

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
MONDAY, JULY 23, 2007  
7:00 P.M.

Mayor Randolph Voller called the meeting to order and asked for a moment of silence.

**ATTENDANCE**

Members present: Mayor Randolph Voller, Commissioners Max G. Cotten, Pamela Baldwin, Clinton E. Bryan, III, Gene T. Brooks and Chris Walker.

Other staff present: Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr. and Planner David Monroe.

**AGENDA APPROVAL**

Motion made by Commissioner Walker seconded by Commissioner Baldwin to approve the agenda as presented.

Vote Aye-5 Nay-0

**CONSENT AGENDA**

Motion made by Commissioner Cotten seconded by Commissioner Baldwin to approve the consent agenda as presented.

- Minutes of the June 25, 2007 Board of Commissioners regular meeting.
- Carole M. Cox site plan approval extension.

Vote Aye-5 Nay-0

**CITIZENS MATTERS**

None

**PUBLIC HEARING**

Motion made by Commissioner Walker seconded by Commissioner Bryan to go into public hearing on the following:

A request by Pittsboro Place Partners to rezone parcels 7317, Tract 1; 83078, Tract 2; 83080, Tract 4; 83081, Tract 5; 83084, Tract 9; and 3.99 acres of 81979 from C-2 and M-2 to MUPD.

A request by Pittsboro Place Partners to rezone parcels 85076, Tract 6A; 60741, Tract 6B; 73513; and .98 acres of 81979 from C-2 and M-2 to MUPD.

Vote Aye-5 Nay-0

## **PUBLIC COMMENTS SUBMITTED BY EMAIL:**

I would like to voice my concerns and suggestions over the Industrial Drive development in Pittsboro. AND especially after reading the article in the N&O today about the size of the development, I am just distraught!!

Pittsboro is a lovely town with an atmosphere so different than any of the surrounding areas! Trust me; does a check of how many people move here from Cary and Apex to get AWAY from exactly what this development is intending to produce in Pittsboro. It will make it just like any other homogenous, strip mall, boring Raleigh suburb. I don't want Pittsboro to lose its charm and identity.

I have no problem with smart growth. That site could be developed with a **small** movie theater, a **small** grocery store, restaurants (locally owned, NOT national chains!!) which would all be wonderful additions to the "neighborhood". But the key here is the scale of the development. You can't put a huge movie theater or a Target or anything like that in Pittsboro. It would FOREVER change the landscape and feel of the town. And once it is ruined, it can't be taken back.

Also, the traffic congestion that would be caused by a development of the size proposed in that little town would be unbearable.

Thank you for your time and consideration.

*Lynette M. Gavalier*

Planner Monroe stated this represents two re-zoning requests. Submittal A is on the tract on the east side of Industrial Drive and a small portion on the western side. Submittal B is west of Industrial Drive. The application represents slightly over 120 acres of 200 acres that Pittsboro Partners LLC owns. About 80 acres are withheld for future consideration. The Planning Board began review of this application in February 2007. In February and March, the Pittsboro Place team came to introduce themselves and present a concept and their plan of what they would ask the Town to consider. In April and May they came to the Planning Board to look at the Master Plan Standards being proposed. They asked the Planning Board to look at standards being proposed and presented traffic impact analysis, market analysis and presented an environmental assessment. They wanted to know which part of the application and which parts would conform to and require modification or might be necessary.

In June the Planning Board reviewed the application one more time. After having several modifications made based on recommendations, the Board recommended approval of the plan with 3 conditions:

- 1) The maximum height is reduced from 90 feet to 50 feet with 1 additional foot of height permitted for every 3 feet of set back from the property boundary. This could result in a 120 foot building in the center of the project.

- 2) Sidewalks to be constructed from Industrial Drive to the point where they currently terminate at the post office.
- 3) A grass median to be installed on Business 64 to facilitate pedestrian movement across Business 64 from the point where Business 64 begins three lanes east to Industrial Drive.

The applicant has modified the application to indicate these terms as part of their application.

#### PUBLIC COMMENTS:

Jane Pyle: 159 West Salisbury Street – stated she has been active with the Chatham County Historical Association since its reactivation in 1988. She looked at the property map proposed for re-zoning and subsequent development by Pittsboro Partners. On parcel 60741 is a Historical Cemetery. It is included in the Inventory of Cemeteries compiled by Road Miser part of the States Inventory Project. She completed the report of this inventory at the Department of Archives. The report can be examined there at Chatham County Historical House downstairs in the house. The Cemetery is called the Lucas Cemetery for Mary Lucas. There are six other inscribed tombstones in the site. The cemetery is overgrown and it is not listed on the development plan but it is protected by state law.

Karen Hall stated she represents the Robeson Creek Watershed Council (RCWC). I've been a riparian (stream) biologist for about 10 years. The RCWC is a group of stakeholders concerned with cleaning up the water quality of this watershed, in which the proposed "Pittsboro Place" is to be built. RCWC neither endorses nor opposes development, but assists various businesses and landowners in the watershed with technical, educational, and implementation aspects regarding water quality.

The Robeson Creek watershed is on the state's list of impaired waters and is listed for nutrient and biological habitat impairments. There is currently a TMDL or Total Maximum Daily Load as developed by the NC Division of Water Quality (DWQ) on Robeson Creek for nutrient impairment. A TMDL will be written for biological impairment. This watershed is an EPA and DWQ "target" watershed for restoration. This means that these two agencies are providing extra resources and paying special attention to efforts to clean it up.

Having read all of the submittals by the developer for Pittsboro Place, these are our concerns and recommendations.

- Various water bodies at the proposed development site are discussed in the "Rezoning Submittal Tract A-March 7, 2007" document, including jurisdictional waters existing on the site, namely an intermittent stream listed on the delineation maps of sheets 2, 3, 4, 5, and 6. This intermittent stream is omitted from wetland delineation maps of the document titled "Pittsboro Place-Board of Commissioners Hearing Information Tract A-June 6, 2007". The area where the "Town Center" is

proposed to be built is located on top of where this intermittent stream is currently. Effectively, this means the stream will be buried under development.

- Of the development materials submitted to the Town of Pittsboro, I could find no official letter from the US Army Corps of Engineers stating that they had visited the site nor could I locate any verification document from the Corps of their findings regarding the jurisdictional features of this site.
- Of the development materials submitted to the Town of Pittsboro, I could find no official letter from the NC DWQ 401 Wetlands Unit stating that they had visited the site to determine jurisdictional water features on this site.
- Though the “Cape Fear River Basin: Nutrient Sensitive Waters Management Strategy: Protection and Maintenance of Riparian Areas with Existing Forest Vegetation Rules” are proposed at this time, RCWC encourages developers to implement these rules which consist of applying 50-ft wide riparian buffers on intermittent and perennial streams. The proposed plan for Tract A shows that the intermittent stream will be buried under buildings. Robeson Creek is already impaired for nutrients and biological habitat. Burying an intermittent stream destroys any biological function in that stream and does nothing to help improve the impaired water quality of Robeson Creek.
- A 100-ft buffer (proposed along Robeson Creek) as specified in the “MUPD Standards” states that no clearing or grading can occur within the buffer except for the construction and maintenance of a pedestrian greenway/bikeway or necessary utilities. The developer’s March 7, 2007 submittal for Tract A shows the 100-ft buffer along Robeson Creek with “Lawn” clearly marked within the buffer boundary on the map. Creating a lawn would require “disturbance” in order to establish grass and this is counter to the MUPD standards. Further, maintained lawns require fertilizer. Robeson Creek is impaired for nutrients. Additional fertilizer is not recommended nor is a lawn in the buffer.
- From the developer’s “Open Space Plan” maps, the proposed greenway appears to be too close to the stream. We recommend it be at the top of bank or beyond the 100-ft buffer boundary, whichever distance is greater. Paved greenways in an active floodplain are set up for failure due to flooding.
- A proposed “arboretum” at the top of the 100-ft buffer on Robeson Creek is concerning if the facility is to be used as a “nursery” for growing out additional trees for the development. Fertilizer and nutrient runoff from such a facility is a major concern.
- No innovative stormwater best management practices (BMPs) are discussed or shown in any of the developer’s submitted documents. Rain gardens and more direct on-site treatment of stormwater have been suggested to the developer by RCWC, especially since this is an impaired watershed.

- Detention Basins 4 and 5 as shown on proposed stormwater maps submitted by the developer are positioned on extremely steep slopes. Basin 5 especially is located precariously close to the top of bank of Robeson Creek and another perennial stream on the outside of a stream meander bend. Erosive forces from the stream can eat away at steep banks and cause potential bank failure. This could affect stormwater ponds perched on top causing a possible breach and spill into the creeks below.
- It is concerning that the proposed detention basins are the sole source collector of all onsite stormwater. If they fail, stormwater, with all of its nutrients and sediments, could flow directly into already impaired streams. Better stormwater site planning is recommended.
- Though Low Impact Design (LID) was mentioned by the developer at the March 5<sup>th</sup>, 2007 Town of Pittsboro Planning Board meeting, such practices were mentioned nowhere in the developer's submitted documents to the Town of Pittsboro. LID practices in development are crucial for improving water quality. RCWC highly recommends LID practices.

In conclusion, RCWC neither endorses nor opposes development. We invite all developers to talk to us about water quality issues in this watershed. For the proposed "Pittsboro Place" development, RCWC recommends better and more detailed buffer planning, stormwater management planning, and the inclusion of LID practices. We recommend that these revisions be made by the developer and re-submitted to the Town of Pittsboro Planning Board for review.

Gray Styers stated they have included letters of support for the projects as follows and would like them to be entered into the record:

July 23, 2007

Pittsboro Town Board  
Pittsboro Planning Board  
635 East Street  
Pittsboro, NC 27312

Dear Town Board & Planning Board Members,

This letter is written to voice my support for the approval of the rezoning request from the developers of the Pittsboro Place. After careful review of their proposed plan I strongly support this project. This plan seems to be very fitting and desirable for Pittsboro and the location seem to be appropriate for such a development. The need for such a development in Pittsboro is obvious not to mention the revenue for Pittsboro and Chatham County and its job opportunities.

I was born and raised in Pittsboro and I have worked here for over 35 years. I've seen a great deal of change in the past 10 years and I don't want to see the character of Pittsboro change drastically. However this project, in my opinion, would be most desirable and provide its residents with the much needed convenience of retail stores, restaurants and recreation.

Thank you for considering the approval of this rezoning request.

Sincerely,  
Gene Griffin  
First Vice President  
SunTrust Bank

July 20, 2007

Pittsboro Town Board 635 East Street  
Pittsboro, N.C. 27312

Dear Town Board Members:

This letter is to show my support for the approval of the rezoning request for the developers of the Pittsboro Place. This is a prime example of smart, planned growth for Pittsboro. I own and operate an automotive repair center in close proximity to this proposed mixed use project, as well as being part owner of the Pitt Stop Building. Pittsboro is in dire need of commercial businesses to expand the Pittsboro tax base, and to create much needed local employment.

I am a native of Chatham County and I am also looking forward to the convenience of shopping, recreation, and restaurants that this project can provide.

Your support for this rezoning would be appreciated.

Sincerely,

Bobby H. Harris, Jr.  
Performance Automotive and Tire  
1027 East Street  
Pittsboro, NC 27312

July 17, 2007

Pittsboro Place MUPD

Mayor, Board of Commissioners, and Concerned Citizens for the Town of Pittsboro

Ladies and Gentlemen:

As a property owner and merchant in downtown Pittsboro, as well as a lifelong resident in the ETJ of this community, I am excited about what a proposed mixed use planned development such as Pittsboro Place could mean to the vitality of our downtown businesses as well as the attraction in general to the Town of Pittsboro.

As a forty-eight year old adult who was raised in this community and chose to live, work, and raise my children here, I am all too familiar with living in a community where it was necessary to drive 30 minutes or more from home in order to be able to shop, see a movie, go out for a nice dinner, or see a health care provider. How wonderful it will be to be able to give our children the opportunity to be able to do all those things within walking distance of our beautiful downtown while providing a positive economic impact to our municipal budget through the commercial tax base such a development would bring to our town.

As a resident and business and property owner in this community, it is vital that *we* keep as much of the tax base as possible right here within our community, giving us the resources we need to provide the infrastructure needed to sustain the already approved residential developments in our county. I for one do not want to see our new residents finding it necessary to leave Pittsboro and Chatham County in order to purchase the essentials needed to maintain their lifestyles, essentials such as shopping, restaurants, and entertainment options such as a movie theater and park facility would provide. As a mother, I would be much more comfortable with my teenage daughter meeting her friends at a local theater in Pittsboro than having her drive 30 minutes or more away to Southpoint or Apex and spending our family income to benefit neighboring communities rather than our hometown.

As a member of the planning board for the Town of Pittsboro for many years as well as a current member representing the ETJ on the Board of Adjustments, I favor the MUPD zoning over the current zoning because I feel it would give us more control as a Town over the layout and aesthetics of the project, giving us the opportunity to dictate a plan that would blend with our current downtown architecture and draw more visitors to patronize our current downtown merchants.

I see this as a winning opportunity for the Town of Pittsboro to provide its residents with an alternative for its families to spend their disposable income within their own community and provide an attractive gathering place where we can spend leisure time with our families without leaving town. I urge you to weigh the benefits of this project to our business and residential community and approve this rezoning.

Sincerely,  
Jennifer C. Bouldin  
Bouldin Williams Agency Inc.

July 18, 2007

Town of Pittsboro Commissioners;

As a lifelong resident of Pittsboro, I strongly urge you to change the zoning for Pittsboro Place to 11/11.1PD for the benefit of the town as a whole. This would be an asset for Pittsboro, because of the increased number of jobs, increased tax base, and retention of revenue of town residents.

There will also be a benefit to the current residents of Pittsboro. With the 3000 proposed jobs and \$800,000 in net revenue to the town, I ask how you could not see the benefits of such a development. It is not unplanned sprawl with disorderly applications; rather it is an economically beneficial, well placed development with benefits to the town of Pittsboro, as well as Chatham County.

I would love to have, for my children and their children, a local place to go for entertainment and relaxing. It would make the town more suitable for families to want to come to Pittsboro. Rather than people thinking about which direction they have to go for services, they will eventually think of staying in town. As a former business owner, I personally have seen residents, go out of town to work, eat, shop, and play. With a point such as Pittsboro Place, this misfortune could eventually be reversed.

This project is a wonderful layout; properly planned, visually appealing, and has an excellent variety of uses. I urge to change the zoning for the benefit of the town as a whole.

Sincerely,  
J. A. Webster, Jr.

July 19, 2007

To Whom It May Concern:

We are very much in favor of the proposed shopping center located adjacent to our land. We believe this shopping center will provide extreme economic benefits for the town. Currently, you must travel to a neighboring town for any type of shopping or entertainment. Other towns are reaping the benefits of Pittsboro's lack of growth. Pittsboro needs to encourage and embrace this type of growth within our own town to improve economy and local resources available for its residents.

This shopping center will also provide jobs for local residents. The Movie Theater and Bowling Alley will provide local entertainment opportunities for our young men and woman as well as older residents.

Please feel free to contact us if you would like to further discuss our support of this shopping center.

Sincerely yours,  
Mike and Debbie White

July 23, 2007

Town of Pittsboro  
Board of Commissioners  
Pittsboro, NC 27312

Dear Sirs and Madam:

This letter is regarding the proposed Pittsboro Place Development on the east side of Pittsboro on US Hwy Business 64. I have been a small business owner in the Town of Pittsboro for almost ten years. As a business owner, I am very interested in the economic development of this area. As a resident, I am interested in well-planned development that will enhance all aspects of life in our town.

In reviewing the site plan for the Pittsboro Place Development, I find little to object to in the site plan. While the development is intense, it is my understanding that this is already permissible under current zoning guidelines. This proposal is an opportunity to manage and guide a development downtown that has economic advantages as well as consideration for green spaces. Pittsboro has always been a "walker-friendly" Town. This site plan has taken this into account and provides an extension of the current downtown area.

While approving such a large-scale development comes with enormous responsibility, I believe this Board will make a good decision given the extensive information provided. I urge the Board to consider the Pittsboro Place development as a potential asset for the Town of Pittsboro.

Thank you for your time and consideration.

Sincerely,  
Julie Bourque  
Blossom Florist

Gray Styers: 1117 Hillsboro Street- Legal Council & Spokesperson tonight for these two applications. He stated he has given information to each of you that are provided on the slides tonight and you can follow along with him by looking at the papers in front of you or to the screen to your left.

The design request before you this evening is about 123 acres of property that is currently split zoned. It is unrestricted any development can occur there as long as it is a permitted use and

otherwise following the requirements of the ordinance there are no development standards for any development that occurs currently within the C-2 or M-2 zoning classifications.

### Zoning Request

The requested rezoning is to MUPD. Generally, it would be called a "down" zoning because there are actually fewer uses allowed in MUPD than in M-2. What you can't do when you have split zoning is you can't plan an integrated coordinated entity and the Town has generally encouraged Master Plan MUPD developments.

When the applicants purchased this property they meet with the Town Staff and many Town officials on how this could be developed. MUPD was the suggested route for Pittsboro Place Partners to look at the development of this property.

The purpose is not to increase the intensity of development especially since you have unrestricted zoning classifications there already with permitted uses by right with out development standards.

The project is to be built in phases over time. It will be built in three or four phases. They showed the Planning Board the various phases that could occur- if you would assume 3 to 4 years per phase you are talking about 12-16 years build out. Each phase will require site plan approval. All they are requesting tonight is a re-classification of the zoning district for these parcels. They are not requesting a site approval. When this comes back to you they are very cognizant of the suggestions made by the Roberson Creek Council earlier. Those types of BMP, those are the type of stormwater control measures as you know come before you at the time of site plan review. Not at this stage. They have shown the area where stormwater control would be located, but the specifics of those type details you would see later at the site plan stage not at the rezoning stage. They will be coming back for site plan approval.

As Mr. Monroe correctly noted we are not taking away all of the M-2 zoning. There are some concerns about the need for having property zoned for heavy industry. Pittsboro Partners Place will own 88 acres of property that will continue to be zoned M2 further back from 64 Business. They actually believe the marketing development of that property will be enhanced by having the MUPD project with entertainment, shopping and restaurants to it.

You will find a lot of developments and industrial developments things such as Lab Corp. in Burlington. The attractions to those companies are the fact that you do have restaurants, shopping and entertainment near the work centers.

They believe a MUPD project closer to Hwy 64 would clearly encourage the Marketing of the industrial property back from the highway.

The plan itself integrates quite a few smart growth concepts. It is Master Planned with coordinated Mixed Uses including restaurants, office, shopping, entertainment housing, and a future hotel. All of these are together rather than chopped up into separate uses in separate areas. All of these uses are connected by sidewalks, trails and are very walk able. There is a

preservation of open spaces both within and among the uses as well as the arboretum 4 acres and the greenway on Roberson Creek.

They believe it is important that it be accessible to Public Transportation when that becomes available here in Pittsboro.

The location of this project is part of, they believe, one of the best selling points and why it is such a good idea. It is to be integrated and part of downtown. It is unusual to have a Town that has a piece of property this large this close to downtown that can be developed in Master Plan. You may see in other in other communities where a large Master Plan MUPD project may be located away from downtown. But that demises the ability to be integrated into life of the downtown. The location is a great feature of this project.

Application A is the East side of Hwy 64 business. Application B is on the West side. The East side has more retail mixes-Application A includes a Town Center-entertainment in the back a theater & bowling alley. The Greenway is a part of B. This will be done in phases all would not be built at once.

What they are referring to as the Town Center section of this project, there are a number of pedestrian features, gathering points kind of a precedent of other projects.

Mr. Styers introduced Bill Jackson, John Anton, Pittsboro Place Partners, Michael Cole, Genest Stone, Steven Green, Ramey Kemp Traffic Engineer, David Gainey SEC Environmental Consultant and Lucy Gallo who will be hearing from in a few minutes from Milo & Gallo.

Again, this shows some of the types of uses that you could see in the Town Center (pointing to map).

Tract B includes the Greenway that we talked about. This could be medical offices; corporate headquarters there has been some discussion about the height. They had a dialogue with the Planning Board about height restricting. They said it could be some business that could be developed over time whether it is a hospital, medical building, and larger hotel in the middle of the project. Or if you went back to Tract A say these four buildings (pointing) may have some condos. The building closest to the boundary would still have 50 height limitations. Publicly the Planning Board approved it with the conditions that said once they get past 50 feet they could go up one foot for every 3 feet of setback. So if you get to the interior of the project the buildings could be taller. They are glad for the Board to tell them what they are comfortable with, with regards to the height. That is what the Planning Board approved, what they thought was appropriate.

Look at MUPD standards which states if they build anything over 50 feet they have to provide fire fighter equipment to the Town (a ladder truck) for that. They are very aware of this and are willing to work with the Town regarding height restrictions-providing the fire fighting equipment if the opportunity came along. It is a maximum height and not an exception of what would be built. I hope that clarifies that issue.

There is a lot of green space in this project the largest is the arboretum, 100 feet buffer around Roberson Creek they also have some active area green space. You will see a lot of areas between the buildings and a lot of it used for the pedestrians as well.

He went over the map. He stated it would be very easy to integrate a bus service into this project.

The arboretum and greenway is one of the assets to this project. There is 4 acres arboretum available for public use, picnicking and passive recreation. That area right now is largely opened with very little vegetation. They would plant landscaping that is consistent with all the landscaping requirements and there are extensive requirements so they could be used as there were a drought landscaping that needed to be replaced it could be replaced with similar landscaping in that area. They plan to cooperate with Community College or University and it would be next to the greenway along Roberson Creek (it would not go all the way to Roberson Creek, but stop at the 100 foot greenway) which would not include any buildings or structures. The greenway will connect to the wastewater easements coming back into Town which could be used for the extension of the greenway back into downtown. Also, the Roberson Creek that runs along Industrial Park; the back 88 acres it could be extended in that direction. It would potentially lead to a greenway system from the Courthouse to Jordan Lake.

There have been a number of questions asked about infrastructure. Water is currently available, the available wastewater allocation is sufficient for Phase 1, Tract A (with movie theaters, restaurants, grocery stores).

Sewer easements have been acquired to provide expanded service from the wastewater treatment plant. They are willing to pre-pay capital assessment fees and access fees to help the Town finance sewer capacity long term. The point about the wastewater capacity is that they will be coming back to you at site plan. That no building will be built without adequate sewer capacity. So they have to have sewer capacity. They understand the Town is working with a consultant about expanding the wastewater facilities. They want to be a part of that solution by financing or pre paying a portion of the allocations of that. They believe they can work towards that with the Town. They are looking at a 12-16 year build out. Certainly the Town's facilities will be expanded within that time.

They believe the 15,000 gallons available would be sufficient for Phase 1, Tract A.

Commissioner Baldwin asked what that included.

Gray Styers said; movie theater, possibly a bowling alley, grocery store, retail store, restaurants and of course the Credit Union is separate. The 15,000 plus could be subdivided (would be subdivided) under the Town's Policy and sold to unrelated parcels (entity) as a minor subdivision. They are entitled to an additional 1,800 gallons per day. They will combine that with the 15,000 and it would be sufficient.

Mayor Voller stated he wants to be clear and so the Board understands. You have 15,000 gallons per day right now and you are planning on doing a minor subdivision to cradle through the rules 1,800 gallons per tract is that correct.

Gray Styers said, yes that is true.

Mayor Voller how much more sewer capacity will that entail. How many extra lots are going to be created. Someone said 5 lots at the most.

Gray Styers said they have several out parcels in the area. So it could be as many as 5 additional lots.

Mayor Voller said, so the total is 24,000 gallons.

Gray Styers said something in that neighborhood.

Gray Styers said the Environmental Analysis he would like to clarify some earlier information. All wetlands are delineated on the property. The Army Corps. of Engineers has been at site and looked at the property and has confirmed that delineation. Town Planner Monroe was at that meeting with the Corp of Engineering's. So he can confirm that regarding the Corps. meeting.

DWQ visit will probably occur sometime in August or September.

