

**MINUTES  
TOWN OF PITTSBORO  
PLANNING BOARD  
REGULAR MEETING  
OCTOBER 2, 2006**

**Chairman Hoyle called the meeting to order at 7:00 pm.**

**ATTENDANCE:** Ken Hoyle, Ethel Farrell, Jimmy Collins, Harold Howard, Shannon Plummer, Freda Marsh.

**DISPOSITION OF THE MINUTES** of the Regular Meeting of September 7, 2006. **Ms. Farrell made a motion to approve the minutes as presented. Mr. Plummer seconded the motion: it passed unanimously.**

Mr. Hoyle introduced the commercial site plan for the **State Employees Credit Union**. He indicated that the site plan and a memo from Planner Monroe were in member's packets.

Monroe indicated that the firm of O'Brien Atkins had presented a detailed plan for this site located at the southeast corner of Business 64 and Industrial Drive. He noted that the Board had reviewed a property west of Industrial Drive a couple of meetings ago and pointed out that the dual driveways shown on to Industrial Drive aligned with the drives approved on the Carol Cox site plan.

Monroe said he had a couple of concerns and a couple of minor details that he felt needed to be addressed. He said he feels that the Board should have an explanation of why the developer proposes twice as many parking spaces as the zoning ordinance would require; given the sensitivity of storm water management and impervious surface limitations, the additional parking should be explained. There is nothing in the ordinance to prevent them from doing that, but he felt an explanation would be appropriate.

He said they have proposed a 1.5 inch water meter connection. Public Works Director John Poteat doesn't think he can obtain the type of meter the town uses in that size, so he has recommended that the applicant consider using either a one inch or a two inch meter service.

Monroe said there is a note about silt fence crossing the construction entrance and this raises an issue about the storm water management plan. Approximately a third of the property is sloped to deliver storm water into a swale and carry that storm water across Industrial Drive onto Ms. Cox's property. Monroe said he has asked that the plan preparer provide the town with some information about the affects that storm water delivery will have on the ability of that property to handle storm water flow.

Going to a pet peeve of Commissioner Walker, the plan indicates that parts of the property will be planted with sod and sod requires heavy water application at

the time of planting and grow-in. Monroe said he would strongly recommend that the town not permit planting during July or August because of the quantity of water that would be consumed.

Monroe said the table identified as "Irrigation Design Performance Table" is blank; it should be filled in. Monroe also said he would like an explanation of what constitutes "preservation seed mix" which is to be planted with this mixture and it is intended to be mowed annually. If it consists of grasses that will grow in excess of eighteen inches that would constitute a violation of a nuisance ordinance of the town. Monroe said he would like some assurance of what is in the mix and the heights to which it will grow if it is mowed annually. The town should receive assurance from the property owner that if the height approaches eighteen inches, it will be mowed. Finally, Monroe noted that, if this plan is approved, a lighting plan should be developed and submitted to the planner before a building permit is released. Monroe said there were a couple of representatives from the architectural firm who are available for questions.

Mr. Hoyle asked why there is no driveway on Hwy 64 Bus. only on Industrial Drive. Kevin McCalla responded that, having done many of these in the state, they have found that DOT is very protective of driveways onto their right of way especially when there is other existing development. It is easier for their client to get access on Industrial Drive and they have knowledge that the larger developer of the adjoining tracts has already talked to DOT about having a traffic signal at Industrial Drive so it is easier to just plan now for the entrance that will be required by DOT. Monroe said that, in his opinion, drives on Industrial Drive were to be preferred. Mr. Hoyle asked if this firm had designed the Credit Union north of Cole Park Plaza. Mr. McCalla replied that they had. Mr. Hoyle noted that it is very cumbersome to get in and out of that location.

