sullivan reported on the following:

1. Minor Subdivision spreadsheet
  2. Unified Development Ordinance Update
- Vice-Chair Spoon gave a brief overview of what the UDO subcommittee has been discussing and that the consultants have provided the Audit Report and we are to review it and get any input to Chance Mullis by April 13<sup>th</sup>. There was some Board discussion about the UDO and the Audit Report.

3. Chatham/Cary Joint Plan.

- Mr. Sullivan gave a brief update on the 5-year review of this plan.

XI. ADJOURNMENT:

There being no further business, the meeting adjourned at 7:43 p.m.

Signed: \_\_\_\_\_ / \_\_\_\_\_  
George Lucier, Chair Date

Attest: \_\_\_\_\_ / \_\_\_\_\_  
Dan Garrett, Clerk to the Board Date