The intermittent stream mentioned earlier was found to be non jurisdictional within most of the property boundaries so that is not a jurisdictional intermittent stream. There were 2 very small wetlands about 20 to 30 feet in length. But they were determined by the Army Corps of Engineers as being unimportant and of no impact on the water quality in the area. So as a practical matter based upon the delineation confirmed by the Corps of Engineer there are no waters on the property that would affect the development.

Mayor Voller asked if those are what we call upland wetlands or are they down by the stream.

Gray Styers said he would refer to Mr. Gainey to answer those questions.

Mr. David Gainey said they had the Corps on site and they made the determination that the intermittent stream that was referred to was non- jurisdictional. Within that feature there are actually 2 very small lineal wetlands that they call as jurisdictional. They are within that featured area but is not jurisdictional is the stream that goes through there. Those areas are considered jurisdictional through a non jurisdictional connection so they are not exactly considered upland wetlands. That is the Corps terminology for those wetlands.

Gray Styers said ultimately they can not build it without DWQ and Army Corps of Engineers certification. It is a relatively flat piece of property and there are no streams or wetlands they have to (under the requirements of Federal, State, Local Governments) have to work around except Roberson Creek that's the big one. Recognizing that he doesn't believe our ordinance

requires it we are proposing a 100 feet buffer around that creek that will not have structures in it and would not have buildings.

The project will comply with Watershed Overlay District Requirements and with the State New Stormwater Standards. Those type details are what you would see at site plan stage.

They also had Ramey Kemp provide a Traffic Impact Analysis and anticipated improvements were identified for the project. Which included the widening on Industrial Drive to the four lanes; second entrance road into Pittsboro Place, retail center, improvements to intersections on Highway 64 such as stoplights, left turn lanes, deceleration lanes; improvements to Highway 64 business itself including widening east toward 64 bypass and island medians west towards the Courthouse from the entrance. All of these improvements must meet NC DOT standards for traffic circulation before any driveway permits are issued.

When you apply for a driveway permit, the permit indicates what traffic will be generated by the buildings that will be there. Based on square footage and you have to get the driveway permit before that building opens. So it would be phased as the construction is built. These will be the necessary improvements to accommodate traffic. As the project gets built out over the time you would see other improvements which would include 2 left hand turn lanes east bound; deceleration lanes; right hand turn lanes and eventually widening 64 all the way back out to the bypass would be required by build out. DOT will tell you what type improvements you have to have for each Phase before you can get your permits. It would be built out over time eventually having four lanes all the way out to the bypass.

Mayor Voller asked is there any indication how this will affect the Courthouse.

Gray Styers said good question. By 2009 if there is no development the Courthouse is probably going to be at Level F. There are different traffic levels.

Mayor Voller said that does not mean fantastic. Mr. Styers said it does not mean fantastic. So the courthouse is going to be at Level F if nothing is done. They have looked at how to avoid Level F which is going to be there regardless. How will the traffic from this project itself affect the circulation in the area? The courthouse traffic is coming into and out of this project will be routed and the improvements will be in place to accommodate the traffic coming in from the east and on 64 bypass. Even if they did not exercise their current by right zoning of M-2 and C-2, we would still have Level F at the Courthouse. The instrumental impact is not going to change that level unless there are dramatic changes at the Courthouse circle which are not anticipated.

Unlike a residential development a job center/employment center is basically residential traffic to where it would otherwise go to generate additional traffic. It will be redirected traffic into this area where people would be working and shopping. But is not like a large residential development where it would generate traffic at peak hours going to and from the office. So in terms of traffic generation the Courthouse is going to be a Level F if nothing else happens. But the issues is as traffic is routed are there improvements on 64 business to accommodate traffic to this project. What their traffic engineers and consultants have said is that DOT standards would

require them to have improvements in place to accommodate traffic routing to and from the project.

Mayor Voller said in the spirit of cooperation since we would like to have neighbors from the west and south itself coming to shop in Pittsboro. What happens when people come in town from the west and south, presuming this project is very successful? What would be the impact?

Gray Styers said the projection is if you are coming from West from where the bypass and highway 64 and gathering the traffic around the Courthouse that didn't take the bypass from the west. If you are coming from the South you will be coming around the Courthouse Circle there is no doubt about that. But given the population centers and given the population in the county as it grows you will see most at the North and East ends. And they believe the impact on the Courthouse Circle itself is not going to be affected other than the condition it is already going to be in 2009. The problem is this building sitting in the center of the circle so unless Pittsboro decides to have no more development, no more building, the situation is not a function of this project it is a function of how the circle is made.

Mayor Voller asked was there ever any discussion about Pittsboro by pass.

Gray Styers said it would alleviate it if there was a bypass on the east side of town. That would certainly make access to the project from all directions much easier. And that was looked at. If you had a bypass on the East side of Town you would need to widen 64 business all the way out to the existing bypass exit, that was a possibility that is kind of a DOT issue and not their issue.

Gray Styers said there has also been a lot of discussion on the affects on downtown. There is going to be traffic in downtown and also development in downtown. How is downtown going to grow and how is this going to be a part of downtown?

In terms of distance it is ten blocks from where we are standing right now and this is going to be part of downtown Pittsboro. The existing commercial development already exists between the Courthouse and entrance to Pittsboro Place. They will be linked by sidewalks as well as island medians that are going to further integrate that as well as greenway easements that will be in place for folks that would want to take the greenway. Proposing covenants that will have architectural and building design guidelines to make sure that the building will follow the architecture that you see around your Courthouse circle; the color of brick, style of windows so that it will be integrated and included with Downtown Pittsboro long term.

The location will attract persons that would otherwise be zipping by the downtown on the bypass; they would actually come into downtown and visit the downtown businesses.

He knows of many small towns in North Carolina that have suffered because of bypasses that directed people away from downtown areas and how that affected the downtown business life.

Gray Styers said Lucy Gallo has prepared as Economic Impact Study for this project and asked her to talk through these two slides.

Lucy Gallo stated her role in the project was to take a use of the land plan provided by the developer and provide estimates of the type of job creations the Town of Pittsboro could expect from the project as well as the tax revenues.

Pittsboro Place Partners planned for the project to be an Employment Center. An Employment Center that provides job opportunities for all skills level, which she thinks is very important in looking at the current employment base of Chatham County. There are jobs needed at the low end across the board.

In Tract A they are looking at about 3,300 new jobs with about 2,100 being professional and technical and office versus 1,200 retail jobs. She thinks you can see in this particular example this tract could accommodate a job for a part time retail job for a high school student or a technical job for a technology spin off from a local University.

Tax Base for this tract is about 208 million dollars around \$800,000 per year in property and sales tax revenue to Pittsboro. One thing she was very careful to do in her analysis would be to DIFFERENTIATE between retail and offices to make sure State taxes were as accurate as they could be, approximately \$2.1 million per year in revenue to Chatham County. As Mr. Styers indicated the opportunity to still offer 88 acres of industrial property none of which any of these employment estimates take in consideration.

On Tract B there will be 1,081 new jobs. This site based on the developers' research could very well accommodate a medical facility. If you look at neighboring communities of Guilford, Wake and Moore; she excluded Orange and Durham because of Duke and UNC: Chatham County is under served by 3 persons in terms of physicians, RN's and dentist. So she feels there is good opportunity based on the existing population for bringing more medical facilities to Chatham County. This could be an ideal site for those types of jobs which is partnering with the local Community College for other technical related jobs and associated other economic development initiatives.

For this particular tract an estimated tax base of 111 million dollars with around \$500,000 per year in property and sales tax revenues to Pittsboro and close to \$900,000 in revenue to Chatham County.

Mayor Voller asked what the time frame for completion of the project is. What is the anticipated build out when you have the maximum figures?

Ms. Gallo said, 10 to 15 years.

Mayor Voller asked what is the present value of the revenue you are putting out there.

Ms. Gallo said all dollars are in today's dollars. The annual revenues are annual. The property tax is annual dollars so there are no present tax calculations.

Mayor Voller asked is this at build out?

Ms. Gallo said yes the estimates are at build out.

Mayor Voller said 12 years is a safe compromise.

Ms. Gallo said they are in today's dollars. They could inflate more with inflation.

Mayor Voller asked how much of the figures are for sales tax versus real property tax revenue?

Ms. Gallo said unfortunately the way North Carolina sales tax laws are set up the County is the primary beneficiary of sales versus municipalities. Most of the projection for Pittsboro will be real property tax rather than sales tax.

Mayor Voller said that is correct. If you want more specific numbers she can ballpark them for you. But, probably from a sales tax standpoint for Tract A it is around \$40,000 a year. On the flip side Chatham County would be getting close to \$900,000. Very large sales tax dollars but they would primarily be going to the County.

Mayor Voller asked if this were to be built and you were at build out; a lot of people have done studies (referenced EOC) on the demand for various types of retail. Would it change the ratio?

Ms. Gallo said she did not perform a retail market analysis, although she understands a retail study was done for the project. What she does know about Chatham County right now is there is significant leakage in Chatham County compared to surrounding areas. Which is good, there are opportunities for growth in the retail sector # 1 and # 2 the ability to (for the size of the project) to pull from a larger geographical area than your traditional 5 or 10 mile radius does position for a different type of market than some other types of developments you may be considering.

Mayor Voller said that would be very helpful to evaluate because the figures we hear now are \$7.7 million for Chatham County not Pittsboro and about 64 cents on the dollar as opposed to Durham they are pulling more; we are leaking more.

Mayor Voller asked the Board if they have any questions.

Commissioner Cotten stated the information they have received covered everything.

Gray Styers said this area has been identified for job creation for Pittsboro for many, many years. It has one facility. The vast majority of the acreage has just been there vacant. So if we are looking for job creation here we are looking at a proposal that will create jobs, create tax base, created on property that has been vacant in the past.

Ms. Gallo said in summary Pittsboro is growing and it is going to continue to grow. The residents of Pittsboro deserve local restaurants, shopping and recreation amenities without having to drive to Apex, Chapel Hill or Durham. The benefits to local residents are reducing driving time and enhancing quality of life.

It benefits local businesses by creating jobs and attracting employees.

It benefits local governments by increasing revenue.

Gray Styers said also from a Planning perspective, avoids piecemeal, haphazard development patterns that are going to otherwise occur if you require a lot by lot permitted use basis. You are not going to get this quality of a plan walkable, accessible project. It also gives the Town control. Right now you have unrestricted M2-C2 zoning. What they have put on the table is 5 pages of single spaced of MUPD standards that you may add more to, perhaps before this project is over. This is what gives the Town control to require coordinated Master-Planned development.

Mr. Styers read a letter of support from:

Gene Griffin, Bobby Harris, Jennifer Bouldin, JA Webster, and Mike and Debbie White the land owner must adjacent to the project.

Finally they have a petition of over 300 names in favor of this project. They said this is the type of project they would like to see come to Pittsboro. It will improve our city and our quality of life. They would ask that the Board approve there rezoning.

Mary Nettles – 80 Milliken Road stated she is very excited as well as others in Chatham County, that we will finally get a movie theater again in Pittsboro. She is excited because this center will bring jobs and entertainment for kids as well as adults. A place that is walkable, livable, workable as well as enjoyable where we live so that Chatham County will not be a bedroom community any more. The citizens she has spoken with are excited that this shopping center will reduce the stress of having to drive to Orange, Durham and Wake, Lee and Randolph counties. This center will help ease the minds and concerns relative to the safety and of children, grandchildren and other youth in the County. She has spoken with several citizens in Pittsboro that have lost there jobs as well as citizens having to travel 30-60 minutes one way to work. This shopping center will bring jobs. Commissioners I am asking you please do not disappoint the citizens of Pittsboro and the surrounding area. Thank you for your time.

Mayor Voller asked that all applause, hisses, etc. be held back.

Mark McBee – has a business in Pittsboro lives at 84 Pine Lake Drive, Siler City. He just wanted to say that change always brings both opportunity and challenges. One of the things we have been faced with in Chatham County we have decade long infrastructure hole we have dug because of the lack of growth we have had over the years. The existing citizens and businesses do not have the resources to catch up. Everybody knows our problems with schools, sewer lines and water plants. Many people agree that commercial retail would help fund some desperately needed infrastructure. The other point is there has been much talk about Chatham County Land Use Plan and the best thing for the County is to encourage growth in and around our cities and to discourage it along our highways. This project does that also. The concern about the small business, they have just had the Siler City Retail Merchants meeting and were trying to see how business

could play on each others potential customers to draw more shoppers. He thinks this development has the opportunity to add to downtown businesses.

Patricia Kim – 25 Rectory Street, Pittsboro. She is the Executive Director of Twin Rivers Independent Senior Community. The problem they have in Pittsboro is we don't have anything for the seniors to do that they can do. There are things here but her residents start at 75 and go to age 95. It is hard to go downtown because of the sidewalks. You have to go up on this side and down on the other side. They have residents with wheelchairs and walkers – it is just impossible to get to the restaurants. It would be wonderful to get them out. For someone that is 95 years old and wants to go some place by the time you get to Apex they are already exhausted. If we had some place really close they could take them they would go. They have movie day tomorrow, one person signed up and she is their 75 year old. They would really like something for the residents to do in this community. Her boss is looking at getting more land in Chatham County to add on to their independent building, because we have a lot of independent seniors here that are still in their homes and really should not be. But on the flip side our children are 21 and 23 they never come here because they say it is nothing to do here. Her point of view is we need something for the young and seniors as well.

Charles Liason – have a business at 964 East Street, Pittsboro. He is a contractor on this project but he is not here to represent the project. He is here to represent himself as a small business owner in Pittsboro. As small business owner he has two challenges. The first one being acquiring suitable applicants for a highly technical field. The second challenge he has is making sure his work force is happy and content. He averages between fifteen members on his workforce they are married and most have children. So he can say he represents close to 80 people here in the county. One of the things that his employees need to be content is more amenities. They are traveling out of county each and every weekend for shopping and entertainment. They would also like to have some more professional services here in the immediate Pittsboro area. More specialists (doctors, etc.) and those type services. He wishes for a higher quality of life for his staff and himself and his family.

The consensus of the board was to rotate the proponents and opponents.

Efrain A. Ramirez – 250 Town Lake Drive – stated he would like to start by reading something posted on “know how exchange” by a creative developer in search of a “catchy name” for a “mixed use project” which was sent to me by Leslie Palmer. This unnamed person stated he/she needed “a name for a new missed use project in Pittsboro, NC” that would have an office and residential component. The query further stated that “Pittsboro is a small community of several thousand residents, located just outside of Chapel Hill.

Now, like all of us who live in Pittsboro I like the convenience of Chapel Hill. But I am tired of Pittsboro being intimately connected to Chapel Hill by every realtor and developer who wants to exploit the beauty of Chatham County. Ferrington states it is just 8 miles south of Chapel Hill. Why not say 7 miles north of Pittsboro? Then of

course we have the infamous Briar Chapel, now joined by another anomaly called Chapel Ridge. At least there is a chapel on top of the hill in Chapel Hill.

The querier states that he/she is for some strange reason barred by using the words “Chatham”; “Lystra”; “Club”; “Polk”; “Plaza”; or “Downs”. Cole Park Plaza is nearby so they also want to avoid “Park”. “VIC” Responded with a long list. 5<sup>th</sup> on that list was ....You got it! “Pittsboro Place”! Vic also suggested a few other names not considered: i.e. “Pittsboro Plunder”...”The Pigeon Hole at Pittsboro”, etc. we might could have shortened that by just calling it “The hole in Pittsboro”!!

My friend Paul Ford describes new development as what they were i.e. “Used to be a Thousand Oaks”,; used to be a “Country Garden”, etc. We of course know that “it never was a “Governors Club” and we can accept to some extent that it is a Fearington Village.

Now that “Pittsboro Use To Be a Place”!...just like Siler City use to be Siler City after they built the US 64 bypass strip mall. Note the potential that this Pittsboro Place has in relation to the proposed North/South 15-501 bypass.

The flyers distributed to nearby neighborhoods were very deceptive, stating this is “Downtown”, etc.

This location is not Pittsboro Downtown, nor anything like Pittsboro Town Center. This thing is to me located in “The Pittsboro Industrial Park” set aside for the purpose of brining good paying work to our Town. Industry like Biolex; not low wage retail jobs. Pittsboro and Chatham County do not need more minimum wage work!

Now, the developer knew what the zoning was when they decided to invest in this property. And they thought that this development could easily be slipped by the “small community of several thousand residents located just outside of Chapel Hill”. The reality they are about to face is that though we are a small community, we are one that is very much on guard and ever vigilant after being snookered and deceived by a take over of County Government. Actually it was a well orchestrated and financed coup d’ etat. A take over of our local government by out of state and out of county developers and realty organizations.

I am for growth! I am for development that fits into the character of our town. I cannot see how something that is perhaps on the magnitude of a Southpoint and/or Meadowmont fits into the character of Pittsboro. 1.3 million sq. ft on 210 acres.

Let us accept good paying jobs through creative businesses and industry for this property, not bowling alleys, megaplex, motel/hotel complexes, multi-story buildings that our fire department cannot reach in case of a catastrophe. I would also question the ability to open restaurants planned for this project when we have others still awaiting waste water permits, including existing restaurants who want to expand. And, I would further question the means used by this proposed project to obtain the wastewater capacity that they seem to have already obtained. Where is the wastewater to go, from so many stores,

theaters and residential units? At one point some one seemed to suggest “Creekside Village”. Maybe because it just next to Roberson Creek, a major tributary to Jordan Lake that runs through our Town.

We need to be very much on alert; after we were completely taken by those who so effectively backed one Raymond aka Bunkey Morgan. I smell something “rotten in Pittsboro”. Beware of the return of the backers of the old regime and be sure that all of you, who are eligible, vote in the November Pittsboro Municipal Elections.

Jamie Nulley – 118 West Street, Pittsboro. She is the Chair of the Chatham County Economic Development Corporation. At their March 13<sup>th</sup> meeting the Board of Directors made a motion to send a letter to the Town of Pittsboro expressing the value of the property that Pittsboro Place Partners purchased from Richard Fox on Industrial Park Drive to remain at the current zoning of Heavy Industrial. This property originally received County and Town funds for water, wastewater and roadways. The Chatham County Economic Development Corporation has listed this property for sale on the North Carolina Department of Commerce website for several years and they have submitted this site for many projects. Many of these projects by the way, are a range of 50-100 acres so having 88 acres set aside is really not going to be enough. They have very few places in the County that are available for industrial at the point that has adequate water and sewer. This is a big problem that we have in our county and we really would appreciate us being able to retain these few parcels that are located here in Pittsboro. The other thing to consider is the types of jobs that we could attract would be in high tech, bio tech, places like Piedmont Biofuels which is currently in this Industrial Park. Those average salaries at those type companies range for \$50,000 to \$70,000 per year. She argues that is a lot more than retail jobs might attract at this location. They have had quite a few prospects looking at the Industrial Park. Even though they have not had anything to locate there recently she feels that is going to change as we are in the mist of doing a long range strategic plan within the county. This is going to be an intrigued part of their Economic Development Plan.

Larry Ballas – 139 Indian Creek Lane, Apex, NC. He resides in Chatham County. He goes to a lot of different council meetings speaking about different developments and things. This one surprises him because we are talking about a rezoning of property and there is not guarantee of building out the parcel. We should have some sort of site plan for approval. But right now only the rezoning is being asked for. We don’t know what is going to happen down the road, there are a lot of promises. This is a nice drawing. A 12 to 15 year build out is a long time. The project is going to need to be competitive especially the retail part (as far as he is concerned). Who will be the attractions to bring people to the area? They didn’t mention that. He would like to see a study done what is the critical mass required to support a project such as this. How many visits per day are required to do this particular project? How many people are going to have to buy things in order to support the project? There is no indication of what this project is going to entail over time by what these people are talking about. Overall, the project is not that disappointing he thinks it is something that Pittsboro needs, it just don’t need it on 64 business. It would be a nice project for the 15-501 and 64 bypass area up near the Lowes.

He probably really needs another 5-7 minutes to finish. One thing he would like is a center to bio-tech, agriculture technology; high technology high paying jobs coming into Pittsboro would be great. He would recommend a couple of things have the developer provide bus service from here to downtown so you want lose downtown. They want Pittsboro to do it by supplying a bus service. You are only getting a little bit of money for this project and yet they want you to spend a lot of money to support it. Don't lose downtown it is too critical. If it happens, make it green come into the 21<sup>st</sup> century in development.

Sandi Kronic – 106 Granite Ridge Road, Chapel Hill in Chatham County. She has a business at 547 Industrial Park Drive. She really wanted to speak against this project because she knows there is a lot she knows a lot of them will agree with the concepts behind it but it is not the right scale and it is absolutely not the right location. She feels – the downtown businesses would definitely be harmed by this mall. Her business has trucks coming out all times of day. Their company is nearly a million in annual sales right now. She fears that within a few years the operation of their company could be defeated because of truck traffic to their business and the mall traffic. I am not against economic development. She would encourage the Board to go and spend time at the site to realize it does not need to be paved over to draw businesses there. We don't have the need to have a lot of big box stores. There are plenty of opportunity for infield within a mile of downtown that are not ten blocks away outside of downtown that could be very beneficial to the Town of Pittsboro. It could support more quality of life features that people are discussing. There are place for bowling alleys and movie theaters and more banks if necessary. She is really concerned about harming the downtown businesses here.

Mayor Voller asked the name of her business.

Ms. Kronic stated Eastern Carolina Organics which is a marketing and distribution agency for NC Farmers.

Kris Howard – Chatham County resident at 303 Four Oaks Circle Pittsboro. She has a local business here – Chatham Homes Realty. She would like to speak on behalf of this project. There are so many people that come from out of town wanting to know when they buy a residence here what can they do with their families; where can they go. We have a wonderful Community College program that she speaks highly of. She attended the Economic Development meeting last week at the Community College and she was not surprised to hear the fact that most of our residents work and shop in Wake, Durham and Orange counties. Chatham County lost 7.7 millions dollars in sales tax last year by shopping out of the county. We could do wondrous things with those 7.7 million dollars. She loves her quality of life here but it can be enhanced by Pittsboro Place by being able to go to dinner, the movies and talk a walk on the arboretum. Pittsboro Place would become (with the years it takes to build it) an opportunity for us to join it to downtown. It's not going to complete with downtown. She thinks our resident will be glad to have it.

Barbara Beye Lorie – owns property on Masonic Street, lives in Chatham County stated: I am aware that growth has come and will continue to come to Pittsboro and the ETJ area. I am also aware that more than ever we must be vigilant as to what kind of growth we want in the downtown area of Pittsboro. Many years ago we developed with the aide of the town planner and volunteers an overview of land use for our town. The area now under consideration is zoned Industrial except for a 250 feet on either side at the beginning of Industrial Drive.

The developers of Pittsboro Place now come forward to ask for a change in zoning. Clearly these developers have not done their homework. One of the most significant and forward-looking industries of the 21<sup>st</sup> century is now located off Industrial Drive. I speak about Piedmont Biofuels, an industry that speaks to the need for alternative kinds of energy which are more and more required as peak oil is the norm for our planet. We would be stupid to jeopardize the functioning of this industry in any way. Their CEO has submitted information which states that large commercial trucks will be entering and leaving their industry 24-7. Industrial truck traffic is incompatible in every way with residential and office kinds of development.

My second concern deals with the environmental damage this inordinately large development would bring to this community. The developers claim they are bringing in a development that is compatible with the small town of Pittsboro. I beg to disagree. There is nothing compatible with a development that will use 6 mgd of water a day. These people have obviously been blind to the last 7 years of extreme drought conditions in this state, in the Piedmont, in this town. We cannot in any way supply the water that this mega development requires.

I, also, am shocked that there is nothing in their project which speaks to solar energy, day lighting, water conservation, recycling possibilities, outside recreation for people using these facilities. No, instead we have paved over impervious surfaces which raise the temperature at least ten degrees, requiring excessive air conditioning for all structures and loss of water being returned to underground water sources. This development is an environmental disaster, something that in every way is obsolete for the 21<sup>st</sup> century.