Mr. Hoyle asked Mr. McCalla to explain why the Credit Union needs twice the number of parking spaces. Mr. McCalla said that the Credit Union works off the state pay schedule, which is every other Friday so they see twice as much volume as the typical bank sees on a normal Friday. He said that the Credit Union has decided that they are a service based and family type of organization so they typically have twenty to twenty-five employees in any one of their branches at all times, whereas a bank like Wachovia may only have ten or twelve employees. Since they have that number, they want to have enough parking for that heavy flow of traffic. The Credit Union typically turns down a site if they can't get more than 60 parking spots. Mr. Collins commented that the number of spaces would also include growth. Mr. McCalla agreed.

Mr. Hoyle asked if the building would be typical of what they are building presently. Mr. McCalla said it would.

Mr. McCalla said he had talked to their civil engineer so he could answer most of the other questions that Monroe had posed. Mr. Collins asked if they had any elevations of how the building would look. Mr. McCalla said that he didn't have the renderings with him but that the building would be very similar to the one

north of Cole Park but that the developer of the larger tract has requested that this building, instead of being the traditional brick, be native stone finishes that are typical of Pittsboro and Chatham County. So there will be stone that are a lot more native and less brick on this building.

Mr. Hoyle asked Mr. McCalla if he had sent a response on the concerns to Monroe. Mr. McCalla said he had not but he is prepared to make responses to all the items tonight. He said he would just go down the list.

On the water connection, he said they found that the 1.5 inch is kind of the standard that most municipalities use and they have no problem with upsizing to a 2 inch service. The reason for the size is to be able to get the pressure the design engineer wants to have.

Mr. McCalla said that, in regard to the silt fence across the entrance from Industrial Drive that was a requirement by the Division of Environment and Natural Resources. When they reviewed the plans for sediment control; it is basically to ensure there wouldn't be sediment that would leave the site on the construction entrance while the other entrance is under construction. The silt fence will only be there for a short period of time while the other entry is being constructed and used. After that construction, the silt fence at the construction entrance will be removed and it will become the functioning entrance again. Ms. Farrell asked Monroe if that was going to present a problem. Monroe replied it would not.

Mr. McCalla said that they discovered when they went out on the site that the way Industrial Drive was installed it actually changed the way that Business 64 was drained and DOT was not aware of the changes that had been made. Instead of placing a culvert under Industrial Drive, as they were supposed to, they simply filled it in. so what is happening is that water was pooling on this side of Industrial Drive. He said they were asked by DOT, as a part of their plan approval, to restore the ditch back to DOT design; to install the culvert under Industrial Drive and to use the drainage of the ditch along 64. He said they were planning to filter it using a bio-retention facility and wet pond on the front part of the site to improve the water quality before it leaves the site. Mr. Collins asked what they were treating the water with. Mr. McCalla said that in a bio-retention facility the water is treated with plant organisms, it runs through a series of native plants and those plants would take out most of the chemical elements (such as nitrogen) and sediment. The major treatment occurs by simply slowing the flow of the water to allow sediment to settle out. Mr. Collins said he just wanted to make sure that the treatment didn't involve any kind of chemical. Mr. McCalla said they had received DOT approval and he would forward a copy of that to Monroe.

With regard to the landscaping plan, Mr. McCalla said he does not allow any of the plant materials specified in his plans to be planted in July or August. He said they are very strict with their landscape contractors, providing them with two windows of time in which they can place plants; those times are September 15<sup>th</sup>

to December 31<sup>st</sup> and from February 15<sup>th</sup> to April 30<sup>th</sup>. He said that if contractors plant outside those windows they risk losing a large portion of the payment for their work.

Ms. Farrell asked what the projected time of completion of this project was. Mr. McCalla said that it is one year from the time they break ground.

Mr. McCalla said the preservation mix is native grasses and native wildflowers you would see in fields in Chatham County. Typically they use a creeping fescue and love grass, and both of these grow close to the ground. They also use Black-eyed Susans. He said they would be careful to tailor the mix to keep out grasses that would grow above 18 inches. Mr. Collins said he hoped that meant they wouldn't use Johnson grass. Mr. McCalla said the idea is to cut down on the irrigation so they don't have to use as much water resources and to also cut down on maintenance cost.