My last concern deals with the horrors of further traffic on the 64 traffic corridor. Anyone who lives and works in Pittsboro, anyone who is passing through at peak hours of 7 to 8 a.m. or 5 to 6 p.m. is already dealing with the crawl of bumper-to-bumper traffic in Pittsboro. Residents of Pittsboro are already faced with poor air quality from so many cars. The State Department of Transportation has been strapped for money for several years. We are not on the TIP list for the foreseeable future. It is time now for developers to come forth with developments that do not require automotive transportation, i.e. Meadowmont in Chapel Hill is an example of that. We need development where all forms of human activity take place within the development.

It is obvious to me that the developers of Pittsboro Place have come to our small town, bought land on the cheap, and think they can get away with a poorly planned structure because "we won't know the difference." I've got news for them. The crowd here tonight represents people who do know what developments are good or bad. We hope that our town planning board and our town commissioners know the same.

Allen Gaines – 39 Wood Duck Court, Chapel Hill in Chatham County “The Preserve”. He came out to support this project. He has several reasons the first is because his wife told him to go over a support that project because we have to drive all way into Chapel Hill to have this type opportunity for shopping and recreation. And then there is the fact that he is a fourth generation resident of Chatham. This great-grandfather and grandfather had a lumber business in Chatham County. His father continued on with the business and because of the limited opportunity three of his four children had to leave Chatham County. Personally he stayed in Raleigh where he started building and developing land in Wake and Durham counties. Chatham County has been like a hole in the doughnut as we call it; because you have Wake County that is developed, Lee, Orange, Durham, Alamance, and Moore that is developed also. These people are not coming in here on a whim they are investing millions of dollars. For one thing we should be honored that someone would come in and invest that money into this community for the growth and development. He is in favor of this project and he feels it would be a good thing. If not these folks at this location who is standing in line to bring us these things.

Tracy Kondracki – 192A Lorax Lane stated she owns and operate a small bookkeeping business located at the Piedmont Biofuels Industrial Plant off Industrial Park Drive. Prior to opening my business, I commuted 45 miles each way to RTP to my job. I have been working diligently over the last 5 years to achieve my dream of working in my beautiful community, away from the crowds, the traffic and the MALLS! Now, I understand that a developer has his sights set on ruining our historical downtown Pittsboro with a shopping mall larger than the Streets of Southpoint.

The developer plans to impose a mixed use development of retail stores and condos. The intended stores that are proposed are neither high end nor upscale department stores, but rather discount department stores such as Ross, Marshals & TJ Maxx. They claim that the project will create over 4380 potential new jobs in Pittsboro. In addition to retail, other jobs would consist of restaurant work and movie ticket takers. A mall this size is grossly out of proportion with our population, which as of 2005 were 2452 residents. Existing restaurants and retail businesses are strained to find dependable workers to fill these types of minimum wage jobs now. In order for these new businesses to succeed, they would need to bring low wage workers in by the busload in order to fill these 4380 potential jobs. In order for the mall to survive, it will need to attract people from other surrounding towns to drive into our community, lowering our air quality and increasing noise pollution. Can you imagine people driving to our town to shop at Marshals? I can't.

Folks, it can't be a party of shopping and dining all the time. If Pittsboro is going to succeed in the future, we need to balance our growth with equitable amounts of industrial businesses, retail businesses and residential housing. We need good industrial jobs where our residents can work and earn a respectable wage to support their families. Without an industrial infrastructure, the citizens of Pittsboro won't be able to shop and dine; because they'll be spending all their time commuting to work at other towns that do offer good solid industrial jobs.

I understand the desire for more services and shops in our town. There are existing locations zoned for retail and residential expansion along 15-501. The developer has chosen not to use the area already designated for this purpose, but rather, opts to destroy the only area left in Pittsboro that is zoned for industrial use. A much better use for the land would be to build an industrial park that would bring high paying good jobs to our community.

Having said that, let's not let Pittsboro Place put Pittsboro out of business, like the Streets of Southpoint put South Square out of business. We want to maintain Pittsboro's historical integrity by keeping its small town charm and close knit community alive. If we drive out industry, we will die as a community. We have a wonderful town consisting of caring residents such as artists, farmers, environmentalists and professionals. Most people that relocate to our community do so to get away from the urban hustle and bustle existent in towns like Cary. We don't need some out of town developer forcing us to give up what we've all worked so hard to achieve, because they see an opportunity to make a buck.

I encourage you to vote no to changing our final industrial zoned area to commercial and residential

Wesley Andrews – Representing the Chatham County Fair Association which is on Martin Luther King Drive which is next to these gentlemen (Pittsboro Place Partners). There interest best suits his interests. He is glad they are coming here. He was born here went away and come back like most of you people. He does know if we had 50 to 100 thousand dollar jobs around here most of the people in Chatham County would not get them they would come from somewhere else. So what he wants them to do is go ahead and build so that we can have some jobs and some of the people from Chatham can get them. Then maybe they will have some of those \$100,000 jobs and maybe some of his grandchildren can have some of those. There are a lot of people here with a lot of opinions and there is a lot of fear, we are holding back a lot of things. Let's bring some progress in.

Jan Nichols – 148 Fairview Road - My name is Jan Nichols; I live at 148 Fairview Road. I speak to you tonight as Chair of the Chatham Coalition. There are a few key points I would like to make about this proposal.

Approximately 60% of the working people of Chatham County now commute out of county to work. For a number of years, Pittsboro has planned for, set aside and zoned

lands on US 64 Business on the outskirts of town with the hopes of recruiting industrial development that would build a sustainable businesses community. Indeed build a business community that would create skilled jobs that pay living wages and provide health and other benefits.

At the county level a newly formed economic development commission and a newly hired EDC director are engaged in developing a strategic economic development plan that would surely enhance this business site. The Pittsboro Place Project is counter to all these efforts currently focused on attracting and fostering strong companies that will provide good wages and benefits for the citizens of our county. It promises to crush the vision of the citizens of Pittsboro and Chatham County for a sustainable, walk able community.

Pittsboro Place would replace this vision with businesses that bring only low wage, low skill jobs in the retail commercial and service sector, traffic congestion and other negative impacts.

We favor job creation and growth. It is clearly a matter of the types of jobs and how we grow. Continuing our work together we stand a better chance of placing well paid pharmaceutical, biotech, and sustainable manufacturing jobs on the site if we do not settle for the initial lower paying service sector jobs.

In addition the Pittsboro Place would result in the slow but sure demise of the town of Pittsboro choking it with traffic that would cause both citizens and visitors to avoid what has become a vibrant and growing downtown. Pittsboro Place would be the end of our beautiful town and all the plans that are in process to enhance its most valued qualities through carefully planned growth.

Thirdly, Pittsboro already has locations at 15-501 N and the US 64 bypass currently zoned to allow for the type of commercial retail development proposed by this project. We are in favor of bowling alleys, movie theaters, and additional shopping opportunities but we are in favor of them at these already identified locations. There is no need to rezone and relocate them to a prime industrial development site.

The Pittsboro Place project is in the wrong place, at the wrong time and at the wrong size for Pittsboro and is just plain wrong for Pittsboro. It is time to end the tradition of seeking only low paying jobs and ill-advised projects, and set out sights on 21<sup>st</sup> Century biotech and pharmaceutical jobs. We must stop using public policy and community assets to enrich a small secrete group at the expense of the citizens of Pittsboro and Chatham. The citizens of Pittsboro and Chatham deserve better from its leadership.

Carol Cox – 102 Lomond Lane in Cary – she owns a business next to this project. She wanted to know how many times a Town the size of Pittsboro get to have a beautiful development like this. She is for it.

Vance Remick – 121 Baldwin Farm Road in Chatham County. He asked isn't Siler City's downtown about 10 blocks from the mall on 64. Obviously Siler City is a good example of what we are looking for. He has a business here in Pittsboro the General Store Café. He has owned it for about five years or so. He knows for a fact that you'd have a lot more people interested in this project if they were talking about downtown. Buying some of the existing buildings and redoing some of the existing that are her working towards the existing structures. If they were putting the same money into downtown he is sure you would get a lot of people encouraged and looking forward to that. He realizes that growth in Chatham County really can only help his business so on one sense; but he is here to speak for the good things of Chatham County and Pittsboro that he believes are in danger do to uncontrolled and uncaring growth. What he wants to speak about is the quality of life issue. Before he brought the General Store Café he designed shoe, clothing and gift stores nationwide. One of the last projects he done was the gift store at the NC Zoo in Asheboro, about six years ago. He understands retail and knows what goes on. He has seen first hand downtowns like Pittsboro shrivel up and die because of malls like the one proposed to move into this area. He has watched it happen. It sounds wonderful when you get a nice mall over there and then you don't have a downtown. It has happened across America and everywhere. America is being super sized. He feels it is now Pittsboro's turn. He personally is not interested in being super sized, franchised or even modernized as far as that matters and he hopes the General Store speak to that at times. Actually a lot of his customers come from Cary and Apex trying to escape the super sizing that has gone on there. We need to control growth. His vision of Pittsboro is about arts, music, walkability, community, conservation, biodiesel, organic farmers markets and co-op's, living, working, sustainable growth, local owned businesses and just plain quality of life. That is why we have settled here and loving it. Not because of the possibility of being super sized by a franchise. We are not interested in being Cary or Apex. We know all of these are at our doorsteps so his suggestion is there are places that probably really want this type of stuff and that they head in that direction (referring to Pittsboro Place Partners).

Richard Taylor – I. E. Taylor Street. He heard a lot of people talk but if you would go back many years ago there was a theater and there were stores all up an down the street. Now all we have are antique stores. What he is seeing from their plan is they are developing Pittsboro the way it was before and he agrees wholeheartedly with them. He manager the Pittsboro Cemetery and they are working with him on that and he thinks they are doing a real good job. He would like for the Commissioners to think about your first black Commissioner I. E. Taylor – he would like for you all to go along with Pittsboro Place Partners. Thank you.

Commissioner Brooks stated so the public would understand. Mr. Taylor's father was Isaiah Taylor who was a valued member of this Town Board for many years and also the Principal of Horton School for many years.

Steven Hawthorne – 110 Blue Heron Road. The office for his practice is on Thompson Street. He stated this project would be good for Chatham County but he does not believe it is good for Pittsboro. It is much too dense; it is huge and will swallow the downtown of Pittsboro. Ten blocks is longer than Pittsboro. It is out there in the Industrial Park and the Industrial Park is out there because that is where it should be. It needs to stay zoned industrial. A project of this size will draw people from a distance. The traffic that this will draw is enormous and will destroy downtown Pittsboro. It should be put out on the Bypass because there is a lot of land out there. It is going to draw people from all over; it would be good for Chatham County out here but not good for Pittsboro in here.

Armentha Davis -176 Lees Point, Moncure. She stated a minimum wage job for some people here in Pittsboro would be a lifesaver. It is better to have a minimum wage job for some people than to have people going to Chapel Hill and Durham paying ten dollars; at least they could have food on their tables. We would have entertainment and recreation here. She would rather spend her dollars here in Pittsboro than spend her social security money in Chapel Hill, Raleigh, Sanford and Durham. So, she thinks something like this is good for Pittsboro or Moncure if they don't want you. Moncure needs to be developed come on down there (directed to Pittsboro Place Partners).

John Hammond stated: My name is John Hammond and I live at 848 Langdon, Pittsboro NC. I have been asked to review the economic impact data submitted to you by Pittsboro Place Partners. First let me say I'm personally amazed at the speed with which this gigantic project is moving. This massive evolving project needs to be reviewed in prudent, slow and careful manner and not steamrollered over the town in a few months. Further, I'm appalled that the identity of the Partners remains secret even as we speak this evening. Why do they refuse to identify themselves? What do they have to hide?

I have been fortunate to have both the March and June economic impact analysis statements prepared by Miley and Gallo and others. The fact that this project is in flux can be easily demonstrated by comparing these reports. Further by doing so one wonders as to the reality of the claims made in these analyses.

In March we are told that Pittsboro Place I was a 1.7 million sf complex on 69 acres and would include 38,000 sf movie theater, 25,000 sf bowling alley 39,000 sf hotel, 417,000 sf of retail tenants and 1.2 million sf of office space. Only a mere three months later we are told that Pittsboro Place is a 1.04 million sf complex on 73 acres and would

include 36,000 sf theater; 25,000 sf bowling alley, a 39,000 sf hotel; 455,000 sf of retail tenants; and 486,000 sf office space. Further we note that the value of the project is reduced from \$347 M in March to 208 M in June. Thus we have seen a 40% decrease in the value and the square feet of the project with a concomitant fall in property tax revenue projections. Clearly this project has not been carefully thought out and is clearly rushed.

More interesting and patho-pneumonic of an ill considered and rushed proposal is the marked changes in the employment/wage analysis as it evolved from March to June. In March we are told the PP would produce 4,310 jobs with a payroll of \$194,781,000 with wages for the average said to be \$45,193 annually but only three months later we are told that PP would employ 2593 people with an average wage of \$27,810.00 per year. The consultants report that the average worker living in Chatham earns \$35,000 per year whereas the state average is \$30,000 per year. Clearly the employment and wage data in March is suspect since average the salary is well above the state average and it is well known that retail commercial is one of the poorest paying sectors in business community.

The consultants point out the actual number of employees will be higher since many of these establishments employ personnel on a part-time basis [which can be read low wage, low skill and no benefits] since they are open more than 40 hours per week.

If the basis for projected number of employees is taken as Full Time Equivalent's, which is the intent of those marketing this project and annual salaries are calculated from the projected annual payroll those salaries are clearly ludicrous.

Personally I would want to work in the bowling alley where employees are said to make \$62,000 per year in June report but then again the same employees in the March made only \$6,400 per year but then again all of this is only an "educated guess".

Also, in passing PP IV the condo/town home, office medical and professional complex again produces average salaries of \$57,000 per year based on estimated employees and projected annual payroll. As this consultant has done in the past on other projects in Chatham they grossly underestimate the number of school age children that would come from the 312, 316 or 332 single family attached units by using Chatham County census data from 2000. How can such data be representative of the real number of students when in 2000 many or possibly all of the attached single-family homes were in Fearrington Village, which is largely a community of retirees? Clearly this estimate is invalid and is a gross purposeful underestimate of school age children likely to live in this development. It is far more probable that the number will be closer to 133 than 48.

After looking at the theoretical ever-moving economic impact data you should require the secret partners to produce data that would pass the common sense test. This project is clearly in the wrong place, is the wrong size, at the wrong time and is just wrong for Pittsboro. It is only right for a secret group of land speculators and political cronies that is driving this project at breakneck speed.

The future of Pittsboro requires that this proposal be rejected so that the Industrial Drive property will remain zoned for 21<sup>st</sup> century biotech type businesses and not be wasted on low wage and low benefit commercial retail businesses and finally end Chatham's love affair for such low wage businesses.

I hope you will act in the public's interest and not the special interests of the secret few. Thank you for your time and attention.

Job Analysis Table

<b>March</b>	<b>No. of</b>		<b>Annual</b>
<b>Type</b>	<b>Jobs</b>	<b>Payroll</b>	<b>salary</b>
Retail	17	\$905,000	\$53,235
Retail	544	\$16,611,000	\$30,535
theater	53	\$1,709,000	\$32,245
Bowling alley	36	\$231,000	\$6,417
Hotel	20	\$317,000	\$15,850
Office	3640	\$175,008,00	\$48,079
<b>Total</b>	<b>4310</b>	<b>\$194,781,00</b>	<b>\$45,193</b>
^			
<b>June</b>			
Outparcel &	1037	\$15,162,000	\$14,621
Theater	49	\$713,000	\$14,551
Bowling Alley	36	\$2,248,000	\$62,444
Hotel	21	\$797,000	\$37,952
Office workers	1450	\$53,191,000	\$36,683
<b>Total</b>	<b>2593</b>	<b>\$72,111,000</b>	<b>\$27,810</b>

Charles R. Devinney – 443 Oakwood Drive stated this year you did him a favor you didn't raise his taxes, but you raised his waste fees. The county didn't do so good they raised his taxes two cents. When he looks at Pittsboro he looks at a lot of facilities in this town that does not pay taxes, community college, county government, jail, schools, Christian Home, churches, he could go on and on. The homeowner is being taxed to provide a lot of services in this town one of them is fire protection. These tax exempt facilities do not pay taxes and it is becoming harder and harder for people like himself (retired). This request is basically about rezoning. This rezoning issue if you pass it, he hopes if there are any additional changes to this zone in the future that you would make them apply to this zoning change. He doesn't want all this stuff going north of town. We have a lot going on there. He didn't hear any problems when they were going to build 1043 houses on a little over 100 acres in Powell Place. Between that and the development across the road it is creating a lot of traffic and those issues were never addressed. He hopes we have diversified areas of growth because we can't have them all in one area. Thank you.

Connie McAdams 597 Alston Chapel Road stated she grew up in the country on a tobacco farm in Orange County just a few miles from here. I've lived and worked in Pittsboro for 30 years.

Recently I heard a rumor that "Pittsboro might be getting a huge new mall!" Then last week I saw a promotional flier for "Pittsboro Place" asking me if I didn't want a bowling alley, theater and restaurant. My first reaction was "Why? Why would we need those?" My second reaction was, "We don't! No, thank you, Mr. Developer. I'm sure you need it much more than I do. Pittsboro is already a wonderful place. We already have the best of both worlds. We have a beautiful small town filled with history, unique shops, friendly shopkeepers, and an almost family-like atmosphere of caring and cooperation among neighbors, old and new.

We also live within easy driving distance of big city attractions. Why mess up a good thing? I know that some people would argue that having a mall here would be more "convenient." The negatives (like traffic congestion, bright lights, noise, tons more trash, and environmental destruction) would far out weigh any such "convenience" for me. The "inconvenient truth" is that somehow we have to learn how to move from credit card driven consumption to a sustainable lifestyle. Mega malls are poor teachers of this value.

My alma mater of UNCG serves as a better teacher. The feature article in the recent alumni magazine was called "Back to our Future". It tells about how the university was largely self sustaining in the early 20<sup>th</sup> century with its own farms and food production system. Then, after decades of "progress" they are again faced with "the challenge for UNCG to make sustainability (both locally and globally) a priority in a world facing unprecedented environmental and societal pressures, from soaring energy costs to global warming to the growing gap between rich and poor."

We in Pittsboro are facing those same challenges, and the choice between encouraging increased consumption or a sustainable life-style for our community should not be hard. We should work at becoming a model sustainable small town going back to the future, rather than being "Mailed to death" and dying of "consumption." The environmentalists among us are concerned about invasive species which destroy the balance of nature by crowding out the native plants. I see big money schemes such as Pittsboro Place as invasive to our community. If allowed to sprout and grow, such plans will destroy the balance of our culture in our community and devour the town which we cherish. The answer is in prevention; Like Barney said, "Nip it in the Bud!" Remember kudzu!

I work for a non-profit agency serving low income families here in Chatham County. How would this retail project which would displace an industrial park with potential high end jobs help them? How many of the advertised "3000 jobs" will offer a living wage instead of minimum wages? Will the folks working at these retail jobs be able to afford to live in any of the 332 proposed residential units? Will they be able to walk to work? The market rate for a two year old in a 5 star child care center in Chatham County is \$641 per month. Would these workers be able to afford quality child care? Even working full time at \$10 per hour, it would still take 37% of the gross monthly income to just pay for child care for one child.

I've had the privilege of showing visitors from out of town around Pittsboro. I was so proud of my hometown when these visitors were so enthusiastic and complimentary of our downtown. They loved the unique variety of stores and the relaxed, welcoming, and friendly atmosphere. The feature article in Saturday's News and Observer, about our very own "French Connections" summed it up well by saying "you can't just go to the mall and find anything they have". I like that Pittsboro is recognized for its uniqueness. I don't want us to become "that once-upon-a-time little town with a big fancy new mall". Anybody can have a mall! I think we deserve better for ourselves and for Pittsboro.

On the surface, a new mall with some recreation, entertainment and good food may look like an "easy sell" to these developers (whoever they are). But I urge us all to look below the surface at the deeper impacts of this project. What message and what legacy would this project leave for our children? Think about our values and what we think we need here (living wages, affordable housing, a vibrant healthy downtown, and a sustainable community) instead of what big dollar developers tell us we need. For the sake of the survival of all things authentic and special in downtown Pittsboro, its ETJ, and Chatham County, I urge you to recognize that this is the WRONG plan for the WRONG place at the WRONG time. Pittsboro is already a fine "PLACE". We don't need an artificial, theme-park type "Pittsboro Place" to put us on the map.

As I said, I grew up on a farm. "Going to town" was a rare treat which we looked forward to. We have some fine larger towns and cities in our area, and I still enjoy "going to town" once in a while, but even more I enjoy coming back home to our comfortable, and peaceful small-town lifestyle. **I want to be able to choose when to go to town. I DO NOT want Town to come to me.**

Since I've heard Pittsboro Place compared to Streets at South Point, I decided to look up some information about that center. Demographic quick facts prepared by Claritas Inc in March 2007 show an estimated 2006 population of 759,352 in the South Point Trade area. The 2006 census bureau population estimate for Chatham County is 60,052. So do we want to multiply our current county population 12 times in order to support a mall the size of Pittsboro Place? Can you imagine what that kind of population explosion would do to the small town home town that we all love? Can you even begin to fathom the traffic gridlock it would cause, not just around the mall parking lots at Christmas time, but on all the roads and streets, all the time? Bigger is definitely NOT BETTER in this case.

Thank you.

Lelah Bennett – 321 Rectory Street. She was born in Raleigh and her great-great grandfather lived in Chatham County. She spent 40 years in Miami as a Commercial and Industrial Realtor. She would have to tell you it raises more questions than it answers. It was too vague regarding a lot of important issues. For one things bringin in a major retailer (they have criteria too). They want to see about 5,000 people within a three mile radius, she don't think we qualify for that. It just seems to her we have the cart before the

horse. The first thing is the town really needs to set realistic perimeters regarding development. You have to have high enough impact fees and set strong penalties for non-compliance. Would your developer pay for all the increased police force, double the water and sewer capacity? We know our water quality is not great. Our sewer system is totally outdated and this is a problem that really needs to be solved first. She is concerned the increased cost for all this development will increase the taxes on small businesses and homes. What attracted her here is Pittsboro is what it is. It really made her angry this morning when she read in the newspaper that they refer to the people of Pittsboro as retired tobacco farms and 70's hippies. One thing she really has not heard is very much about the developers. Do they have the financial strength and tract record that you want for someone coming in here? If we get into an inflationary period and they can't get the kind of tenant they want or they stay for two or three years of their lease and disappear. Who is going to be left with the mess to clean up? She has seen a lot of developer's presentations and she has yet to see one developer that built things and contained their cost the way the presentation said they would. If you decide to go ahead with this first stage of the development; if she was on the Town Board she would make sure you don't commit to more than that until you see what they do with this and to get the money up front so you don't have to pick up the pieces.

Andrea Young, 1323 Pleasant Hill Church Road, Siler City, NC stated: Although I live outside of Pittsboro, I work in the town. My office is located at the Piedmont Biofuels Plant on Industrial Park Drive.

If you have never been to see this remarkable testament to what an Industrial Site can be I invite you to attend a free Public Tour on every First Friday of the month. This is real estate crafted to serve on multiple levels. From biodiverse landscaping to a high yield organic farm, from a hydroponic greenhouse to a Vermiculture project turning waste into fertilizer this is sustainable proof that industry brings creativity, growth and economic viability to bear. Because, Oh yeah we also produce between 60 and 70,000 gallons of Biodiesel each month and house two warehouses, a separate accounting business and a non profit.

For Pittsboro Place to exist the trees must be clear cut, impervious parking lots added and we loose our only industrially zoned site for a shopping Mall. What do you gain?

Developers tout mixed use, with shopping, offices, hotel and theatre but what of the current opportunities for these same options? Isn't there land already zoned for commercial development at the intersection of 64 and 15 501? This area seems to be considering the growth rate and holding back for awhile. Isn't that a clue that this is an unnecessary addition to our town?

As for jobs, have that discussion with folks who are trying to run established businesses in town. They have a hard time keeping their employment rosters full, where will 3000 more folks who want low wage retail jobs come from.

I do appreciate the developers concerns for our community by offering a 5 acre park and bicycling trails. These are viable for an industrial site and will work hand in hand with what has been established in the area.

Before we give up on the idea of higher paying, sustainable jobs coming to Pittsboro let's examine all our options, work with our new Economic Development Director and listen to our interested citizens in an open forum. This is one of the last chances to keep Pittsboro unique, let's not be in hurry to look like the neighboring towns.

**Dee Reid, 590 Old Goldston Road, Pittsboro stated:**

You are being asked to re-zone your only industrial park to make way for Pittsboro Place, a mixed-use "lifestyle center" on the edge of town. There is another place we all know and love, called Pittsboro -- an authentic, historic small town, whose uniqueness has begun to attract new residents, more locally owned shops, and innovative industries such as Biolex, Blast, and Piedmont Biofuels.

Pittsboro Place developers say they will bring movies, restaurants, shops, parks and trails to "downtown Pittsboro," which sounds pretty nice. But what they don't make explicit is that they will essentially replace our historic downtown with a new Main Street at the edge of town. This is exactly the opposite of what citizens have asked the Town to do.

At a recent *charette* sponsored by the Town of Pittsboro, residents were excited about the possibilities for economic development in our central business district. They agreed that Pittsboro should encourage businesses, eateries and galleries downtown, and connect businesses, parks and neighborhoods with sidewalks and trails. They said Pittsboro should capitalize on the small-town charm that developers are trying to re-create elsewhere.

Pittsboro Place developers promise that the buildings on their main street on the edge of town will look like the very shops that exist today in our real downtown, much like Southpointe Mall's artificial re-creation of downtown Durham. And when it's completely built out, Pittsboro Place will be twice as massive as Southpointe. It's hard to imagine anything of that scale in Pittsboro.

Developers say that Pittsboro Place can do for Pittsboro what Birkdale Village has done for Huntersville, near Charlotte. In 1990, Huntersville was a historic small town, with a population of 3,000, much like Pittsboro today. Now, Huntersville has a population of 40,000, thanks to Birkdale. Birkdale is a very nice place if you want an urban environment.

Today the real Huntersville is now essentially a few historic sites — a church, a graveyard, another historic building or two. The town's commercial activity takes place down the road at Birkdale Village, where there are More than 50 shops and eateries, most of them nationally owned enterprises. Birkdale has been a "boon to realtors and homebuilders" according to the Hunterville town web site. But jobs there pay low wages and real estate prices are through the roof.

What's more, the traffic analysis for Pittsboro Place predicts 13,000 car trips a day. By the developers' own admission, traffic will be so bad around our courthouse circle that motorists will choose to avoid the circle and use "alternate streets." I wonder if the residents of Nooe Street, Salisbury, Thompson and other roads adjacent to downtown are prepared to absorb this kind of traffic.

The developers' solution to this gridlock is equally scary: a) widen US 64 business from the courthouse to the bypass to four lanes, or b) add another exit off of US 64 bypass that will take shoppers directly to Pittsboro Place (avoiding downtown altogether). Folks going to the movies at Pittsboro Place are not going to get back in their cars to drive downtown to get ice cream at S & T's Soda Shop, pizza at Elizabeth's, or supper at the General Store Café, or Scoreboard.

Pittsboro needs more economic development, especially higher paying jobs. But instead of converting your only industrial park to a retail shopping mall that will offer low-wage retail jobs and bring in national franchises that will kill our locally owned businesses, why not find creative ways to attract compatible high-tech and green industries to the industrial park and the downtown?

Pittsboro Place may be good for developers, realtors and builders, but it does not appear to be a good deal for the people who live in Pittsboro and own shops and restaurants in our downtown.

This is the most massive commercial development ever proposed for Pittsboro or Chatham County. If approved, it will destroy our historic downtown and change our way of life forever. I urge you to take your time in considering every aspect of this proposal and require additional information from the developers concerning the environmental, traffic and economic impacts. I also urge you to hold additional public hearings so that we who live and work in Pittsboro can have more time to learn about these impacts and comment on them, before you make any decision. Thank you.

Jim Hinkley – 126 Evergreen Drive stated he is a strong believer in Smart Growth, and I am a strong advocate for Land Use Planning for Pittsboro.

We should all know that it just makes good sense for Pittsboro to have a land use plan in place before it makes any big decisions about its future. Under the able leadership of our Town Planner, David Monroe, and with the assistance of the Triangle Council of Governments, Pittsboro is in the process of preparing a land use plan. The plan is not complete, however, and has yet to be adopted by the Town Board. To take the proposed action before us this evening at this hearing before Pittsboro's land use plan is complete would be placing the cart before the horse. It just would not make common sense. It would be foolhardy.

For years our Planning Board and our Town Commissioners have been operating in a reactionary mode without the benefit of sensible land use planning. In cases, these boards have responded to individual desires and pressures without looking at the big

picture. Pittsboro has appeared to be a soft touch for rezoning proposals, and developers are aware of it. Pittsboro deserves to be able to plan for itself and make its own decisions. We should resent being told by outside realtors and developers how they think we should grow.

Rezoning our industrial park to Mixed Use would be very short sighted and place our newly constituted Economic Development Commission at a great disadvantage at the get go. Our dynamic mayor is vice chair. Jobs that industrial development will bring would be good paying, with good benefits. On the other hand, service and retail sales dead-end-jobs at proposed Pittsboro Place would be low paying.

Based on Chapel Hill's beautiful Meadowmont model, mixed use Powell Place has been balanced to match Pittsboro's style and scale of development. It will be more than enough for Pittsboro for a number of years to come.

Growth is inevitable for Pittsboro. We need to embrace the fact that there will be continuing pressure on us, but we need to do it our way.

I would like to see Pittsboro develop a vision for its future and plan for it, and then stick to it, and not be swayed by outside pressures.

Outside developers, who do not identify themselves, with pie-in-the-sky promises should not be allowed to dictate to us who they think we ought to be. Pittsboro should plan on its own. We should do this for ourselves. We owe this to ourselves. As a citizen who loves Pittsboro, I beg you to make the clear headed decision to keep our industrial park by rejecting this rezoning proposal.

I am grateful for the opportunity to speak.

Tim Keim – 93 Cynthia Lane stated our little community is at a critical crossroads. We are now in the process of deciding what the character of our town will be. In a very real sense, we're attempting to define the soul of our community. That's what we're struggling with. I know you all want what's best for our town although there may be competing visions among us.

Three summers ago, I visited a place called Dorr County, Wisconsin. On the coast of Lake Michigan. it's like a step back in time. For miles and miles one drives through rolling farmlands connected by quaint but vibrant little towns that are fueled by homegrown businesses. Never is the beauty of these towns scarred by tacky strip mall franchises. Money spent in these towns stays in these towns, and that's one reason they're so beautiful. We can also build a self-sufficient town like these.

Our little town has spawned its own regional music festival at Shakori Hills; we have a nationally recognized biodiesel facility and our own organic food coop that supports

local farmers, who in my opinion are the most important people in the world. We have the local talent to grow this town from home.

Currently, we're being courted by the developers of Pittsboro Place. Our town has a lot of pent up desire for the amenities they offer. And we deserve to be well served by such amenities. But if there's one thing I've learned about life, it is do not take the first offer. Don't sell yourself short. Demand excellence.

There's an old bible story about Jacob and Esau. Esau, the eldest, was entitled to inherit the family's wealth. After several days of poor hunting Esau staggered back home, faint from hunger and demanded that Jacob feed him. Jacob saw the opportunity to take advantage of his brothers weakened state. Jacob said give be your inheritance for a bowl of porridge. The starving Esau agreed and lost his future wealth.

This town has the soul and talent to be something exceptional. I'm calling upon all of you to make the sometimes difficult choices to create a Pittsboro that will be the envy of our Piedmont.

Commissioner Cotten asked if they had a prepared statement that they identify themselves and present it to be entered into the public records.

Michele Berger -93 Cynthia Lane stated like many others in attendance she wants to raise concerns about the proposed development Pittsboro Place and how this will affect the character of our town. Everyone will admit that we have tough choices in front of us relating to how we are going to grow. Walking around yesterday she heard many of her neighbors are frustrated by the lack of things to do. She hears those concerns and she thinks the Board hears those concerns. However, given the any unanswered still looming questions about this project give us all a moment to pause. We can not rush in blindly and accept a project that could have terrible consequences for the quality of life of the residents in terms of congested traffic, the demise of downtown revitalization and ugly strip mall syndrome. Pittsboro Together and other community partners have been advancing a sensible plan regarding economic development that includes strategic growth from downtown outward. She believes in a sustainable path that is guaranteed to make us a leader in the state and not a follower. It is a path that would help us to develop our character and not destroy it. She thinks most of us stay in the community because of that intangible quality of the town. Its character we can grow and continue to attract strong companies in the high tech sector. And we can continue to attract local owned businesses, but we can't do that if we are hasty to act on proposals that seek to avoid full disclosure and are too long in both their scale and their scope. Pittsboro is in the process of writing its next chapter of community life and she wants this chapter – our chapter to have a happy and satisfying ending. If Pittsboro hastily encourages development without a careful process then she fears for the outcome. Please don't rezone this land. Thank you.

Pam Smith – 530 Sanford Road stated the Board has a tough job. She doesn't have much to say because everybody said it for her. She has a business in the circle (30 years) and she knows traffic will be a gridlock. We have something special here (we don't need to be another Apex or Cary) and we need to preserve it. She is proud to be a part of this county and she hopes the Board will think about this. We don't need to lose our industrial zoning. The rush is not important what is important is that we set ordinances and we make plans because it's coming and we cannot stop it. She understands why people want the movies and grocery stores but we cannot afford to lose our industrial zoning. We need it. Her quality of life is not going to be enhanced by a strip mall. Thank you.

Lois Hurley – 16 Matchwood, CCED President stated tonight, I am speaking to you as the President of Chatham Citizens for Effective Communities (CCEC). There are over 2,000 people who are involved with our organization, many of whom will be directly affected should this rezoning be enacted. CCEC has been reviewing development applications, both residential and commercial, for over 4 years now and we have developed a network of competent citizens who assist us.

Pittsboro Place is an ambitious project affecting residents and visitors alike: over 1.3 million sq. ft of new commercial endeavors; a skyscraper; takes the only industrial property in Pittsboro and turn it into a mixed use area; requires an eventual by-pass of downtown Pittsboro and doesn't include any affordable housing.

The plans submitted, clearly state (tab 5, page 4) that it is intended to be a natural compliment to downtown and would also fortify the revitalization of downtown. They also state that retail development along a by-pass can potentially siphon business away from a downtown. Yet, under the same tab, on page 7, they indicate that a by-pass of downtown will eventually be needed. They giveth and they taketh away.

Nothing in these plans addresses the water requirements for the project. A normal estimate for these water requirements is about 325,000 gallons per day at full build out. Can the Haw River supply this during a drought? Can your water plant handle it? This property has only a 15,000 gpd discharge allocation to the wastewater treatment plant. What goes in has to come out. So where will the extra 310,000 gpd go? That's a lot of wastewater. It's more than half of the intended Phase I of your new plant design. Your downtown area has been waiting for expansion of this plant; the merchants have put their plans on hold until you solve the wastewater issue. And now, you have a proposal that will gobble up much of this capacity. Is this wise planning?

Let's look at the plans for the "top of the Empire State Building". Through convoluted measurements, they propose an approximately 120 foot high skyscraper for Pittsboro. More than twice as high than anything allowed in the entire County. In all fairness, they would limit it to 12 stories. The planned location for this proposed skyscraper isn't clear from the plans. They plan to donate a fire truck that can reach that height. But there appears to be no consideration of housing for this truck. No consideration of the

turning radius for such a large truck. No consideration for the impact of this heavy truck on existing roads. No consideration of the cost of training our brave firemen on how to use this truck. Have they have even considered how close this truck could get to the 150 ft. tall building so that the ladder can be extended safely?

These developers believe this is in keeping with the small town character of Pittsboro. Under tab 5, page 9, the developers admit that they feel their plans are a logical extension of downtown while incorporating building sizes that MAY NOT be appropriate for the scale of the downtown area. In the same section, they also indicate they may require additional parking decks and even TALLER buildings in the future!

They mention the "Lifestyle Center of the Town Center" (tab 7 page 1). This should not be the "Town Center" for Pittsboro. You already have a town center. it's downtown, around the circle and it spreads out from there. Their intentions are for a brand new Pittsboro, by-passing the current Pittsboro. You are revising your Land Use Plan. You have involved the citizens in this plan. Where does this project fit in?

Tonight, others from CCEC will address aspects of these plans in more detail. But I do want to mention one major problem, now. The public has not had sufficient time to review this application. This is a proposal that will change Pittsboro forever. Yet, the developer did not make an electronic version of this proposal available until late last week. Citizens were not informed about any of the specific details about the proposal through the newspaper. Three or four days is insufficient time for anyone to evaluate a major proposal that will change the character of their town and their lives. For some, tonight is the first time citizens have heard any details about this proposal. The school board is meeting tonight and they are unable to attend. Yet, there will be children involved in this development who will attend our schools.

This application, submitted last March has undergone several major changes recently. Four months for review is an extraordinarily fast track for a development of this size, scope and impact. The Planning Board has evaluated the proposal and made their recommendations. Yet, there were no independent peer reviews requested, nor made, of the traffic, marketing, fiscal or environmental aspects of this application. This is the biggest project to ever come before you and it would appear that you are taking the developer's word for all of it. Is that wise?

All due respect to the "Partners" but you need an independent, scientific review of all this information. The citizens also need to be able to review this proposal in depth. More time is needed, before your decision. We urge you to request these peer reviews and keep the record open so the citizens can thoroughly review the information and submit their comments.

Please take your time and not make a hasty decision. The impacts are far too great. Thank you.

Commissioner Brooks stated we need to abide by the rules regarding time.

Mayor Voller stated this is the only time citizens have an opportunity to speak.

Mayor Voller said we can always adjoin and do another public hearing. We have another 40 people signed up to speak.

Dee Reid stated she is personally offended that our Commissioners are saying there is not enough time for the citizens to speak on the largest development request that has even been considered in the history of this county. Many people in this room have not even had time to look at this proposal.

Rita Spina stated she would make a suggestion that since there are still 41 speakers left that the board offers a continuation of the public hearing. If the Board can't do it CCED will be very happy to arrange a public forum for the citizens and at that forum they will invite every newspaper. They would be very happy to produce a record of this and they would get it out by pod casting because they are going public with this. So you decide it could be an extension of this hearing or they will do it for you.

Mayor Voller asked the wishes of the Board about a continuance.

Commissioner Brooks stated he feels everyone should be heard. He would like to have the hearing continued.

Commissioner Cotten stated he would not for it to be restricted to those that have signed up already. He doesn't think we should allow others to sign up.

Commissioner Baldwin stated it is always wonderful to hear what everyone has to say because it not only affects Chatham County and Pittsboro but the surrounding areas as well. So we always welcome input from individuals. We will listen to what you have to say of course. What we will have to do is continue this particular hearing that is how she feels about it.

Mary DeMare – 1588 NC 87N asked if it is continued would the people that had already left get a chance to speak.

Mayor Voller stated he would not have a problem with that. He does not have a problem with them speaking if they have not signed up. He is in favor of giving the proponents and opponents as much time as need to speak. Everyone should get a chance to speak.

Commissioner Brooks if we continue it the hearing let everyone that came tonight and signed up even if they had left still have an opportunity to speak.

Mayor Voller stated if you haven't signed up you may submit written comments.

Gray Styers stated he don't think it is reasonable to expect the Board to continue until 2 or 3 am, everyone is tired. He does think those signed up has a right to speak and be

heard. It is important that everyone be heard. They expect the Board to have some questions of some of the team members. Most of their staff could be available next Monday or possibility tomorrow night. They will work with the Board to try to get their folks here.

Mayor Voller stated we have one Board member that will not be here next week because he is on vacation (Commissioner Walker).

Planner Monroe cautioned the Board about tomorrow night because we would have to make sure the room is available.

Commissioner Brooks stated Monday would give them more time to find out about the project if they had not seen it before.

Gray Styers stated electronic copies of the information have been supplied to the Town for several days. Most of this information has been a part of public records since March.

Commissioner Brooks made a motion to continue the hearing until next Monday night and that we give everybody that signed up tonight an opportunity to speak even if they had left tonight when their names were called. Contingent upon us getting this room, seconded by Commissioner Baldwin.

Commissioner Brooks said the meeting will be at 7 o'clock.

Commissioner Cotten reminded everyone they could submit written comments.

Efrain Ramirez stated it may have been available since March but many of them did not know about it until the flyers went out.

Vote Aye-5 Nay-0

#### CONTINUATION MEETING JULY 30, 2007

Mayor Voller announced that the Fire Marshall had reminded us that everyone needs to be seated. He asked that they please refrain from hissing and applauding so that both sides can express their views in a way that is conducive to good public policy. Please work with us on that. Also each speaker will have three minutes after their introduction. Mr. Monroe will have a let you know when you have 30 seconds. If you want to yield your speaking time to someone else because your points have been made just notify us. You can also submit any of your comments that you brought with you to the written record and for the public record.

Mayor Voller reconvened the meeting and asked for a moment of silence.

Members present: Mayor Randy Voller, Commissioner Max G. Cotten, C. E. Bryan, III, Gene T. Brooks and Pamela Baldwin. Commissioner Chris Walker was absent.

Staff present: Attorney Paul S. Messick, Jr., Clerk Alice F. Lloyd, Planner David Monroe, Chief of Police David Collins and Lt. Tom McGinty.

Commissioner Cotten said you have already mentioned a couple of things he was going to mention so he is not going to mention them again. He wants to emphasize if they have their comments in writing to please give it to Mrs. Lloyd so she can incorporate it into the minutes. Since Commissioner Walker is not with us he hopes we will not vote tonight. The earliest possible time that he could see would be August 13<sup>th</sup> and that may be too ambiguous. They as Commissioners have to review everything that has been said, research the law and so forth. Our decision no matter now we may feel will have to be made in accordance with the laws of North Carolina and the Town of Pittsboro Zoning Ordinances. Thank you.

Mayor Voller stated a member of the public asked that he introduce the Board members.

Written comments submitted before the meeting are as follows:

Mr. Monroe, I am forwarding my concerns to you about the Industrial Drive development. Is it possible (since I cannot find e-mail ids for them) that you forward a copy of my note to the Mayor and the Pittsboro Commissioners?? I would appreciate it. Thank you for your time.

I would like to voice my concerns and suggestions over the Industrial Drive development in Pittsboro. AND especially after reading the article in the N&O about the size of the development, I am just distraught!!

Pittsboro is a lovely town with an atmosphere so different than any of the surrounding areas! Trust me; do a check of how many people move here from Cary and Apex to get AWAY from exactly what this development is intending to produce in Pittsboro. It will make it just like any other homogenous, strip mall, boring Raleigh suburb. I don't want Pittsboro to lose its charm and identity.

I have no problem with smart growth. That site could be developed with a **small** movie theater, a **small** grocery store, restaurants (locally owned, NOT national chains!!) which would all be wonderful additions to the "neighborhood". But the key here is the scale of the development. You can't put a huge movie theater or a Target or anything like that in Pittsboro. It would FOREVER change the landscape and feel of the town. And once it is ruined, it can't be taken back.

Also, the traffic congestion that would be caused by a development of the size proposed in that little town would be unbearable.

Thank you for your time and consideration  
Lynette M. Gavalier

From: Anne Geer and David Scott

We have lived in Chatham for twenty-eight years, and live just outside the Pittsboro ETJ. We love Pittsboro's "small town" strengths, have always shopped in Pittsboro (as much as we could), appreciated its excellent library and community college facilities, and loved the fact that our kids were able to walk "uptown" after school safely.

We miss the many "real" businesses that used to be downtown, and do drive to Chapel Hill, Durham or Wake for many things.

We appreciate your difficult decision as to Pittsboro Place. Chatham does need more commercial development; we do need the tax dollars they will bring to the county.

**But we do NOT support the current proposal, in its current location or configuration.**

We think the scale of this project is too large for this location. Out by the bypass seems a much better spot to handle the traffic it would generate.

The speaker for the development side-stepped the question of the Courthouse Circle traffic. As proposed, this would have a tremendous impact and traffic tie-ups would affect our downtown negatively.

In addition, the actual design and components seemed very theoretical at this point. Changing the zoning to give developers free rein seems very short-sighted.

Pittsboro is a unique community for the Triangle area, and you have the ability to see that it maintains its individuality as it grows. We cannot live on antiques alone, but we should protect our town core, do as much as we can to grow good jobs for our people. We do not want to see Pittsboro become just another Cary!

Bring on the movie theater, but not the whole project. Work with the developers to bring useful stores, and encourage local businesses.

Thank you for the work you do for the community.

Anne Geer and David Scott  
501 Eddie Perry Road  
Pittsboro

Ladies and Gentlemen:

You must not vote in favor of Pittsboro Place mall for a number of reasons:

- The names of the owners have not been revealed. How can we (and you, the commissioners) know the character of these people and whether or not they will

comply with the Town's laws and regulation and act in the best interest of the residents and businesses of Pittsboro and Chatham?

- The size of the proposed shopping center is way out of scale. Larger than South Point? Horrors!
- Pittsboro Place mall will generate too much traffic, requiring new roads and traffic lights, not to mention the air pollution and smog that will result. Have you done a traffic analysis and an environmental impact study?
- Pittsboro doesn't have the infrastructure needed for such a large development. Will the developers be willing to provide the necessary infrastructure at their own cost, including a water treatment plant and a wastewater facility?
- Pittsboro's wastewater capacity is too small as it is, and the state has already turned down Pittsboro's pleas for additional wastewater capacity, which, if approved, will pour gallons of grey water into Lake Jordan, the water source for much of the Triangle. Spray fields don't really work in Chatham either because its ground is almost impermeable, causing run off into our water supply, Jordan Lake. Run off will increase as acres and acres are paved for the mall's parking lots. Will you require an environmental impact study on wastewater from such large project?
- This huge shopping center will destroy the historic town of Pittsboro. Just like shopping centers have destroyed Siler City. This town to our east has watched as its downtown and residential neighborhoods were abandoned and became decayed -- all because of shopping centers -- much smaller than Pittsboro Place -- built on the outskirts of town.
- You might as well kiss off existing businesses in downtown Pittsboro, leaving empty and deteriorating buildings in the wake of Pittsboro Place. Have you done an economic impact study of the effect of this project on local businesses?
- To be sure, Pittsboro's commercial core will wither and die and it's charming in-town homes will fall into disuse, or worse. This has happened all over the South: Small towns die when a shopping center is built on its outskirts. No "Operation Main Street" or lots of federal money can reverse this trend once it has started.
- We are a predominantly a rural county. Having such a giant shopping center in Pittsboro will destroy this very beautiful town and its surrounding countryside.
- Do you want Pittsboro to become another Cary? If you allow Pittsboro Place to be built, it will become like Cary, and you will loose people who don't want to live in a suburban setting, but instead want to live in small town America, where they can become a part of the community and make friends.
- Many of the people who live in Pittsboro and Chatham County volunteer untold hours for the benefit of Pittsboro's children, senior citizens, artists and the like. The Friends of the Pittsboro Library, for example, has hundreds of volunteers working for the good of the community. I don't think these folks would put so much effort into a suburban, sterile community.

I am sorry that I cannot personally present my views on this matter, but I trust that you will read it and carefully consider the negative implications of such an inappropriate development.

Katherine S. Griffith

342 Fearington Post  
Pittsboro, NC 27312

To the Pittsboro Commissioners,

Please consider my letter when you make your decision about Pittsboro Place on July 30.

When I went to the meeting on Monday night I had not decided whether I would like to have "Pittsboro Place" built or not. Yes, I enjoy going out for dinner and a movie, shopping for new shoes, etc., as do most of us.

But as I listened to the presentation and the speakers, I realized that in having "Pittsboro Place" in that location, we would be losing the opportunity to have a valuable industrial park.