Mr. McCalla said his engineer was aware that the town was going to be changing specifications but wasn't aware the town had already decided against metal rungs in manholes, so they would adjust the plans accordingly.

He said a lighting plan has been completed and will be submitted to Monroe.

Mr. Hoyle asked where it was contemplated they would place their sign. Mr. McCalla identified a location on the north side of the site about 60 feet east of the property line adjoining Industrial Drive.

Mr. Hoyle asked Board members to read the last statement in Monroe's memo. "The site designer has presented an extensive landscaping plan and should be commended. The use of diverse species and quantity of planting sets a new standard for Pittsboro. He should also be commended for proposing use of a rain garden in the stormwater management plan." Board members did indeed commend them.

Mr. McCalla explained the design and function of a rain garden in filtering sediment out of storm water. Mr. Hoyle asked if they are successful. Mr. McCalla said they are and are approved by DENR for this kind of application.

**Ms. Farrell made a motion to recommend approval contingent on satisfying all the issues in Monroe's memo. Mr. Collins seconded the motion; it passed unanimously.**

Mr. Hoyle introduced the Spoon MUPD request. He noted that the Board had a memo from Monroe, a summary of public hearing comments, e-mails and written comments, a petition and Mr. Spoon's application and his comments of response.

Monroe explained to members of the audience that every e-mail that was sent to him was included in the packets with the exception of two which arrived after packets had been distributed and those were provided to Board members tonight.

He said that after reviewing the master plan he had some issues which he felt needed additional discussion, the provision of some additional information which could make some changes.

Monroe said he is concerned that the Traffic Analysis did not incorporate any traffic from Chatham Forest because once the connection is made, it would probably be well used by residents on the north end of Chatham Forest to exit onto 15-501 or to proceed through Bellemont to the area of Lowe's. He said his real concern is that, even without that traffic, the entrance on to 15-501 closest to the north end of Chatham Forest is projected to operate at a Level of Service F at buildout. That means there will be substantial delays trying to get onto the highway. He said he does not think it is a good design solution to suggest that the remedy to that situation is to turn around and go to the signalized intersection at Lowe's Drive; that is certainly an option, but not a design solution. Monroe noted that the traffic analysis indicates that there should be two dedicated southbound left turn lanes but there is currently only one inbound lane on Lowe's Drive. That could create a very difficult situation. He said there may be enough room in the center of that road to create a second inbound lane, but the dynamics of the pavement design at the entrance cause a condition where the driver of a southbound vehicle can't identify where the lane is until he is on that lane. The pavement elevation is higher on the Lowe's entrance than on the southbound lanes. He said he is also concerned about the length of that lane because with the taper it will bring that lane within 100 feet of the exit ramp from 64. He felt that was just a little too close to put stopped vehicles waiting to turn on the pavement with vehicles exiting Highway 64 when they have been driving 55 miles per hour.

Mr. Hoyle asked what the lane situation was with regard to Powell Place. Monroe responded that there is one inbound and two outbound lanes. There will be deceleration lanes both northbound and southbound and also acceleration lanes north and south once the intersection is signalized.

Monroe said there is no connectivity shown to potentially connect any portion of the property west of the development. He felt some consideration ought to be given to the possibility of connectivity, at least in the Master Plan narrative.

The narrative indicates that the developer will request a reservation of the full 185,000 gallons of capacity projected for the development at the time of approval. Monroe said he is recommending that the town not approve the whole 185,000 gallons at the time of plan approval. He said the town did that once with Powell Place and we are in a bind because of that commitment. He said he thinks it is appropriate to let the developer know that if the plan is approved the town will release capacity in phases as that capacity is available. Mr. Spoon said he didn't have a problem with that.