"Pittsboro Place" would offer most of us some conveniences and entertainment, but it would also bring us enormous amounts of traffic and it would NOT bring business to our historic downtown.

Much of the discussion on Monday was about the huge number of jobs that Pittsboro Place would provide. Many of these would be minimum wage jobs with little or no opportunity for advancement.

An industrial park would also provide many minimum wage jobs. They would need cleaning crews, receptionists; perhaps they would have their own cafeteria. They might also hire trainees who would learn new skills which would lead to better paying jobs. We have all heard stories of C.E.O.'s who started out as mail boys.

A movie theatre and a bowling alley [some people at the meeting expressed a desire for these] could be located elsewhere near Pittsboro - let's think of Pittsboro's future and KEEP our only industrial park location!

Katherine Ladd

Dear Commissioners:

I write this note to urge you to please reject the rezoning request of Pittsboro Place Partners.

It is right and understandable that Pittsboro and Chatham County do not want to be left behind in economic development. However, Pittsboro and some other locations in Chatham County have already begun sowing the seeds for a future much brighter than that of our neighbors. Too many of our neighboring towns have succumbed to the promise-of-riches carrot dangled by the self-serving and uncaring developers of the McNeighborhoods and the McShopping-Centers. Pittsboro Place Partners have

shown that they can only be concerned for their *own* purses. If PPP were interested in the town of Pittsboro, they would have researched, developed, and proposed plans that would not only put more money in *their* pockets, but would also enhance, enrich, and grow the revitalizing efforts and environmentally aware culture that has already been established in Pittsboro by its citizens--a refreshingly different culture from that of too many of our neighbors!

The eye of the future is fast becoming more firmly fixed on innovative industries and ideas that will help improve the environment of the planet and the health of all the world's people. As home already to businesses such as [Piedmont Biofuels](#) and associations such as the [Carolina Farm Stewardship Association](#) which is comprised of some "900 farmers, processors, gardeners, businesses and individuals in North and South Carolina who are committed to sustainable agriculture and the development of locally-based, organic food systems", Pittsboro residents have made the statement: **We want to be a part of the solution, not another part of the problem!**

With continuing efforts of the Chatham County Economic Development Corporation, additional focus and efforts from its citizens, and solicited assistance from our nearby world-renowned universities, Carolina, Duke, and N.C. State, I feel very confident that Pittsboro can attract many more environmentally friendly industries and businesses; industries and businesses that will employ citizens of all economic and educational backgrounds; industries and businesses that can put Pittsboro and Chatham County on the map as one of the nation's leading centers of innovative, Earth-friendly research, trade, and commerce. I sincerely believe that any municipalities having the foresight to start *now* with efforts to seek, promote, and nurture the businesses *of* the future, will be the municipalities that will thrive and prosper *into* the future.

**Please help Pittsboro stand out from the crowd and shine as part of the solution!** Please *do not follow* the leads of our neighboring towns to blend into the urban sprawl and be just another part of the problem. **Please reject the Pittsboro Place Partners rezoning request.**

Thank you for your time and thoughtful consideration.

Mary E. Daniel  
225 Oak Hill Road  
Pittsboro, NC 27312-7075

Dear Town Board,

Although I don't live within the city limits, I do live in Chatham County and I work in Pittsboro. My main reason for moving to this county was to get AWAY from the kind of development that you are now considering. I will not repeat the good reasons against it

That many have spelled out, but I am thoroughly OPPOSED to this project - in town or up by Lowes.... (That would only encourage a 15-501 strip like the one to Durham). I vigorously urge you to turn down the rezoning request.

Respectfully yours,

Daryl F. Walker

Chatham County resident and tax payer

My name is Mary Earls. I live at 3281 Chicken Bridge Road in Pittsboro. I oppose the zoning change proposal for the existing industrial zone to accommodate the development of Pittsboro Place. I am opposed to the building of this inappropriate shopping complex within the city limits. I urge the town board to deny the zoning change wanted. People live in and around Pittsboro because there exists a town without the nationally operated chain stores and leanings toward locally owned and operated businesses. There are plenty of people moving to Pittsboro. We must maintain the quality of life that people are coming here for. There are plenty of commercially zoned areas out of town on the by-pass to accommodate the type of retail space that Pittsboro Place represents. As a citizen of Pittsboro, I demand that this new retail complex be a poster child for the green movement in building using solar, and other contemporary eco-friendly methods. Water in Pittsboro has been a problem for years and improvements should be addressed first. Please do not change the zoning for this awful idea.

Sincerely, Mary Earls

July 26, 2007

To Pittsboro Town Board,

When I spoke to you at the Public Hearing on Monday, July 23, I tried to explain to you the reasons why I think the Pittsboro Place proposal is inappropriate for Pittsboro. I mentioned my concerns about traffic congestion, environmental impact, low wage jobs, and the lessons our children would learn from this explosion of commercialism within our boundaries.

I still believe that those are all valid concerns, and I am still convinced that approving Pittsboro Place would be a mistake for all of us (except the developers themselves).

But the question before you is about re-zoning. After listening to all of the speakers on Monday night, I gained a whole new awareness of the tremendous importance of maintaining the industrial zoning on the property in question. Even though I really don't want a mall in or around Pittsboro, if we have to have one it should be in a more appropriate location. Our industrial park should be preserved for its intended purpose and should not be "sold out" to un-named developers. What is the point of zoning if we don't abide by the established "zones"?

So, the question is not really about malls, bowling alleys, movie theaters, hospitals, hotels or skyscrapers. The question is simply: "Do we want to keep our industrial park?" The answer is YES to an industrial park (with potential for clean, green, sustainable industry and well paying jobs) and NO to re-zoning.

If the purpose of a public hearing is education, then the first round was successful for me. I certainly learned a lot. Thank you for providing an opportunity for all of us to share our ideas and learn from each other. I look forward to round two on July 30.

Thank you for your service to my community. I am confident that you will give this question the consideration it deserves, and that when the time comes you will make a decision that reflects the values and history of Pittsboro and its people.

Sincerely,  
Connie McAdams  
597 Alston Chapel Road  
Pittsboro, NC 27312

Resident of Pittsboro ETJ

Please excuse this way of making contact; I cannot make the meeting on Monday and wanted to weigh in on the side of no large shopping centers in Pittsboro.

As our global warming proceeds the less concrete and steel that is around us the better for our health and our world. The earth we walk on is vital to our health and survivability in the future; we can instead preserve the energy of the earth that keeps us magnetically alive. Once gone or covered in concrete we humans have less quality of life and then who cares what goods are in the shops. I vote for survivability and sustainability in Pittsboro and Chatham County, my adopted home.

Thank You

## Sheila Flannery RPT, RC

To the Board of Commissioners of Pittsboro –

The undersigned hereby file objections to the development of Pittsboro Place Mall, a mega shopping mall "larger than SouthPoint or Crabtree," to be located on U.S. 64 East within the city limits of Pittsboro, NC.

Traffic

The amount of sediment generated from the construction of relevant roads in the eastern part of Chatham County, and the traffic that would enter and leave Chatham County to / from the mall, would generate run-off that would eventually make its way into the Rocky River through tributaries and existing roads in and around Pittsboro.

Transportation

Highway 64 is a major east-west throughway in the middle of the state, running from the coast to the mountains. A mall of the size proposed would create major problems with traffic that would require construction of major arteries, access, throughways to accommodate both through-state travel and mall customers.

#### Water / Sewage

In a county already stressed with regard to both water and waste, a construction of this magnitude would require nearly unsolvable need for both. Considering the number of lines within the greater Wake, Orange, Durham, Johnston and Chatham counties already allocated from Jordan Lake as a source of water, the quantity of water a mall of this size would surely require could be more than the lake could supply. Likewise, waste treatment would promptly overwhelm even expanded sources of treatment, as well as source of effluent.

#### **Infrastructure**

Such a development would require enlargement of nearly all of Chatham County infrastructure, i.e. police / safety, feeder roads, leadership, fire protection, etc.

#### **Increased Taxes**

In order to continue to support an infrastructure such a mall would require, property taxes would, of necessity, increase county-wide. This would place an unfair financial burden on a large percentage of residents outside of Pittsboro, people who would not benefit from an enlarged infrastructure, yet would be required to support it financially. Many of the same residents wouldn't even patronize the mall with their sales dollars.

#### **Demise of the Local Business**

In the past 10 years or so, a number of locally owned and operated small business that served the county have been forced to close as large chain and franchise businesses have come into the county. The invasion of a development such as Pittsboro Place Mall would be the death of small, locally-owned business in Chatham County, for middle and upper management jobs would be brought in from other stores, leaving lower level jobs for Chatham County residents. That would be, in effect, killing local enterprise and the ability to give back commercial revenue to the county. While assuredly the county would receive taxes from these mega-business, it would be death to local Chatham County enterprise, forcing present business owners to move to another site or go out of business entirely, and turning Chatham County into an even larger "bed-room community" where entrepreneurial residents would have to leave the county to earn a living.

#### **Destruction of Pittsboro as "*Small Town America*"**

One of the "draws" of Pittsboro is its "mood of small-town America." This image and atmosphere would immediately be destroyed as soon as construction for such a shopping center of this size was begun

For the above specific reasons, we urge the Pittsboro Board of Commissioners to vote "NO" for the development of Pittsboro Place Mall.

Kathleen Hundley

Formal Petition Submitted on June 30, 2007

July 27, 2007

Paul Messick  
Acting Town Manager  
Pittsboro, NC 27312

Dear Sir:

In accordance with sections 160a-385 and 386 of the North Carolina General Statutes Synnex Corporation does hereby protest the re-zoning of property identified as Pittsboro Place Partners.

My land is located at 220 Chatham Business Park Drive.

The Pittsboro Partners development will restrict my ability to attract high technology employees to my facility. This project is the wrong land use for this location. The uses proposed are incompatible with the existing uses.

Sincerely,

Jim Estill  
Chief Executive Officer  
SYNNEX Canada Limited

Information submitted by Lucy Gallo, CPA, Miley Gallo:

Mr. Gray Styers  
Blanchard, Miller, Lewis & Styers,  
P.A. 1117 Hillsborough Street  
Raleigh, NC 27603

Dear Mr. Styers,

At the public hearing last night, a speaker pointed out an inconsistency in the average pay per bowling sector employee in the Pittsboro Place Partners I, LLC

economic impact report from the original filing on March 1, 2007 to the second filing on June 7, 2007. Revised square footage assumptions by the client for the proposed uses prompted the reissuance of the report.

In drafting Table 3 for the report dated June 7, 2007, I inadvertently entered \$2,248,000 as annual payroll for the bowling sector instead of \$248,000 as the data was transferred from the IMPLAN file to the Word file. The outparcels and retail line item was used as an offset to balance the schedule to the total, so it was understated by the corresponding amount. The revised table 3 is presented below. The 2,593 total employees and the \$72.1 million total annual payroll remain the same.

**TABLE 3 - REVISED  
PITTSBORO PLACE PARTNERS I, LLC  
DIRECT EMPLOYMENT AND PAYROLLS**

	ESTIMATED EMPLOYMENT	ESTIMATED ANNUAL
Outparcels and Retail	1,037	\$17,162,000
Theater	49	713,000
Bowling Alley	36	248,000
Hotel	21	797,000
Office	1,450	53,191,000
<b>Total</b>	<b>2,593</b>	<b>\$72,111,000</b>

I very much appreciate the gentlemen from Pittsboro bringing this matter to my attention so I could make the appropriate corrections. Would you share this information with Mr. David Monroe?

Dr. Rita Spina, Vice-President of CCEC, 12 Matchwood, Pittsboro. Ms. Spina stated she wished to thank the Commissioners for realizing that all the citizens needed to be heard. There is really no reason for us to be here tonight as Mr. Jackson told her, he always win!

In the minutes of the May 7th, 2007 Pittsboro Planning Board Meeting, Reuben Blakely of DOT stated that in his opinion the circle (referred to as the Roundabout) cannot handle any more traffic. Yet, in order to accommodate a MUPD, an additional traffic lane from East 64-bypass would be built to offer turn lanes into Pittsboro Place and widen Business 64 to the circle. Mr. Green, a member of the Traffic Analysis group commented that the only solution for the traffic circle as it exists right now, with or without this development, is a 15-501 by-pass. Mr. Monroe, Pittsboro Planner, indicated that the DOT had already scrubbed the idea of a 15-501 by-pass.

With the request for rezoning from Heavy Industrial to Mixed Use Planned Development comes a cascading problem for our roads—it will effect every nook and corner of the major and smaller thoroughfares throughout Pittsboro, the and surrounding areas. What happens as Pittsboro becomes a ghost town? When mega commercial developments are

built along major access roadways at the edges of a town, a decline in vitality and commerce occurs in the center and gradually businesses go under. The demise of small towns is caused by heavy traffic, long delays, stranglehold areas, by-passes that exit onto small two lane roads that can no longer feed the inner, former downtowns.(Placement of a mall such as South Point in Durham works only because traffic can enter and exit 1-40 directly and the location is not in proximity to downtown.)

DOT analysis of traffic utilizes an outdated growth projection of 3% and does not take into account the mega-development information approved for the NE section along 15-501. They estimate data for 2009, but fail to report build out data for 2015...a glaring omission. The vehicular traffic numbers for 2009 at Peak AM and PM, not only show high increases, but vehicle time delays that start at B on the scale, but rapidly rise to F considered the worst condition. Utilizing our basic common sense — when we add the other developments which are coming into the Town pipelines in the not too distant future, all of these will impact Business 64 East, and add to the congestion. The prognosis for AM and PM Peak traffic becomes a nightmare and total exasperation for businesses. And the closer to the circle, the worse it becomes - GRIDLOCK.

This Traffic Analysis also points out another disturbing health and climate change factor - the rise of emissions of carbon dioxide, hydrocarbons, carbon monoxide as well as the cost of gasoline used as wait time increases.

Pittsboro citizens have certainly spurred a dialogue and ideas have crystallized to show us what is wanted, consistent with land use planning. This Board of Commissioners can meet these needs by preserving the Industrial Zoning. Do not give away the store; work with the Economic Development Commission to design a sustainable, green Industrial Park that would contain the requests for recreation, entertainment, a movie theatre, performing arts, etc. along with high tech, clean, environmentally friendly industry.. Do it all and do it as "The Destination", but leave out the commercial components that can only increase gridlock.

Growing important, clean, industrial businesses must not be sacrificed for the building of another mega mall for the sake of a questionable \$800,000 revenue from a questionable project with an unquestionably huge impact on traffic, health, and sustainable lifestyle of this unique, historic, small town.

The early settlers were right as they had the good sense to put an historic courthouse on this roundabout, and in so doing, create a traffic problem that could save a way of life for a very special place...after all, not every town needs to go the way of mega malls. There are other sound ways to create dollars.

Mayor Voller called Shirley Hood and Bonnie Iverson who had left at the time their names were called at the last meeting. They were not present. In the interest of fairness if there is some here tonight that would like to speak in Shirley Hood's space he would allow it.

Archie Cross - 514 Fire Tower Road, Pittsboro, NC. I've been in Chatham County all my life and Jordan Dam rants me away from around Moncure area so we've been up here 40 some years. Pittsboro to me hasn't grown that much. Now the proposal of the shopping center, hotel, movie theater, bowling alley, Pittsboro doesn't have anything now for the young kids. I might not see this in my life time, but I'm looking out for my kids and my grandkids and the other young kids around the community. Basically, people are looking at what should traffic and other stuff going on create here, but you look at the positive of the two. I'm not just speaking for myself, I'm speaking for all the people on Fire Tower Road and all the other peoples too that we want to see this project through and definitely I'm behind it 100%. Thank you.

Bill Sommers and he lives at 29 East Madison stated: As an experienced municipal manager familiar with water and wastewater systems, I have developed this statement regarding your consideration of the referenced development proposal, not as a member of Fearington Village, but as a resident in the Cape Fear Basin with particular concern about the Haw River and its ravine environment. In addition I live in an area that is vitally involved in maintaining the viability of Jordan Lake into which the Haw River flows with the effluent off-load from the Pittsboro Waste Water treatment plant; the Haw is also the source for Pittsboro's drinking water.

In order to get a proximate idea on how the proposed Pittsboro Place fits into the current structure and situation of Pittsboro's current utility structure, we need first to analyze the most important of the utilities involved, namely, waste water treatment. At the same time another general analysis regarding potable water sources will be developed within the next few weeks.

#### **1. Pittsboro's Waste Water Situation:**

Pittsboro's Waste Water Treatment Plan currently operates on and NPDES (National Pollution Discharge Elimination system) permit # NC002034 issued by the NC Division of Water Quality effective February 1, 2007 to expire on April 30, 2011. The permit allows the discharge of its prior limit - 0.75 per day under a ten component extended aeration system. A set of definitive effluent limitation and monitoring requirements are set out. In addition, the Town of Pittsboro must submit by January 1, 2009 an important report delineating the ability of the Town's plant to meet a variety of criteria related to Roberson Creek and the nutrient management strategies for the Cape Fear River Basin. Included in this requirement is a discussion of "any Fear River Basin. Included in this requirement is a discussion of any plans for expansion of the WWTP, potential relocation(s) of the outfall and the effects these decisions may have on both permitting issues and the actual water quality of the receiving stream."

It is not likely that the current plant can be effectively expanded beyond its present capacity. Although detailed figures were not available for this memorandum, an estimate of average monthly usage based on 1,590 sewage customer connections within Pittsboro would put the current identifiable

effluent discharge close to .45 mgd. Moreover, one recent analysis indicated that when the current tributary flow and the permitted - but not tributary flows - are combined the total comes very close to the maximum permitted .75 mgd. It is for these reasons that the Division of Water Quality requested a very thorough operating report from Pittsboro at the beginning of 2009 to determine new requirements and the viability of the existing waste water treatment plant.

It is quite clear that the current treatment plant cannot handle the obviously expanded treatment needs of a development that, when fully in place, would include restaurants, banks, theatre, bowling lanes, office and retail stores as well as a ten story hotel - and a potential addition of 332 residential units. Obviously, the proposed PITTSBORO PLACE would have to have either its own waste water treatment plant or a very expanded municipal plant to serve both the Town of Pittsboro and the fully built proposal. This, as noted above, would definitely require a new site. Nor would the projected costs be easily incorporated into the Town's budget nor, for that matter, into the tax returns envisage by this new development. Not long ago a Pittsboro engaged engineering firm suggested five waste water treatment alternatives which ranged in cost from \$ 31,740,000 to \$50,900,000!!!

Even if the least of these plants were built - and even if it might accommodate parts of the proposed development - would the Division of Water Quality as well as the US Army Corps of Engineers approved of such an increased effluent discharge into the Cape Fear River Basin? One should note that both the Division and the Corp of Engineers are already considering a much more viable and fiscally supportable waste water treatment plant for Western Wake County that would discharge about 38mgd into the Cape Fear River below the Buckhorn Dam. The project cost is set at well over \$200 million dollars over a two-phased construction plan projected over a twenty year time span. If this effluent discharge is eventually approved, will there be any basis to allow an added effluent discharge for the proposed Pittsboro Place Development into the same river basin?

In addition, we are all mindful of the Environmental Management Commission's current effort to promulgate rules and regulations to safeguard the threatened waters of Jordan Lake against a rising nutrient threat which also must be considered in any relevant and responsible review of the Pittsboro Place proposal.

## **2. Alternative Solutions**

Two alternative solutions that might be considered by the Town of Pittsboro in encouraging a more limited development while at the same time requiring the developer to build at its own cost one of the following options:

- a. Spray irrigation system
- b. Dual systems

The first alternative is one that has, in general, been approved by the Division of Water Quality, and is, for example, the waste water treatment system allowed for Briar Chapel in Chatham County near Fearington Village. One engineering firm estimated that the cost to build such a system in Pittsboro, based on an increased discharge limit of 2.25 mgd. would be about \$ 55 million. This, of course, could be modified depending on the actual alignment of the developer's needs in coordination with the Town's need for a new waste water treatment plant.

While this system may appear to be a viable alternative, it does have distinctive and negative aspects. One has only to review the startling book, TOXIC SLUDGE IS GOOD FOR YOU, to identify the variety of negative possibilities in supporting a spray irrigation or treated bio-solid disposal programs.

On the other hand the "dual system" approach may be the best approach, among a listing of difficult choices. The dual system is created by reclaiming treated effluent for non-potable uses such as irrigation, fire protection, industry, cooling towers, laundries, dust control, creation of wetland, etc. More than 2,000 communities of all sizes with dual systems are now found throughout the country, including Florida which has the same rainfall and area as North Carolina but twice the population. The cost of this system would probably be similar to the estimated costs of spray irrigation, depending on the area service, the piping necessary, the size of the basic treatment plant needed and the extensive usage involved.

However, it should be underlined that these considerations should be based on a detailed long term waste water plan focused on both Pittsboro Place and the Town of Pittsboro - and agreed to by all parties, including the State and the Corp of Engineers before any rezoning occurs. To do otherwise would be to inflict on the Town of Pittsboro a decision whose negative consequences in terms of the future of its critical waste water problem will last for a long, long time.

Regarding Pittsboro Place, I believe there are only two realistic alternatives:

I. Require a complete wastewater treatment program from the developer which will service the town of Pittsboro –and the project through what is generally referred to as a "dual system." This would reclaim the resultant treated effluent for non-potable use such as irrigation, fire protection, industry, cooling towers, laundries, dust control, creation of wetland, etc. Such a plan, if adopted and implemented, could eventually provide a system for the entire Town of Pittsboro. The actual cost of this new approach will, of course, depend on the area of service, the size of the basic treatment plant needed and the network of transfer and service lines involved. The cost should be in the middle range of the estimates for the five alternatives system discussed in the report. I recommend that no re-zoning should be considered until this kind of unified waste water treatment system is identified and which is generally acceptable to approving agencies, i.e. NC Division of Water Quality and the US Corp of Engineers, Raleigh branch of the Wilmington Regulatory Division.

2. Reject the re-zoning proposal altogether. This would give more time for a detailed analysis of the overall proposal and its affect on the very crucial future of waste water alternatives for Pittsboro, including proposed alternative solutions.

More of the details upon which this statement is based are included in my submitted commentary. Thank you for your time and attention on this very important subject.

Mayor Voller asked Mr. Sommers: You had stated you had a long experience in wastewater municipal. If you could tell the Board what your background was because I was kind of glossed over.

Mr. Sommers stated: I graduated from Harvard Graduate School in public administration and I spent about 25 years as City Manager and Municipal Manager and then I went overseas to do overseas work in local government and development including wastewater treatment plants and I worked in most of Thailand, Vietnam, Philippines, Indonesia, Korea, and also in eastern Europe. I worked in Poland and Hungary. I also worked in Egypt. I spent my last years overseas in Bosnia, which worked out pretty well too. And I have done a lot of work on this and have worked hard with the county on water and wastewater. Right now I'm with two of the other county commissioners serving on a project team with the US Corps of Engineers and DWQ to oversee that development of the Environmental Impact Statement for the proposed western Wake County wastewater treatment plant.

Mayor Voller asked: Is there anything about Pittsboro that is different as far as wastewater is concerned that you didn't see around the world?

Mr. Sommers stated: I think I would say that there is a unity of need throughout the world in either wastewater treatment or potable water.

Mayor Voller stated: And it seems like you are willing to offer your services and help solve these problems.

Mr. Sommers responded: To the best of my ability or to the extent of my life.

Mayor Voller stated: We hope that extends longer.

Gail Ruedi, 1386 Bradford Place, speaking for Joe Frazier.

Joe had to be out of town on business this evening so I'm filling in for him as Randy mentioned. I also was on the sign up for a couple of spaces down, so I'm going to forego my comments in favor of the analysis that Mr. Frazier had prepared. Joe and the CCEC have reviewed the Pittsboro Place Partners' economic impact analysis prepared by Miley & Gallo Associates and off the following comments. Pittsboro Place Partners state that the average income in Chatham County is well above the average income for the state. Based on the latest data published but the NC Department of Commerce, the 2004 per capita income in the county was 16% above the state average. That is \$35,426 in

Chatham, compared to \$30,553 for the state. We assert that the income figures for the county which will determine what type of retainers can be attracted for Pittsboro Place are obscured by Governor's Club. In fact Governor's Club is so close to Chapel Hill and so far from Pittsboro that we don't think it's reasonable to expect that they will provide a significant number of shoppers to the proposed development, so we think that creates some issues as far as what type of retailers will be attracted. Pittsboro Place is suggesting that we should be interested in about 1000 jobs with an annual payroll of approximately \$15,000,000. If you do the math, that is an annual salary of about \$14,600. US Census reports from about 2006 indicate that the poverty threshold level for a family of three is approximately \$16,200. That is over \$1600 per year more than what the Pittsboro Place Partners' numbers indicate. US Department of Health and Human Services reports that the poverty level for a family of three is approximately \$17,000. That is about \$2500 per year more than what the Partners' numbers indicate. Child care in Chatham County cost about \$600 per month or over \$7600 annually. Do we really want over 1000 new jobs that pay wages below the poverty level below the poverty threshold, and without providing any additional affordable housing? There are many different figures being offered rather casually by the developers, increased tax revenues, additional local spending, and a massive number of new jobs. But all these forecasts appear to be based on totally unrealistic assumptions about who would be willing to locate in this development. These numbers have changed between March and June and I've been confident it will continue to change. Mr. Hammond pointed this out last week. Further these projections do not take into account the additional cost to the town for necessary infrastructure improvements and which Mr. Summers pointed out the significant water and sewer impact. And these would be paid for by the taxpayers of Pittsboro, not by the development's partners, at least in the current proposal that Mr. Summers suggested an alternative involving the developers paying for them. How can the town be expected to vote in rezoning the land for Pittsboro Place without a definite plan? It should be noted that other developers have been willing to go thru the planning and approval process providing sufficient details and projections for full evaluation even for the mixed used developments that included many different commercial properties. A representative from Pittsboro Place Partners told our hard working planning board, "It's not whether it should be approved, but what should it look like?" We believe it is Pittsboro residents and other citizens of the immediate area who should decide what we want and how we want it to look. Given these facts, this application for rezoning should be needs to be, rejected. That is what Joe Frazier, treasurer of CCEC, would have told you tonight. Thank you.

Gary Simpson – 82 Cynthia Lane, Pittsboro stated in the year 1515 Sir Thomas Moore wrote a book about a fictional Place, an island where everything is perfect. He named the island after the Greek word Utopia which means "a place that does not exist." Last week in this courtroom we heard stories about another Place that reminded me of Utopia. In this Place there are:

- more jobs than there are people,
- more entertainment than there is time to be entertained
- more "stuff" to buy than there are places to stuff the "stuff",
- more money to spend because property taxes never have to be raised
- more, more, more of everything than any mere mortal could hope for...

- more than even Sir Thomas More could fantasize.

In this place even if something "appears" to be a problem, its really not: like "traffic gridlock" that actually enhances the quality of life by sending you off on an adventure in search of new routes and exploring new neighborhoods ("to boldly go where no one has gone before." What a stellar idea.)

We all love fantasy/fiction because it diverts our attention from reality. And fiction writers that are really good at their trade can mesmerize us into believing that fiction is real. The story tellers for Utopia Place are THAT good.

That's why you who sit in these seats of justice wearing the mantle of public servant hood, must dig down and find the wisdom of Solomon to cut through the smoke and mirrors... rise up to the challenge of this defining moment in our small town's long history... and open up your eyes and ears to what's REAL.

What's REAL is that there is an ELEPHANT in the room... an elephant that, unless acknowledged, remains hidden behind a curtain... like the crafty old Wizard behind the curtain in that other fantasy land of OZ. *"Pay no attention to the man (the elephant) behind the curtain,"* cries out the charlatan in a desperate attempt to hide the truth. But Dorothy, also desperate to find her way back to her beloved small town home in Kansas will not be snookered, and she will not be denied. She exposes the elephant in the room. She confronts the Truth, scary as it is.

The "Honest-to-Goodness" Truth of this emotionally charged public hearing marathon and tug of war between a town divided is:

- NOT about benevolent corporate white knights riding in to save a town from economic collapse.
- It's NOT about a genie appearing from a lamp to grant us three wishes for those ULTIMATE things in life that we all need MOST: a movie, a meal and a chance to knock over pieces of wood with a plastic ball.
- Its NOT about You and Me, Us and We.

It's about them... the team that "never loses"... and those mysterious few who stand to make a killing if ONLY they can get beyond this "public hearing" without the public hearing the elephant sneeze... if ONLY they can sneak him by this tired and haggard town board without him belching out loud.

Truth is, there's a GOLD RUSH going on with "Circle City" as the target...ground zero, and that vacant lot now protected for industrial use is the "Mother Load." For the "favored few," THAT parcel is the Treasure Chest to be pillaged and plundered. And the key to unlocking it is to keep the people's and their town board's attention on the smoke and mirrors. For the creators of Utopia Places (or whatever the names may be), public hearings like this, where citizens turn out en masse to listen up and speak out can only serve as pot holes, speed bumps and detours on the "Road to Riches." And while they may find it oppressive, and elected officials may even find it tedious, none of that matters. What matters is the TRUTH.

Truth is the job of an informed, educated and participatory citizenry and its elected "guardians of the goods" is NOT to facilitate corporate success, but to ensure communal well being... NOT to enable personal gain, but to act for the good of the whole... NOT to be manipulated by outside power brokers with interests of their own, but to break their spell and shape our own future from inside (Center) out and from the grass roots up.

Truth is, "We, The People" are smart enough, creative enough, and resourceful enough and determined enough to get our heads and our acts together... stop this divisive tug of war... and preserve the best of our small town character while still meeting our 21<sup>st</sup> century wants and needs through our own visionary plans. We can and we will get the job done IF you don't "sell the farm to the Gold Diggers" first. Patience is a virtue with great rewards. Hang in there... the BEST is yet to come! And if you want to be PROactive rather than REactive, you can always invite and encourage the creators of Utopia Place to work with us to bring to this site clean, sustainable 21<sup>st</sup> century industry. You can appeal to their moral conscience and corporate creativity and challenge them not to stoop so low as to try to sell us what THEY WANT, but rather to stand tall at our side and help us to acquire what WE NEED. Now, THAT would really and truly be a "stellar idea."

Remember: Utopia is the Place that does not exist. Utopia Place is NO DEAL. Home Grown... Home Town Pittsboro (Center City) is the REAL DEAL! And what Dorothy knew to be true, so must you... with all your heart, all your mind and all your soul. Truth is: "There's no place like home."

Mary Demare, 1588 NC 87 North stated what an act to follow. Thanks to the commissioners for extending this hearing. It's really important. Thank you also for doing what's best for the Town of Pittsboro and the county as a whole. Thank you for not taking the path of what looks like the least resistant as of right now. I also want to thank Pittsboro Partners for creating a conversation in Pittsboro that hasn't really happened since I've been here. It's been, "What does Pittsboro want?" And everywhere you go in town you hear it. They want jobs. They want movies and things to do and they want a place to buy underwear. And that's great. I've been in Pittsboro for two years and I came to open Chatham Market Place with a group of really incredibly dedicated individuals-community members, voters- however you want to call them. Chatham Market Place is living proof that Pittsboro will and can grow in a responsible appropriate way. From incorporation to opening, CM, Chatham Marketplace took under three years to get it operational. But it can be done with a group of people who really care about this community. We created thirty-two jobs. We spend 25% of our money here in Chatham County. We didn't take the path of least resistance. Ask anybody who was on this project. But ultimately it was the path of most reward. So yea, let's get a movie theater. I would love to go to the movies. We can do it. Let's get a six screen theater here in town. We can do it. Let's get a store for clothes and shoes and yes, underwear. Amen. They'll create jobs and let's build it to scale. Let's encourage local people to start them. Let's help with loan. Let's recruit local people, local talent, constituents, and voters to open these businesses. Let's encourage people to use the small business courses at CCCC. It's already happening here in town. We got Carolina Brewery opening. We got the General Store. We got Chatham Market Place. It can, it should, and will grow in the right way if

you let it. So here's where you say, I'm naïve and we can't open all these businesses and I don't think so. I'm realistic and I'm utterly committed to the success of local businesses in Chatham County. Keeping money, keeping jobs, and keeping the community in the community. So if you think the best jobs are at TJ Maxx or Borders or whatever won't be shipped in from corporate, that might be a naïve assumption. If you think the jobs can't be created in a positive appropriate, reasonable, and local way, that's just wrong. So commissioners, don't underestimate the people of Pittsboro and Chatham County. We have the desire, determination, and more importantly the skill and ability to grow and develop in a way to benefit this and the entire community. We're invested in the success and growth of our communities. So thank you again. We trust you to not take the path that looks like the path of least resistance. It looks so easy right now. I'm not underestimating you; don't underestimate the people of Pittsboro and Chatham County.

Paul Konovc, 1459 Redbud, Pittsboro stated I am a builder in Chatham County, a member of the Home Builders Association, a member of the counties GBTF, and have looked to Pittsboro as my town, – although I live outside the towns limits - for over thirty years.

The last time I stood before this board (a little over a year ago) you all agreed to take a leadership role by being the first elected body to sponsor a green building community educational event. That resulted in 150 local area residents learning more of the realities and potential of Green Building for our homes, schools, and community now. I thank you for that foresight.

Since that time much has happened relating to Green Building in our area. We have had two very well attended green building tours sponsored by the HBADOC – with many homes in Chatham County, verbal commitments by a large Chatham developer to build green homes in their planned community. Also our County commissioners have committed to building future institutional buildings green. And just a couple of week past as GreenPros – a new green building training series effort by my company and 2 other businesses – were preparing for our what turned out to be - first well attended course at CCCC - I spoke to many of our area realtors about the course, and received much interest and appreciation for this effort on their part because they see this as a growing sector of their business.

Although I think your decision should hinge on keeping the only industrial zone Pittsboro has as it is, so we can respond to opportunities we will be seeing in the near future, I will continue to speak this evening on issues related to development and Pittsboro Place.

At last year's community education event, I discussed briefly a program developed by the USGBC regarding community development. That program LEED-ND is similar to our local residential green building program in that a development (instead of a home) receives points for incorporating certain features into the design and is certified by a third party. These items will make the project attractive and marketable, while at the same time mitigating its impact on the environment – including energy, water, storm-water

management, waste water, and many other areas that impact Pittsboro. Through the county's GBTF we are looking at how this program can be adapted (including incentives) to our area. Many communities and developers are beginning to incorporate aspects of the LEED-ND into their planning. Things are changing within the world of design, development, construction and real estate sales.

It seems to me that with all this in mind that as part of your deliberation during this transition to an environment where green design and construction is fully incorporated into our and other communities way of doing business that there should be a few steps included that I would encourage you to consider now before deciding one way or the other on the issue before us all today.

I would suggest that you request the Pittsboro planning department to become fully aware of the LEED ND effort. Then I would suggest the department create a list of questions related to LEED-ND / FOR Pittsboro that the developer of Pittsboro Place (and other developers in the future) can respond. Then I would suggest that the developer's responses be reviewed not only by the planning department but by a third party consultant familiar with LEED-ND so that the information can be critically reviewed by experts in this field. (Using the language of green does not mean one is incorporating green strategies)

I understand that this might take some time, but I believe Pittsboro – and those who consider Pittsboro our center of activity will be better served in the future by taking the time to plan and consider how we should grow. This is not about the traditional growth at any cost vs. no or slow growth – this is about how we grow green. I would urge you not to change the zoning until these issues are considered.

Thank you.

Stuart Smith – 297 Alston Chapel Rd., Pittsboro stated he did not appreciate the gentleman that spoke earlier saying he spoke for the young people of Pittsboro. What is it that you value about Pittsboro? For me, it's the small town charm.

I have happily lived in Pittsboro for 20 years. Many gradual changes have taken place over those 20 years, some good and some not-so good. For the most part, however, Pittsboro has remained a vibrant southern community & an excellent place to call home.

I was horrified when I learned of the proposed "Pittsboro Place" development to be built here in town. Rather than what they're touting as an *economic savior*, this type of development will kill our downtown area and turn Pittsboro into a sprawling mess. That's not what we want. Pittsboro is better than that and our citizens are smarter than that.

Who is it that *really* stands to gain anything valuable from this development anyway? You're not fooling me. I'm smart enough to know that no Pittsboro citizens will be benefiting. All we'll gain is traffic congestion, pollution (of all kinds), even more heavily

overcrowded schools, millions of square feet of impervious surfaces, and new skyline. With all the new lights that come with a development like this, those of us living nearby may no longer be able to see the stars at night; another thing I value about living here. So again, who's actually benefiting here? Could it be the partners of Pittsboro Place who have yet to be identified?

The thought that Pittsboro (the small town of Pittsboro) would push this monstrosity through, to the dismay of our citizens and the delight of a handful of developers & realtors, is sickening.

But then again, maybe I have nothing to worry about. Perhaps this is all just conjecture anyway. If Pittsboro Place is approved, that value of that piece of land would skyrocket. Then it could be sold a few times, making those involved, undeservedly very, very rich.

So I urge you to do the right thing here, and let the citizens of this town decide how we should grow, not developers. Set a good example and make your decisions based on morality rather than money. Your constituents and your grandchildren will thank you in the end!

Finally, if that doesn't convince you, think back to the lyrics of a Counting Cows classic stating:

"Don't it always seem to go  
That you don't know what you got  
Till it's gone  
They paved Paradise  
To put up a parking lot!"

He stated they had a petition against the rezoning. They will submit the signatures they have at the end of the meeting, but there will be more forthcoming.

Alicia Ravetto – 1459 Redbud Rd., Pittsboro stated I am an architect specialized in environmentally sensitive architecture. I am a LEED Accredited Professional working as a sustainability consultant to other area architects and developers. There is a real transformation in the market towards green building and planning.

Design solutions in the 21<sup>st</sup> century are becoming more based on the core principle that sustainability must be integrated into the design process and ethic, and is not something that is tacked on at the end of the project or added as a single line item.

When green planning and design of this type are taken into account there is an integration of advanced building technologies with renewable energy to achieve more comfortable, durable, and affordable and environmentally sound buildings and communities that occurs very early in the design process.

I believe that education and civic participation is critical if we are going to impact the way buildings and communities are designed and built today. Many design and planning professionals are committed to designing buildings that will help cut down carbon emissions into the atmosphere by adopting the 2030 Challenge.

To meet the 2030 Challenge we must not only design high-performance and carbon neutral buildings but advocate actions that will require all buildings and developments to meet these targets as well (through incentives where they may work but also building codes, government regulations and legislation).

I suggest that the Town of Pittsboro through the leadership of this Board of Commissioners and the Mayor engage in this process by adopting a policy that will require that all new projects follow a collaborative integrated process of design and construction considering all issues and synergies from site, water, energy, materials and indoor environmental quality.

I recommend that the Pittsboro Board of Commissioners deny the request for rezoning for this particular piece of property until such policy is established and until the final report on the Land Use plan is presented.

This effort has been undertaken by the Town of Pittsboro by hiring the Triangle J Council of Governments to work with community members to define what is best for Pittsboro in terms of zoning, traffic, economic development, use of renewable resources, construction waste and demolition recycling, walkability, wastewater treatment, protection of existing watershed areas. Eco Industrial Parks (HP's) state as their goal economic objectives such as creating local jobs and increasing the tax base. An eco-industrial park is characterized by closely cooperating manufacturing and service businesses that work together to improve their environmental and economic performance by reducing waste and increasing resource efficiency, Firms coordinate activities to increase efficient use of raw materials, reduce outputs of waste, conserve energy and water resources, and reduce transportation requirements. Piedmont Biofuels being already located in this industrial zoned area is a rare chance to build toward this type of economic opportunity for Pittsboro.

Liz Cullington – 390 Rocky Hills Rd, Pittsboro stated she oppose this rezoning for the following reasons.

Reason one) Residential and non-residential development is supposed to be under a town moratorium, which specifically states that no such development is to be "considered", let alone approved. If this isn't considering I don't know what is.

Reason two) The developers have not submitted a sufficiently complete and detailed master plan. According to two sections of the Pittsboro zoning ordinance, approval of a detailed master plan is a legally required prior step to rezoning to a mixed use

planning district. Rezoning is the most important leverage that the town has to insist that any new project addresses all relevant standards, and issues.

Reason three) Assurance of adequate sewer and water to the project are also supposed to be part of the approved master plan. Transfer of an excess 15,000 gallons per day from another property would not be enough for phase one.

Reason four) To realize the financial benefits and jobs being claimed by the developer now or in 20 years -- would depend on their Market Analysis being correct. The analysis states that the entire target population could support 1.3 million to 2.3 million of retail space, but Pittsboro town planner Mr. Monroe has noted that the county has already approved 1.8 million square feet of retail space that is not yet fully built, and Pittsboro has approved many mixed use or commercial projects that would add significantly to that.

Many people may want shopping and dining closer to home, increased revenue to the town, and more jobs. If the market is here all this will come. If the market is not here, it won't no matter how much more land we rezone away for it. By almost all accounts it won't come until more housing is built and occupied. So we have time to wait and develop more detailed standards that cover more contingencies than they do now.

Reason five) Almost as significant as the lack of sewage treatment capacity is the developer's track record and long term liability for the project, Extensive internet searches establish that there is no easy to find connection between these developers and the one previous project they have cited, Birkdale village, or even any other mixed use project of this scale.

The major developer at Birkdale Village was Crosland, a gigantic NC enterprise which operates in four states, under 281 businesses in North Carolina; most of them project specific limited liability companies, as are the Pittsboro Place Partners companies.

Such projects typically lease rather than sell retail, office and apartment space, and do so through limited liability companies. A limited liability company can dissolve itself at any time and there is no recourse.

It should be a major concern when companies can take out their profits and disappear. Infrastructure agreements aren't even in place yet.

Reason six. Pittsboro zoning rules grant a zoning vested right (in section 16.3) which belongs to the property rather than the applicant, so I am concerned that such rights could transfer but not any master plan or agreements.

Reason seven. Such projects typically lease all the onsite property and buy wholesale water and wastewater and sell it retail to tenants. There are no water conservation or wastewater re-use aspects to the proposal, which means that the project would take

more allocation of these resources than necessary for whatever tax revenue is generated.

Reason eight. Once property is rezoned to mixed use, all the uses allowed by right are allowed. It's only the layout and specifics that are up in the air. To rezone is really to lose the last leverage for control and concessions.

Reason nine is traffic. A lot of development is being proposed or planned piecemeal and even in competition. We need a land use and traffic and roads plan so everyone knows how these developments could affect or even take their property and quality of life.

Reason ten is we need to get more and better jobs and taxes compared to services rendered with the site being saved for local relocation like Biolex, and companies that are not "heavy industry" but do pay decent wages for full time jobs.

For this last reason I would argue for flat denial of the rezoning request.

Gerald Gordon – 470 Hoot Owl Lane, Siler City, yielded his time to Mr. Simpson.

Ducka Kelly, 735 Russet Run, Pittsboro stated The land proposed to be rezoned in order to construct Pittsboro Place a Massive shopping center should not be rezoned. To do this will be a colossal mistake. The mystery group asking for the request are trying to cozy up to the citizens of Pittsboro telling us that it will be a part of downtown on one hand and then actually calling the middle of the shopping center the "Town Center". It is an insult to our intelligence to try to deceive us telling us they care about our wonderful City. I walk into most of the stores now and am greeted by name. We also have a wonderful selection of merchandise to purchase from wonderful entrepreneurs.

The jobs Pittsboro place is proposing to bring to Pittsboro *will* be minimum *wage* jobs, not careers. Most likely staffed by people who are as imported as the shoppers? Some people have expressed the desire to have amenities such as more shopping and entertainment closer to Pittsboro. At the risk of cutting my own throat I remind you that this can actually be done in the hundreds of acres already zoned for this type of use. There hundreds are hundreds of acres zoned for shopping center use at 15-501 and the 64 bypass. Using this land first makes much more sense to follow the land use plan already set up and having the roads that can better manage the traffic created by this kind of project. The promoters have said that this shopping center will not affect the traffic in Pittsboro and will support growth of the downtown retailers. This is just impossible. How can they try to tell us that people can get there from the South and not affect the traffic circle? If they want to buy up land in town and add to the already walkable downtown that could be a different story. The now empty Ford dealership would be a good location for the enhancement of Pittsboro.

This land proposed for rezoning is already zoned industrial and should remain that way. It has a strong possibility of bringing in lower pay jobs as well as training and management level careers. Piedmont Biofuel is a wonderful facility that enhances

Pittsboro as well as the environment. Creating a way to use less gas is a wonderful contribution.

Pittsboro should keep in mind smart growth and learn from the lessons from our neighboring cities are learning from the mistakes of being lured in by promises increased tax dollars. With all the tax dollars comes infrastructure depletion. I hear daily about the lack of schools, shifting students and families lives around to year round in between the traffic report telling people which roads not to use that day.

I am asking you NOT to rezone the land proposed to become Pittsboro Place and demand that Pittsboro be allowed to remain a vibrant City by using "Smart Growth" practices.

Thank you

Ken Boggs – 371 River Road, Pittsboro stated he wanted the Board to know what he learned in 20 minutes on the web.

Local governments typically do not act like negotiators on behalf of valuable community assets, which is what they in fact are.

- The profits for the initial developer who gets the local approvals can be staggering.
- Good land use planning must be temporal (timed) as well as spatial (location). It must consider the rate of new development over a large span of time.
- Localities do not usually consider the impacts of development outside their borders.

Therefore, here is some guidance from towns that have already faced these decisions:

1. Face the fact that you are negotiating community assets and there is no going back
2. The Partners asking you to rezone will make staggering profits.
3. Do not sell us cheaply.
4. First layout a long-term plan; then follow it
5. Finally, include in your planning what impact there will be outside Pittsboro: Are you putting Pittsboro interests ahead of Chatham County, Siler City, Moncure, and Goldston? There is much more to be had through cooperation, collaboration, and maximizing everyone's interests.

Finally, consider the following possible future outcome:

- Since the Partners are seeking immediate profits, they take physical actions on the properties to prepare it for development and by doing so raise the value of the properties.
- Next, they try to sell the properties to other developers but those folks are not fools and see through the dreamy, unrealistic financial projections. Thus, Partners cannot sell the properties.
- However, they are still looking for a quick profit and the Pittsboro Town

Council has rezoned the properties.

- Therefore, the Partners sell off the properties to a strip mall developer. What began with such high hopes has become just another ugly eyesore.
- Further, there is nothing the Town Council can do about this and Pittsboro has lost its ability to attract high paying, industrial businesses. Is the risk of this outcome worth taking?

Lyle Estill (Altadore, LLC adjoining property owner) had a prepared written statement that was read by his Attorney Cynthia Perry. Mr. Estill was out of Town. It is as follows.

In 1995 we found an abandoned industrial complex on the edge of Pittsboro, on a little chunk of land in the industrial part of town. We bought it, and built a biodiesel plant. Nine biodiesel plants went into operation last year in the United States, and for us to be one of them makes us proud of our accomplishment.

I don't know how many factories have been built in Pittsboro in the past decade, but we are also pleased to be one of them.

One facet of our location is trucks. We have a lot of truck traffic now, and could have significantly more in the future. The trucks I am referring to are eighteen wheeled tractor trailers hauling liquids. They are the largest vehicle allowed on the roads in America today. They deliver our feed stocks, and they deliver our products to market.

In the Protest Petition we filed with the Town regarding this rezoning, we indicated our concern that the current use of this property is incompatible with the existing use, and we are worried about how our truck traffic will be greeted.

Last week I heard that the development of Pittsboro Place would enhance the industrial land behind it, making it more attractive to future industries. My question to the developer is, "Are these industries planning on shipping anything?" Last week Labcorp in Burlington was cited as a model for this development. Before you rezone this property, please travel to Burlington to look at Labcorp. It is an object lesson in what not to do from a planning perspective.