He said there is no mention in the narrative of the developer's intent to annex. Monroe said he felt confident that Mr. Spoon intends to annex but the narrative should make that clear.

The detail on the slope map indicates that 8.2% of the site has slopes that are 20% or greater. Monroe said he would like a larger scale slope map so we can

adequately assess where those steep slopes are and whether they can be developed.

Monroe said he would like the narrative to have more specific details about street standards and it should identify any intention to have on-street parking. He noted more buffering is required on the westerly portion of the site abutting the Cooper property because that is residentially zoned property. A Type A opaque buffer should be stipulated in the narrative.

Monroe said he would like the narrative to provide more detail on the developer's intention for stormwater management planning. He also would like the height of single family homes to be limited to 35 feet.

Some of the maps in the plan indicate a traffic calming device located in the street where the commercial area adjoins the residential but some maps don't show that detail and Monroe said he would like all the maps to be consistent. There is a second device shown adjacent to the north end of Chatham Forest where trees will be planted in the center of a divided roadway, and that is a very useful device for slowing traffic down.

Monroe noted there is also some inconsistency between the Economic Impact Analysis and the waste flow rate. In the EA, Ms. Gallo indicated that there would be two and three bedroom apartments while the detail noted in the waste flow rate assumes only two bedroom apartments. These two items should be made consistent and any resulting change should be detailed.

Monroe said that those were his concerns; a number of issues were raised subsequent to the public hearing, and he recommended that the Board take another meeting to take the time to look at all those comments and concerns and determine which of them we have to factor in to this consideration and which would apply to a later stage of review.

Mr. Hoyle asked Mr. Stevenson of Ramey Kemp if he actually did an on-site observation of traffic, and, if so, what time, since it is not indicated in the report. Mr. Stevenson said they had been out there several times and they worked the area for Powell Place. Mr. Hoyle said that was not his point, he wanted to know if they did it for this particular project. Mr. Stevenson said he had not been out on this particular project. Mr. Hoyle asked if anyone from his office had been out there. Mr. Stevenson said that, if they did it would have been off hours like late evening. Mr. Hoyle said that is not a viable time to do observations because we have a tremendous problem already at the high school entrance/exit. He said he feels uncomfortable with the report the way it is presented because unless you actually do a vehicle count at peak hours it does not seem very viable. Mr. Stevenson said that no one from the engineering company had done counts but they have consultants who come out and do the counts during the morning and afternoon rush hours and report the numbers to us. He said he was sorry, he misunderstood the question. The sub-consultants always count between 7 and 9 in the morning and in the afternoon between 4 and 6 pm during the heaviest travel times. He said they are familiar with what happens up at the school where

the cars turn right down Russet Run and do u-turns to go straight across. He said they had actually talked to DOT about it to see what the solution is and it seems to be to give the northbound left turn more time in the light cycle, just a second or two more would do a great deal to relieve the back up on 15-501. He said they had seen it backed up all the way to the ramp. He said they had been looking at these intersections for the last three or four years because of their work with Powell Place, Lowe's and River Oaks, so they are quite familiar with the conditions. Mr. Hoyle asked if their report included traffic from Chatham Forest. Mr. Stevenson said that the way that traffic would be included is that it would be counted on 15-501. We didn't assume a certain amount would cut through to the southern exit of Bellemont or through Bellemont to Lowe's because they try to be conservative and design for the worst case on 15-501. He said he thinks there will be more traffic coming north from Chatham Forest than going south through Chatham Forest. He said they normally don't consider these kinds of links because they are a lot lower volumes than the external roadways. Mr. Hoyle said their primary concern was with the property in question because you can't know with certainty what will come out of Chatham Forest.