Before the board rezones our last chunk of industrial land I would like them to consider our property rights for a moment. We came to the edge of town, invested millions of dollars in the creation of our plant, only to find that the Town is now considering changing the zoning so that a discount mall can be constructed all around us.

Please don't do that. Please think long and hard about what you are doing with this decision.

Finally, I would like to offer a comment on a term that the folks from Pittsboro Place are bandying about in this conversation—and that is "walkable community." As a sustainability advocate, and environmental educator, I would like to note that this project

is predicated on four lane highways. Requiring four lane highways on all sides, and hoping for a bypass of downtown to relieve traffic congestion is not what is meant by the term "walkable."

We are an industrial project in the industrial part of town, and we would beseech the Board to leave the current industrial zoning in tact.

As legal counsel for Altadore and the Estill's it is her opinion that Altadore has filed a proper protest petition in this matter. The General Assembly made changes to the protest petition statute in 2006 and the area for calculation of one's standing for filing a protest petition is measured from the property lines, not from the zoning boundaries. And although there have been various maps filed (although no deeds have been recorded) to try to change the property line. We believe there are technical and legal difficulties with those maps. As a result they believe the Pittsboro Place has failed to place a buffer between Altadore and their property. And they believe this failure on technical ground constitutes and means the protest petition (which Lyle filed before he left town) was valid and should require a  $\frac{3}{4}$  majority of this board to rezone the property.

Mayor Voller asked Mrs. Perry if she was aware that another petition was filed by Jim Estill (Lyle's brother) on property that his owns.

Ms. Perry said she saw it this afternoon.

Elaine Chiosso spoke on behalf of Catherine Deininger and herself – 1076 Rode Rest Road, Pittsboro, stated she is the Executive Director of Haw River Assembly and they had the following comments about this project.

The Haw River Assembly (HRA) would like to offer comments on the proposed rezoning from industrial and commercial (Split M-2/C-w, unconditional) to mixed use planned development (MUPD) for the use of the planned Pittsboro Place development off of 64 West on Industrial Park Drive. We are a non-profit citizen organization dedicated to the protection of the Haw River watershed. Our membership and volunteers include many residents of the town of Pittsboro and those living in its ETJ.

Our concern as always is for water quality in the Robeson Creek watershed, which will be directly effected by this proposed development. As you know, parts of Robeson Creek are on the federal "Impaired Waters' list and this pollution is contributing to the overall pollution of Jordan Lake. The Town of Pittsboro has been working with HRA NCSU Water Quality Group, the NC Division of Water Quality (DWQ) and the US EPA to try to bring this important creek back to a healthy condition. The proposed "Pittsboro Place" development is a huge step in the wrong direction and will set our collective efforts to improve Robeson Creek back considerably.

Robeson Creek borders the southwest corner of this property. There are also a couple of small perennial and intermittent tributaries of Robeson Creek that Soil \_\_\_\_\_&

Environmental Consultants (S&EC) identified as part of the Environmental Assessment that transverse this property. We're submitting as part of our comments a map that was created by S&EC depicting the streams that was included in the preliminary proposal, but was not included in the current proposal.

The part of Robeson Creek that borders this property has been identified by the State as impaired for biological integrity which means the aquatic insects and fish that would be expected to be found in a perennial stream are not present in this section of stream. Also as you know, the DWQ created a total maximum daily load (TMDL) for Total Phosphorus for Robeson Creek requiring a 71% reduction in point and non-point pollution sources. Currently, the Environmental Management Commission is taking public comment on new rules for Jordan Lake watershed with include requirements for stream buffers and stormwater control that Pittsboro and other municipalities within the watershed will be expected to meet for both new and existing development.

There are a number of things that greatly concern us about this project.

- I. The total disregard for the intermittent streams that transverse this project. On the site plan, there is no indication that these streams even exist. Members of the Robeson Creek Watershed Council visited these intermittent streams last spring. These streams do exist and contain aquatic life that should be protected - especially considering the impaired state of Robeson Creek. If the new buffer rules for the Jordan Lake were in place, these intermittent streams would be protected.
2. It is unclear from the site plan map and the proposal narrative how the 100-foot buffer along Robeson Creek will be determined. The buffers appear to be simply 100 feet from the blue line of the creek. These 100-foot buffers need to be measured 100 feet from the top of bank not from centerline. Also they need to take into account the slope of the land next to the stream by measuring 100 feet horizontally rather than 100 feet up the slope.
3. This proposal includes a planned trail along Robeson Creek within the stream buffer. If a trail is to be included in the stream buffer the buffer should be increase beyond 100 feet and the trail should be set back from the creek with only an occasional spur approaching Robeson Creek to provide a stream vista. We also ask that written language be included in the proposal that the trail not be paved, but use a natural trail surface.
4. Upcoming Jordan Lake rules are clear on their expectations that new development will be encouraged to use Low Impact Development (LID) strategies. The site plan for this proposed development show only stormwater retention ponds, which are not typically used in LID. The 4 sentences on stormwater management in their proposal make no mention of LID strategies. The proposed Jordan Lake rules also include a section requiring local governments to retrofit existing development in the coming years to better contain stormwater pollution that flows into our streams. If you pass this development as is, Pittsboro will end up footing the bill to install storm water best management practices that the developer could have installed during new construction at a fraction of the cost the town will have to pay

for retrofitting.

5. Pittsboro is currently under a moratorium that prohibits the approval of major subdivisions and non-residential development within Pittsboro and its ETJ while the Board negotiates with the state to expand its wastewater capacity problematic because of the current impairment in Jordan Lake. That being the case, we don't understand why this development is currently even being considered.
6. We have heard that 15,000 gallons per day have been found for this development from another site, but I've also heard that the expected need for build out of this development is over 300,000 gallons per day. Where is this other 285,000 gallons per day going to be found? Pittsboro cannot count on its limited water supply from the Haw River –especially during droughts to provide for this scale of development.

In closing, we believe this proposal is not suitable for Pittsboro and will cause tremendous problems to Robeson Creek, the natural environment and town resources if approved. We offer these comments in the spirit of wanting the best for Pittsboro's future. Thank you for this opportunity to voice our concerns.

Carrie Overguard yielded her time.

Stacye Leanza spoke on behalf of Tami Schwerin 192 Lorax Lane: Landowner adjacent to the proposed Pittsboro Place.

I'd like to speak about what an Industrial zoning means. I think everyone in this town wants very similar things....people that are both in favor of Pittsboro Place and people that are opposed. We all want good economic development. We want Good meaningful work for our people, we want to preserve the character of this Community, we want to retain the small town feeling and we want solid infrastructure in order to have progressive growth. We want a wonderful place for our kids to grow up.

The county planned and spent tax dollars on building an Industrial Park on the edge of town. We have several Industries already there. I encourage people to go Take a look or go on tour if you have not seen what this Industrial site looks and feels like. This is Green Industry: organic food distribution and also biofuels made of local waste fat. There is also a soccer field, beautiful gardens, a playground, outdoor movie nights, live music for the younger crowd that is moving here to work in the Industrial Park. There is a shared kitchen for community gatherings and meetings. There have been cooking classes for kids where they learn about buying local and making Pink Ink Yink Drink, Moose Juice and cooking herbed chicken.

The point is, Industrial Zoning does not have to mean smoke stacks. That is no longer sustainable or desired. Industrial zoning means Green Industry...this county needs the materials and the industry as we as a society are building our passive solar houses, putting in solar panels and using recycled materials to build with. Let Chatham County and Pittsboro be a leader in progressive thinking and not another town devastated by poor planning, lack of infrastructure and a dried up downtown. We want to be the place

that people study and emulate. We want people coming to the college to learn about how we did it with sustainable agriculture, the biofuels program and the small locally owned businesses where the owners actually live in this community and care about this community. Why would anyone be attracted to another Cary, Apex, Garner or Clayton? That is all over the country and it's not working for them.

It certainly works on the short term for the out of town developer. They get in, get the rezoning and permits which they are so good at doing, flip the land or develop the land and make their millions. They go buy their island in the Caribbean and never look back at the community that has gridlock and rising taxes to take care of the entire unplanned infrastructure and it is too late. The town has been star struck by promises of "proposed" bowling alleys and movie theatres that may or may not happen. Let's open a community owned movie theatre and in the mean time, go to Fishy Fridays at the circle or go to the Biofuels Plant for outdoor movies and popcorn. It's a lot of fun!

Let's create a thriving, green industrial park with new state of the art businesses and include recreational facilities with that....more soccer fields, ultimate Frisbee parks, buildings and shelters for entertainment and let's keep this town unique, small, and full of the character that it is known and valued for.

I think there is a big gift here; having Bill Jackson and his partners come and propose this Pittsboro Place. We have gotten to actually have a conversation about what this town wants. It is evident that we don't want a huge mall on the edge of town. But we do want to be in community with each other, we want to have a fun place for our kids to go on the weekends and we want to have lots of conversations with each other.

Thank you, Bill. And No Thank you to Pittsboro Place.

Leslie Fesperman – 53 Hillsboro Street is where business is located. She stated:

I don't know what I can say that is different than what everybody else has said here both tonight and on Monday night. I do know as a small business owner I have a heightened concern about this type of development and that's on my level. I'm very concerned about Pittsboro and surrounding community. To get to be brief, I urge you to vote against this proposed. If you vote for this zoning, there is no room to reconsider what has been presented and there are a lot of important concerns-environmental, retail, law enforcement. The list goes on. So please, you've got a very big decision and I urge you to leave the options for Pittsboro open to slow growth and vote against this rezoning at this time. I do feel it will come back up and that's when everybody will reconsider their thoughts and emotions.

Carol Hewitt – 424 Johnny Burke Rd., Pittsboro stated she was speaking on her and her husband's behalf. They moved here 25 years ago to start a pottery business. It has been successful. They bring in 200-300 people into the county to shop a few weekends a year.

Thank you for your consideration of the following concerns regarding this rezoning request. This is a *huge* mall complex, bigger than Crossroads in Cary, Crabtree in Raleigh, North Hills Mall or Triangle Town Center Mall in North Raleigh. I have been to these malls and the traffic congestion is severe, especially on weekends and they are served by four lane roads. Will these be better jobs than new industry would offer? Are you familiar with the areas around these malls? How do the people living nearby feel about how they impact the quality of lives? Are you approving something that could have a severely detrimental effect on your town, your family, your friends, your children, an impact which you five will be solely responsible for, without having seriously researched what these huge malls and the areas around them are really like for local residents? The developers have submitted a report that states that there will be nearly 14,400 cars a day! Just today it took me 4 minutes to get out of the Food lion parking lot at 11:30am. With more than three times the traffic would that be 12 or 15 minutes.

Bill Jackson, the developer, claimed in his proposal that the Galleria Mall situated behind Crabtree Valley Mall in Raleigh was an example of the quality of his work. Actually this commercial project failed! It was never built, yet he lists it, with slick drawings like the ones he showed you of Pittsboro Place, with his resume to convince you he is reputable. He has since admitted this project failed and he bailed out and used the money to partially buy this property with several other people, but he refuses to name who they are. Is this someone you really want to believe? What other exaggerations has he included about his track record? Mr. Jackson also stated that he is paying \$35,000 a month in interest payments and needs to move quickly. Why? Quickly... to build something he also said would not be built for 5-10 years? Can he afford that interest for all those years? I do not believe these developers plan to build this at all. In order to recoup this huge investment, once rezoned they will sell it for a quick profit. And that buyer can resell it. And it can stay vacant for many more years. We will have sacrificed our industrial property so a few out of town developers can make a profit.

Another large mall is being proposed off Eubanks Road by a rival firm, the Preston Group. This would offer the same benefits without the traffic problems, and that developer has the financial resources to actually build whatever he proposes. Why is Mr. Jackson in such a hurry to get his mall passed first? Are we just pawns in a race between outside investors who care little about what happens to the people of Pittsboro? Dr. Goodnight and the Preston Group spent over 4 million dollars on the Eubanks property for their mall. Clearly Pittsboro is now an attractive place for developers. It is foolish to just say yes to the first offer. How can we negotiate to use this opportunity to really benefit the youth and adults of Chatham County? It only makes good sense to wait and see what that proposal looks like before making any decision about this one! Then you can CHOOSE what you most want for your town.

Big deal! They offer a movie theater and bowling alley for youth. Those activities are expensive! If they really cared about the young people of Pittsboro they would know we need a free public swimming pool, an expanded YMCA, a lighted public basketball court and more playing fields, and many more FREE activities for our

youth, not costly movies and a mall. The Southpoint Mall is beginning to have problems with gang activity. There are better ways to help our youth than to build another huge shopping mall!

The proposal gives the developers the freedom to bring in any stores they wish. This is unheard of in these proposals. If in fact, they are building a "world-class" shopping center they would have clear indications from reputable stores that they want to be located here. Instead their own market analysis concluded that Phase 1 would need to be low-end discount stores because that is all current Pittsboro residents can support. When I asked who would shop in all the stores he proposed Mr. Jackson quickly replied, "There's 40,000 new people moving to the Pittsboro area?" So clearly this mall is for them, not us, but they won't be here for several years at least!

You are spending \$50,000 to update the Pittsboro Land Use Plan. That money is just wasted if you decide on this before you get your report in a few weeks.

Water and sewer? There is no realistic plan to handle the massive needs for either one. Please take your time and get the best you can for Pittsboro. You don't have to be in a hurry just because the developers are in a hurry to make their millions at our expense. Please take your time and get the best you can for Pittsboro. You don't have to be in a hurry just because the developers are in a hurry to make their millions at our expense.

Please take your time and get the best you can for Pittsboro. You don't have to be in a hurry just because the developers are in a hurry to make their millions at our expense.

Mayor Voller stated Ms. Hewitt referred to recreational activities in Chatham County and Pittsboro. We were advised last week that Pittsboro did receive another PARTF grant for a project south of town. We have received roughly \$800,000 this year in grants from the state. These are things that will go towards free recreation.

Greg Caustic, 37 Thomas Lane in Andrew McMahon place because he had to leave. He stated so many good points were made so he tried to bring up something new. He is an outsider, he has been here for seven months and he works at Piedmont Biofuels. You have a lot of choices so be patient and make the right choice. His point is you may not feel like you are winning. You may feel like young people like him come down, they don't really live here, they come to meeting like this and that's totally understandable. But don't react to it by accepting this plan. This plan is not the right reaction to the feeling. The right reaction to that feeling is saying alright we can plan a town, let's sit down and plan it together. What do you folks want is this really what you want.

Kathy Russell, 261 Abeyance, Moncure spoke in V. B. Sills place. She stated she is an Attorney with an office in Raleigh and Pittsboro. She is not anti growth or anti developer. She represents developers and has been doing it many years. This is the wrong project at the wrong place at the wrong time.

We all want economic development and we need it. But if you are looking at this for economic development you are looking to the wrong place. Why, because it is a mixture

of residential and retail. The retail brings in not a lot of money that stays in the county if there are large chain stores the money goes away. The jobs are mostly low paying. We all know residential does not pay for itself. Residential is a tax on our infrastructure. Retail is going to bring some in but it is taxing our infrastructure further. The people who shop here go home, have their garbage picked up, go to the library, to the park and they use our infrastructure. So at best for economic development this project is a wash.

Because in addition to only being a wash the one great opportunity that Pittsboro and Chatham County has for real meaningful economic development and that is tourism. But if you put that shopping center in and we look like 64 & 55 in Apex, people want go to Apex for tourism to see anything. But it is going to kill what we have. Tourism is up in this county. We can nurture that but or chop it off and kill it. Pittsboro is unique. People come here internationally for the sustainability program at CCCC. Tourist comes here and they don't tax our infrastructure, they go home. We need to create things to bring in tourism. She would like to see Mr. Jackson go back to the drawing board, meet with community groups and bring this project back to the board.

Ginna Earl - she lives and works at 76 West Street. She works at a bed and breakfast and also owns a shop off the Courthouse Circle. She comes into contact with so many people who love Pittsboro. They can see what a great artist community we have. They love the small shops. They love the downtown atmosphere. Almost all of them say to her they hope it stays like this. They hope it stays a small town. She recently visited La Gasa, California it is a fabulous big small town that Pittsboro should aspire to be like. And in fact Pittsboro has many of the same features as La Gasa; neat buildings, privately owned shops with unusual merchandise, spas, nearby vineyards, art galleries and good restaurants. La Gasa was a striving and wonderful place to visit. They had obviously worked hard to keep their downtown. And that is where the real money is. In 10-15 years malls will be everywhere and downtowns will be rare and sought out. If we keep it this way visitors will continue to come to spend time and money.

Mayor Voller announced a five minute break.

Mayor Voller stated Julie McLaurin would speak in the place of Bonnie Iverson.

Julie McLaurin stated she lives in Morrisville. She is an Architect and she came representing their client the State Employees Credit Union. They have been working with SECU for a new branch location that will be at the corner of Industrial Drive and Highway 64. They are not apart of this rezoning package. They have been through the design process and are about ready to send it out for bid so they made be underway with construction this fall. They do many prototypes SECU throughout the State. Frequently they make changes for road improvements, site of the building; parking and sometimes they are asked by developers to change the materials (roof, brick color). For Pittsboro they have done more extensive changes to the building to help it fit in with the historical architectural of Pittsboro. She just wanted to say those changes were not required by the town. They were initiated by the developer to help fit into the historical nature of Pittsboro. They are very excited about the project.

Mayor Voller said could you submit the changes to the record.

Ms. McLaurin said some of the changes have involved the use of a couple different brick types (different colors); the roofing materials (metal) one of the most significant changes is to the roof structure in looking at their guidelines within the development they changed profiles on the wall and modifications to look at the site of the sign. They are going to improve the look over the one's they normally would have done.

Mayor Voller asked does any of these change meet the LEED guidelines.

Ms. McLaurin said yes they do. Those change are apart of a new prototype design they have developed for SECU. They are taking the same design and going for LEED certification currently on a building in Raleigh. Those changes involve material selections, changes to the structure of the building, with mechanical equipment, the energy efficiency of the building. There is a long list the LEED has. It is a sustainable building.

Simon Lobdell – 938 Bill Thomas Road, Moncure. It is pretty clear from the input we have received over the last two meetings that the reception would have been very different if had come in with a LEED goal standard plan. But that hasn't happened. Even if it had he would not stand here in support of the rezoning request. Because what the zoning place is right now is an ancient city plan and he really thinks we have to keep this as an industrial spot. There are really possibilities of industrial companies wanting to move to Pittsboro because it is a great area. But this plan is not for Pittsboro it is for the Goodnight's. Everyone here knows that. It has nothing to do with Pittsboro. If we were to actually look at all the projects that are going to be coming down the pipe line and come up with a real city plan that would include an impact study of everything that is going to happen to Pittsboro. The air pollution, light pollution, water pollution, traffic and wastewater. Are we going to dry the Haw River. These are questions we have to ask ourselves before we give approval to a project that is the gateway to this much larger issue. He hopes you will put it off at least until there is a land use plan in place and that you really stick to it.

Mayor Voller asked Mr. Lobdell if he was an Environmental Engineer in Training. Mr. Lobdell said correct and he offered to help the town.

Hugh Harrington – 191 Bellemont Road stated just assume that everything is delivered as planned is it reasonable to rezone. He thinks it might be especially since you will be getting office spaces there and all these knowledge based industries. He has worked in industry. Two of the four places he last worked are empty buildings now. He doesn't think this project will kill downtown. He thinks this area could support a whole lot. But his big concerns are the size and the traffic. For him he had to look at it and say does this really make sense here at this size and magnitude? You really don't see places that big with so little access. It really does seem very big and it seems likely it would be a traffic mess here. Pittsboro would be at capacity. It does sound like it should be rejected in his opinion.

Kim Calhoun – 54 Quartz Hill Road. Doing a lifetime of moving around NC she is proud and grateful that Pittsboro and northeast Chatham County have always been her roots. It was great to be a kid here. She is glad to be back living in Chatham County the last 2 ½ years earning her livelihood in downtown Pittsboro. One of the inspirations to come back to Pittsboro was that she could still recognize it. It still feels like home with the small businesses and small town connections that she remembered as a kid. She is also inspired by the new energy here. She would urge you to think outside the box of large corporate chain store developments such as Pittsboro Place. Our community has passion and commitment to grow slower and smarter. Lets continue to be creative and innovative in preserving and growing a sustainable home grown Pittsboro. She wishes you wisdom in your decision which will highly impact the health and future of our community. Please choose what will be for the higher good for everyone here in Pittsboro, not for a few who living outside our community.

Melissa Frey – 104 Hawk Nest Trail, Pittsboro. She has been a Chatham resident for 14 years and she has two children. She is the initiator of Chatham Marketplace your local co-op grocery store and currently helping the Burlington area start their own co-op grocery. Here we are in the center of Pittsboro and last week Mr. Styers proclaimed the Town center would be 10 blocks from here in a new and improved Pittsboro Place. She finds that offensive. The Pittsboro Town Center has been right here since 1787. Could downtown be kept original and walkable? Sure it could. One block from here we have the old Ford lot for lease. The old post office is two blocks from here. The old chicken factory is three blocks from here. We have 50,000 sq. ft. of unused space in Chatham Mills which is four blocks from here. Mr. Styers and company if you want to come to our town enter and do us some favors as your presentation seemed to indicate. Then please take a look at these properties. Tourism increased 12.2% last year, the second year of double digit growth. I regret to have to leave town to get my bike fixed, or to get a skein of yarn or to get a backpack. However she wants all of us to create these resources for ourselves. She is sure this project has been in the making for years. We must build the bowling alleys and the store that appeal to our new and old neighbors.

Mayor Voller asked if anyone in the audience would like to speak since we had about ten that were not here.

Temple Richmond – 25 Creekside #72 she has been living here a little over two months and she is delighted to be here. She moved here from Mall Town (Raleigh) where she lived for twenty years. The reason she moved over this way is because of the unique culture, the individually owned store like the General Store Café and the Bed and Breakfast and the beautiful land in Chatham County. What we have in Pittsboro is unique and should stay that way. She would request that you do not approve this project.

Chreatha Alston – 722 Mitchell Chapel Road stated she was born and raised here. Growing up here there was nothing to do. She left and went to NC State and stayed in Raleigh for ten years. After having children and getting married she returned to Pittsboro. She had gotten all she needed in Raleigh (the malls/shopping). She came back here to

raise a family; she didn't come back here for the mall. She came back for the country living. She was a little appalled when they came to our church yesterday and convinced the pastor that this was a great plan. He advocated to our church that he supported the plan. She feels as members of the African American community are not asking enough questions. Not enough questions are being asked of this development. The only person on this board asking questions is the Mayor.

Allen Smith, 594 Weatherfield in Fearington. He wanted to make two points:

First, we are talking about an amazing amount of development here. If we compare 57 acres as the total acres of the University Mall Complex plus all the office spaces nearby. 57 acres is only one half the size of what this proposal includes.

Second, your responsibility as the next 30 years unfold and Pittsboro must change is to guide the change process thoughtfully and progressively. He can not imagine one change of this size now presents the first step in that process.

Bill Lynch, 851 Popular Forest Road stated he was speaking on behalf of himself and his wife. They moved here from NY City, first to Hillsborough during the time they were renting they realized there had been a change. What they like about Pittsboro is that it is very unique and special. He must admit the first impression they had of Pittsboro was that it was a dump. After he learned about it they brought a house here last year. This is a mistake he thinks it needs to be scaled down. He doesn't think it should be rezoned because the town is not ready for this.

Bill Jackson, 3925 Arrow Dr., Raleigh, he stated he has lived in Raleigh for almost 40 years. This has been a very long process. He will submit a package to the record. The nature of this type project tends to be controversial. If you vote in favor of this project it will become a project of national prominence. The reason is not because of the retail core. It is because of the office and business uses that will be attracted around it and become a part of it. In spite of what they have heard tonight the reality is there is much about this project that is very much in the nature of what the smart growth people recommend. They are really kind of calling your bluff. This is the type site Mayor Voller that the committees you serve on tend to recommend for this type of project. It is. They pledge this council they will go to work very hard the same way they have gone to work hard to develop this plan.

They will market this plan and project to bring economic development to this town. It will be a variety of development. There will be some low paying jobs, medium paying jobs and absolutely some high paying jobs. What he likes to do as a developer, he likes to look and see what has happened in other places. In the Raleigh market they had expressed concern relating to the North Hills Project. But what happens today is virtually no one is unhappy with that project. The property values have risen. The developer is experiencing major relocation of office building tenants because they want to be close to the retail.

They have still got 90 acres of M2 zoning in the rear of this site. If the biodiesel alternatives are so attractive bring them on folks. They are more than happy to cooperate with all that and they have 90 acres to cooperate with.

In normal development densities though 90 acres would typically support 800 or 900 thousand square feet of business development. So from a practical standpoint they came to Pittsboro and were encouraged by the Mayor at the time, the Manager at the town and the Planning Director. They said this is the type thing they were doing and they were encouraged to do the MUPD process. The elephant standing in the room folks is this project, it is already zoned for substantial retail uses. He submits that the real decision before you is do you force them to do a piece meal development because the existing zone is rigid. For example it will not allow for them to put the movie theater at the back of this site. It will not allow them to put restaurants toward the back of this site. Or, do you allow them to go market to the world a MUP that is very well designed and will compliment this town for years to come.

This is really ultimately the question here. There are 200 acres that have been zoned for a business park for a long time. They are prepared and they are capable to assist in the type economic development this town has wanted and needed and they will do that with good intentions with good faith and with a good heart. In addition he grew up in Havelock, NC doing recreation on the Neuse River, he is not looking to pollute the world. He stated if he is approached in a reasonable fashion (he doesn't want it to hold up their approval process) they are willing to cooperate and use best reasonable practices. They are not looking to pollute the creek or to pollute the river. The reality is they are happy to cooperate with some of those things and they would love to have a good variety of local tenants as well as national tenants in this project. Frankly, that is what makes North Hills as successful as it is.

They are not opposed to local tenants as a part of this project they will go out of their way to incorporate local tenants as part of their mix.

There is a difference in this project and other projects that will be proposed along the bypass. The difference they believe is that this is the one project that potentially really and truly strengthens downtown. Look at what happened around North Hills. And look at what happened around to the downtown area of Raleigh originally when retail located along the beltline in Raleigh. So, from a practical standpoint there really is a difference here. This project will strengthen downtown. The standard strip shopping center model on the bypass tends to weaken downtown. They believe that issue is very fundamental.

This project is between the downtown area and the nearly 5,000 acres that Jim Goodnight's group has assembled. There is an opportunity to create walkable bikeable, greenway trails through the 5,000 acres around the perimeter of this property and into downtown. That could truly be wonderful. The Town will need to require the Goodnight Group to participate in that process. They are fully committed to that process in fact they have brought right-of-ways and made negotiations to this point to allow extension of that greenway trail past their property. This is an amenity for the park system and it is a free

potential amenity. So he doesn't want to be labeled an anti-environmentalist because he is not. In many ways he has strong environmental feelings. He doesn't want it to be suggested as a person who is opposed to local tenants because they would love to have them. They will go out of their way to find them.

At the end of the day this is primarily a question about whether they need to end up doing piece meal development on this site or are they going to be able to market a world class community for this town that will attract the type of economic development that many towns only dream of. They believe it could happen here.

Commissioner Baldwin stated in your statement you were indicating that this would be a project with national prominence not due to the retail but based on the office and business uses, expand upon that. What type of offices/business uses are you referring to?

Mr. Jackson said reality is the whole Research Triangle area has become a magnet place for high tech; high education and high paying jobs that are most sought after by many communities. We have three great universities in this general area and the Town of Pittsboro has not participated as much as they believe we can and should. This tends to be labeled as "it's just a mall." But the truth of the matter is it is not a mall at all it is a modern mixed use project. And they believe it will attract a variety of tenants including the type of tenants that have been advocated by the audience standing behind him. In addition, if they can make it work, they would love to have the 90 acres in the rear become a world class bio-tech center. They think it could be wonderful and it could tie into the community college system. There are a lot of people in town that are concerned about their property taxes and have a hard time making ends meet. He believes we all have a responsibility to do financially responsible things to the extent that those things are feasible. They welcome the opportunity to develop a world class bio-tech center on the 90 acres which is not included in this rezoning. Many of these tenants can locate in the office space on these two submittals. The reality is they need to build a substantial portion of the retail first because that draws the rest of it into the site. That's the way it will happen. You will not see concrete plants or poultry plants while they have ownership in this.

Commissioner Baldwin asked if he had any discussion with potential clients from the high tech field.

Mr. Jackson said they have had early stage encouragement from a class A food store and theater. They have also had encouragement of a possible medical facility at this point. If this town council chooses to equip us to go out into the world and market this approved major MUP in the Town of Pittsboro then they will go to work.

Commissioner Baldwin asked why not try to recruit those type individuals now at the current industrial zone.

Mr. Jackson said there is a lot of competition for industrial sites. The reason (in his opinion) this town needs to approve this project as it changes the nature as to what the

industrial user is locating next to. We still have the same needs. Their surveyor spoke to the needs of his employees. Reality is that business park has sat there for 30 years with no development. This will change that pattern. Give us something to market it with and we will bring economic development to this town in a way that will be most positive and most high tech and will in many cases be most environmental.

Commissioner Baldwin stated there are several vacant areas downtown. Have you ever considered utilizing those areas for the bowling alley, a movie theater and such as that is one of the major concerns you were pushing.

Mr. Jackson said they have a sense at this point on a national basis of what works with these mixed use projects. The bottom line is that there needs to be a certain critical mass. And they believe this is the location to create that critical mass. By creating that critical mass they also tremendously enhance the attractiveness of the 90 acres in the rear for industrial use at the same time. So practically speaking this town simply will not benefit in the same way if they use 50,000 sq. ft. of vacant downtown space. What will happen if this becomes the type magnet for growth that they plan and expect it will the downtown will also experience the benefit. Again, he would invite them to look at what happened in the North Hills area around that development. The benefits have extended out eight or ten city blocks. It is easy to say the way to fix the downtown problem is to create an appropriately designed project with critical mass and the downtown will become a part of that. Otherwise what happens basically is you can't attract what you need to attract.

Commissioner Brooks stated several years ago the Town approved Powell Place. He was on the Board and he voted for it. They were told it was going to be a MUD and the last time he rode through there he did not see any businesses. All he sees are homes and townhouses. Last he heard two proposed businesses had asked for an extension. If this project were approved would you be willing to put the commercial in prior to any housing. And would you be willing to cut the number of houses. He stated we are getting a lot of houses but he still has to go to Siler City to purchase basic items.

Mr. Jackson stated that they believe they can work that out with you. They would certainly be prepared to do a certain amount of the commercial before they did any of the residential. They would have no trouble at all with that. He stated there is a different market for the residential here than elsewhere. Much of the residential growth is on a golf course and these are expensive lots. The advantage here is that you have a group of people who can afford to sell at a lower price range and walk into this entire project. In short, at the end of the day he is highly willing to do what you suggest.

Commissioner Brooks stated 18 percent of the people in Pittsboro live below the poverty level. Lots of other people including this Commissioner live on a modest income. We need some basic services. But if this thing turns out to be like some of these other malls it will just force us out. The other thing that concerns him is that at build out you were saying 6 million gallons of water a day. When we have talked with the State they have talked about 2 million gallons of wastewater discharge into the Haw, if they should decide to give us another discharge point so that we don't use Robeson Creek. Now they

are talking about 4.2 million, you are asking for more water than we are going to have sewer. There is some sort of disjoint there.

Mr. Jackson stated he would need to refer to his technical experts about that. But he will tell you that their application is very clear that they are not asking for more capacity than the town chooses to allocate to them from time to time.

Commissioner Brooks stated we don't have it now and it doesn't look to him like we are going to get it to work.

Mr. Jackson stated he would get him a better response to that at the next meeting.

Commissioner Bryan stated it is his understanding that Pittsboro Place Partners now own the land or are they in the process of purchasing the land.

Mr. Jackson stated they are now the proud owners of 200 (205-206) acres in the Town of Pittsboro. They bought and own this site. One of the reason was the zoning was already in place. He told his financial partners they can do substantial retail on this, the zoning code already allows it. They have a lot of uses they can use for this property. What they can't do is a world class project. What they can do is piece meal it, that's easy. So they do own it.

Commissioner Bryan asked would you commit to the Town to keep the 90 acres for industrial projects.

Mr. Jackson said yes that is their plan. 90 acres is about a million square feet of industrial space. He would be very happy if ten years from now they had 90 acres developed on that site. He has friends that have worked their lifetimes and not built 90 acres of industrial development.

Commissioner Brooks asked if Submittal B was the industrial part.

Mr. Jackson said actually Submittal A and B are what you see up there (pointing to the board). The tract to the rear is the 90 acres that is not a part of this submittal. They have a total of about 205 acres.

Commissioner Brooks asked him to explain exactly what he wants on Submittal B.

Mr. Jackson said Submittal B is basically a smaller amount of retail use. A substantial amount of office use with a small amount of residential and retail. Submittal A is a large amount of commercial and also some office and a potential hotel. What you can't see is many of those buildings are potentially three or four stories in height. You see the retail on the first floor, but you don't see the fact there are offices and other uses above.

Commissioner Bryan stated there are traffic concerns from what we have heard. Have you been involved with NCDOT?

Mr. Jackson said yes. From a practical standpoint the town had a difficulty with the traffic circle before they came here. Their traffic study shows that it will be at a level F if nothing is built on this site (in roughly two years). In addition the town really needs a way for traffic to go around the traffic circle on the eastern side. What he believes is that is a great opportunity for the Town, when the 5,000 acres come forward to accommodate that which would take heat off the traffic circle. It also turns out that they can accommodate their traffic needs basically by four laning business 64 to the bypass. When they got to the NC DOT Engineers someone had gotten there ahead of them and they appear to be related to the 5,000 acres. There is also an opportunity to add an interchange between where business 64 comes out on the Raleigh end and where 15-501 comes out basically where the Toll Brothers site is to the north. They think it makes an awful lot of sense. Their traffic plan is designed to go either way. They have studied it both ways and they have submitted it both ways. It works just fine for them both ways. They actually think that is a better plan. If they were the owners of the 5,000 acres they would eventually come forward with that plan. They have done their best to have a cooperative dialogue with the 5,000 players and they simply have chosen not to do that at this point. This is absolutely their right. They can accommodate their traffic, they did not cause the traffic circle problem and they can not fix it. You can pretty well tell what someone is going to do by what they have done in the past. He has rarely obtained approval for sites and sold them. That is not his desire here. It is not a guarantee. But if you look at his track record over the last 30 years he has bought a lot of land with an awful lot of partners and built an awful lot of buildings. Like a lot of people in this room he is getting older and his name is going to be associated with this project and he truly wants to do something that is a good thing for the town. He hopes that it is something that 10-20 years from now people will say that it was something beneficial and not detrimental. He would also like to suggest that there is much more cooperation in him than much of this room understands at this point. He believes if properly approached, how engaging and willing to participate in various dialogues. Where they will stop is when they say these studies can go on for ever, we would have a difference of opinion there. When they say they want us to scale the project down to the point the critical mass won't work, they would have a difference of opinion there. But with respect to using more modern best management practices with water quality and that type thing he thinks people would be amazed. They are willing to do their part. They also have the meter running on a pretty good size loan and they would hope you guys would support their project.

Commissioner Cotten stated he is going to be brief because when you come back with your site plan he will have a lot more questions. They have heard tonight that tourism is up (and its true) in Chatham County not necessarily in Pittsboro, because we do not have a hotel to accommodate visitors. When he has visitor he has to send them to Chapel Hill, Siler City, Sanford or Raleigh. Are you planning to attempt to locate a hotel on this site? We have been promised it before. Powell Place promised it.

Mr. Jackson said yes, they are. In his earlier career he built nine hotels in three states. He located all the sites and ran the management company by himself (not saying he

didn't have employees) he didn't have partners. He has a lot of hotel/motel experience. He would also remind you of what a great benefit the Fearington Inn was to the Fearington project. It was really a benefit to the largely residential community behind it. They put a hotel on this site in the very beginning. He can't make the market work and this market is still a little green. But this project has a hotel designed as a part of it. It is designed so when you look down the boulevard you will see the movie theater on one end and the hotel at the other.

Mayor Voller asked Mr. Jackson if he would say this is the most important project to come to Pittsboro/Chatham County in a long time.

Mr. Jackson said yes he would.

Mayor Voller said and that is the reason he believes we have had so much interest, pro, con and neutral because it is so important. It actually will have a significant impact.

Mr. Jackson said no question about it.

Mayor Voller stated he actually has some memory of that site. In 1997 this site was going to be rezoned for modular homes, he still has those plans in his office that he proposed. So people have been looking at this site for quite a while. It was fortunate that Piedmont Biofuels went out at INCO Alloys and started something out of nothing. One of your statements was about expandability in the back. It might be a concern how affordable that expansion would be.

Mr. Jackson said affordable to them with additional acreage.

Mayor Voller stated them or it any one else (Biolex) wanted to get back there. What would you anticipate being the possibility of actually working or locating something there even if they were going now.

Mr. Jackson stated they have already instructed John Anton and others to make contact with those people seeking to locate them on this site. That is in active negotiations to the extent (and in fact they had a meeting canceled by one of the company because of some sort security incident in the building) they have requested a face to face meeting with those companies.

Mayor Voller asked if he would be willing to get EDC involved in that.

Mr. Jackson said absolutely. They want to be good citizens. They want to participate they are delighted to engage in that type effort and they solicit the support. They are more than happy to do that. You have his cell phone number just call him and he will be there.

Mayor Voller stated Commissioner Bryan asked if you owned the property. And you have currently closed his company owns that

Mr. Jackson said yes, they are getting bills for about \$35,000 per month at this point.

Mayor Voller asked how this will keep the taxes low for citizens of Pittsboro, like Commissioner Brooks who is retired.

Mr. Jackson said the tax base has to keep up with the residential growth if it doesn't it will surely drive these property taxes higher. You have no choice. They are in the middle of doing a project in the middle of Carrboro right now. Carrboro has the unhappy distinction of having the highest property taxes in the State of North Carolina. They welcomed them with open arms. So from a practical standpoint is wherever you guys decide you are willing for the retail to go is generally where it will go. It is going to go where it can go. But what happens with these first class mixed use sites are that they are very rare. That is the reason they are here. That is the reason they have spent more than a half million dollars in the planning process, including a \$45,000 feasibility study that Mr. Monroe requested. So a long story short what happens with this project is if we create the magnet because of the critical mass of the retail core. It will then attract the other layers; it is those uses that will benefit the tax benefit the most. The retail basically is going to tend to be produced in the amount to serve the population as it grows. The real qualitative difference with this project and a typical shopping center is it brings all the other stuff that you so much want. Like what happened in the North Hills project the larger projects do much better than the smaller projects. That difference is what creates the tax base you want and need.

Mayor Voller stated in addressing the North Hills Project one of the speakers brought up The Galleria. What were they referring to when they said that, is this a project you were or were not involved with.

Mr. Jackson said yes he was involved. He stated he conceived of a project behind and adjacent to Crabtree Valley Mall about seven or eight years ago. It was designed to be a very dense mixed use project. It was well over a million square feet on just 12 acres. Essentially the only way you do that is to dig down and build four level of parking and then go up ten or fifteen stories above it. It was a 12 acre twenty story building. Long story short he acquired some partners that were primarily residential developers by profession. They had trouble arranging the financing for that project. And he sold his interest out and in part came to Pittsboro with some of that money. Later the rest of the partners sold their interest out to a realty company who are in the process of building nearly the identical project that was conceived by him and approved by his group. So you can criticize him for selling that particular project. In hind site he would have done better to have partners that were not primarily in the residential construction business. They were good partners in other respects.

Mayor Voller asked how his site would affect some of the other sites in town currently. Powell Place currently has a sewer allotment. Bellemont Station is in existence they have only so much sewer they have been using. What would be the impact that yours will have on them?

Mr. Jackson said like with other areas of life competing sites compete. Long story short the Town will end up making discussions about whether the mixed use parts of this site are valuable in need of encouraging and preserving or not. They don't control what decisions you guys make after their project is approved. What they believe is reasonable and fair is the people that came to this town and bought land here based on existing zoning before the Goodnight Group acquired the first property here, should be entitled to the first look at the approval process and if approved they should also submit a feasibility study and a traffic study saying based on this being approved how does this affect the balance of the market at that point. So surely there is an effect.

Mayor Voller stated the Goodnight Group has not come forward but is being mentioned. We are giving an account of something that has actually not come forth. They have purchased a lot of land.

Mr. Jackson said that is right.

Mayor Voller stated it may not even be fair to him for referencing it when the Town Board has not even seen it.

Mr. Jackson said Tim Smith is an accomplished developer. Their projects like Wakefield are well recognized and well done. And from a practical standpoint they are friendly if not friends and he has tried diligently to get them to come forth but at the end of the day Tim, as he needs to, makes his own business decisions.

Mayor Voller stated to clear things up there is no plan everyone knows there is land out there.

Mr. Jackson said that is correct. But again in his mind to the extent you look to see what happens in the past that group has been primarily in the business of obtaining entitlements and selling large tracts of primarily residential land to residential developers. It would not shock him if that happened again.

Mayor Voller asked if he thought they would sell to Disney that is a rumor that has been going around.

Mr. Jackson said he thinks the good news for the Town of Pittsboro is that this is really a unique site and with the proper approval over time you will be happy. Those guys have the bank roll to do it right.

Mayor Voller asked how many acres are there in Pittsboro. Planner Monroe stated 1,500 acres.

Mr. Jackson said he believes he has a reputation in the Triangle development community as having some foresight. They feel extremely good about this site over a roughly twelve year period. They think it will be built and it will be a tremendous asset to Town. His

task is to get a development plan so that over 10-15 years it is a reality and really benefits the town and benefits his investor partners.

Mayor Voller asked about the piece meal question. He believes there are five parcels shown on there. Why do you not feel that is piece meal as it is?

Mr. Jackson stated the answer is the subdivision lines can easily be drawn and configured to fit the plan that they have. The real practical difficulty is if you tell them M2 zoning does not allow movie theater and you tell us that you don't have approval of a master plan of sufficient size. Unfortunately, they will again and again need to come back with bits and pieces of this. And they can make money doing that it is just a terrible thing for the Town. It is not the way they want to do business. But again, somebody has got to pay that interest note.

Mayor Voller stated we were promised a medical facility in town in the past and we still have not seen it. What makes you confident that we would see it?

Mr. Jackson said it is a little bit like a young male or female that is eleven years old and haven't yet reached puberty and they keep hearing about it and they keep wanting to grow up. From a practical standpoint (if you will excuse his metaphor) that young man or that young woman is told you are going to grow up and do well and fill out really has trouble believing it at that stage. There is nothing casual about them spending a half million dollars developing a plan for this site. You can believe it is based on their absolute stone cold best judgment as to what is going to happen to this market, what is going to happen to this town and we can persuade you it is truly to the benefit of the town as well as the benefit of the developer they would never have started the process.

Miriam Hanner said she was appalled they would attend a church. She asked if they went to any white churches. Mr. Jackson said he did not attend any churches. She asked if his group did. Mr. Jackson stated he don't believe they did, but they would be delighted to do so. This remind her of years ago when people would come to try to buy land from her grandfather because they thought he was uneducated and tell him they were going to build an amusement park. And she clearly makes the correlation with your group.

Gray Styers stated he doesn't apologize for having some of their people attend the black churches. The community is welcome to form whatever opinion they choose to form with respect to that.

Patrick Barnes stated he does not know who is trying to pull the wool over whose eyes. (inaudible he was not at the mike) He wanted to know where they are going to get 6 million gallons of water and what you are going to do with sewage out of this waste. Chatham County has zero allocation for sewer with NCDENR. Are you a magician? Mr. Jackson said he was not a magician. Mr. Barnes asked him how he got this type water allocation and sewer allocation when Pittsboro does not have it then where are you going to get it from. Mr. Jackson said that is an issue that they are going to have to resolve as they go down the pike. The Town and the County are going to have to wrestle with this.

If he didn't think they could fix the problem they would not have bought the site and spent the money for the planning. He is not prepared to give him an exhaustive answer tonight.

Gray Styers submitted information to the record. He stated they cannot help but to feel and appreciate and respect the emotions by those that have spoken. There is no questioning their sincerity and compassion of beliefs and feelings and they recognize that. They like Pittsboro as it is. And are very concerned about the growth that will occur and are opposed to the changes that sure growth is likely to create, and they understand that. But, ultimately this is just a rezoning. They have to come back for site plan approval before anything is built. A lot of the concerns that have been expressed are issues that will be dealt with at the site plan stage. You heard Ms. McLaurin talk about the work that has been done to try to work on the exterior and the sod and integration of the SECU building. We have talked about the need to have environmentally sensitive projects. Those are all the type issues you have to have by the time they get to a site plan and the issues regarding water and sewer have to be resolved by the time they come in with the site plan. They recognize that and they feel it is going to be in their interest to be a part of the solution instead of a part of the problem. They recognize that and look forward to working with the Town cooperatively to find those solutions, to expand your resources, infrastructure and facilities. They have heard a lot of discussion about the need for M2 industrial zoning. You have seen your own zoning map you know that you have a lot of M2 industrial zoning once this is rezoned. Not only is it the 90 acres that Mr. Jackson and partner owns but also the other property going south from this area is already zone M-2. He doesn't know how long this has been vacant but they are looking at an opportunity here for this town to create jobs. It is difficult for Mr. Jackson to be here as the most unpopular person in the room or does he get that title. It is a difficult process but it is even harder for Mr. Jackson to look and vision the potential for the piece of property and to invest in a community. To create jobs, provide services, provide a greenway and arboretum and park. To invest in the future of this town it takes someone willing to take a risk and propose a property such as this. Some folks refer to this as a shopping center or a mall. But there is more office spaces proposed in this project than retail. They have talked about job creation; you have got to have that office component there that is going to drive the economic development and the jobs. They are looking at job creations that involve more jobs in the office than in the retail area. So you have seen the reports and know the average salary \$27,000 including part time. It takes people with vision and people willing to invest, people willing to take risk to create not a mall or shopping center but a place where people can work, play and live in a location that is going to be an asset to the Town. Thank you for your consideration and listening to all these people. A MUPD like this would greatly enhance the people, business and employers of Pittsboro and the local government for all those reasons they appreciate your consideration and look forward to answering your questions and continuing the dialogue at the next meeting.

Mayor Voller stated a correction was sent from Ms. Gallo from last meeting.

Efrain Ramirez – said no one came to Pittsboro Presbyterian Church, but they went to the black churches. That is very sneaky and doesn't make sense. Mr. Jackson may not have gone but he had a hand in it. And if that is the way the organization works then he is suspect. He would like to know if within the next thirty years Pittsboro is going to be like Raleigh.

Mr. Styers said the MUPD Ordinance requires a lot of information and details. And maybe they provided too many details. Because of the planning to his knowledge they provide more information than is required

Motion made by Commissioner Brooks seconded by Commissioner Baldwin to go out of public hearing.                      Vote    Aye-4    Nay-0

**A COPY OF ALL INFORMATION ENDED INTO THE RECORD IS ON FILE IN THE CLERKS OFFICE IN A BOOK ENTITLED "PITTSBORO PLACE PARTNERS REZONING REQUEST"**

**SPECIAL MEETING**

Motion made by Commissioner Cotten seconded by Commissioner Brooks to schedule a special meeting for Monday August 6, 2007 to consider the other issues on the agenda.

Planner Monroe said that is the Planning Board night. Commissioner Cotten said the Board of Commissioners can meet in the other room.

Mayor Voller suggested a joint meeting with the planning board.  
Vote    Aye-4    Nay-0

**ADJOURNMENT**

Motion made by Commissioner Brooks seconded by Commissioner Bryan to adjourn at 11:25 p.m.                      Vote    Aye-4    Nay-0

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Mayor

ATTEST:

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Alice F. Lloyd, CMC, Town Clerk