Mr. Spoon said, speaking of Chatham Forest, he knows it is not his subdivision, but he remembers sitting at a Commissioners' meeting when they talked about Springdale Drive. The Commissioners said they would give him permission to go out that road if he upgraded the road. So far he hasn't done that, but if he would do that upgrade, most of the traffic trying to exit Chatham Forest at the north would use Springdale and my exit would not be an issue with regard to Chatham Forest traffic. Mr. Spoon said he doesn't think it is fair to expect him to solve a problem for Chatham Forest when the developer of that project hasn't taken action which could solve his residents' problem. Mr. Spoon said he thinks DOT ought to make 15-501 three lanes from Launis Drive all the way to Mr. Cooper's store. Monroe interjected that the town had requested that as a project on the Transportation Improvement Program and the RPO had endorsed the request to DOT.

Mr. Spoon said he wanted to go back to the intersection at Lowe's Drive; he noted that Powell Place was approved for 910 dwelling units and we have 405, and we are going to have the exact same road improvements on our side of the road as Powell Place will have on theirs.

Mr. Hoyle agreed with Mr. Spoon regarding the issue of Springdale Drive; he felt that dealing with that would resolve issues at the southern Bellemont entrance/exit.

Mr. Howard asked how long it would be before a traffic signal is installed at Lowe's Dive. Monroe said that the developers of Lowe's and Powell Place requested a metal structure crossing the highway and those structures take about 90 days from the time they are designed to fabricate. DOT has just begun the design process; the design should be finished in the spring, so the installation will occur mid-to-late next year.

Mr. Hoyle said that before we go any farther we need to have at least a verbal commitment from Mr. Spoon to incorporating within Pittsboro town limits. Mr. Spoon said he has every intention of annexing any portion of this property that is not in the town.

Mr. Hoyle said he has a concern about the very steep grade at the south entrance; he asked Mr. Spoon if he had any intention to reduce that grade. Mr. Spoon said that he plans to build a retaining wall with native rock to bring the lots up to grade. He intends the roadway to satisfy DOT standards for grade and that may require putting a switchback into the road to bring it down more gradually. That may result in losing another two or three lots but it needs to be done. He is more concerned about the aesthetics because that can inhibit the sale of a poorly designed lot. He noted that at the top of that slope there is a 300 year old oak tree with an old rock chimney inside this circle and if he can make it work he is going to try to put the rock chimney inside the circle coming up to the site.

Mr. Plummer asked Monroe about the two southbound lanes turning into Lowe's Drive; he asked Monroe if he felt we don't need them since the traffic analysis suggests that they are needed. Monroe said it is a good idea but he is not sure DOT would approve the length of the stacking lane because of the proximity to the exit ramp. He said he is confident there should be some re-engineering of the entrance at Lowe's Drive because the crest of the entrance is higher than the southbound lanes and it is impossible to tell where the inbound lane is. And he is concerned about two left turn lanes being directed to one inbound lane.

Mr. Spoon said he wanted to address the access to the west side of the property. He talked to the Hackneys about possibly getting a connection through their property and they have been reluctant to agree. He said he had talked to them about four or five years and he is still pursuing that. He said he had talked to the Stone heirs on the south side and the Granthams' on the east and he is pursuing those connections. Mr. Spoon said that the Mayor has told him he would go to the DOT to talk to them about getting access across the state land at the top of Fire Tower Road.

Mr. Hoyle asked Mr. Spoon if the houses at the north end of Chatham Forest would be comparable. Mr. Spoon said he had offered the Board a revision of the lots adjoining the northeast side of Chatham Forest and had increased the size of his lots to more closely resemble those in Chatham Forest. He said that if you go around the entire perimeter of Chatham Forest there is zero buffer. Monroe corrected that there is a 20 foot buffer called out on the subdivision plan; it is not always planted, but there is a buffer.

Mr. Spoon said he does not know if he can answer the question of whether there will be comparably priced houses backing up to Chatham Forrest and he said he didn't know, the market would determine that. He did say that Judge Barber wants to put his house on the hill at the top of the project and he may take as much as five acres.

Mr. Hoyle said he sees there are four retention ponds and he asked Monroe if that is allowed. Monroe said he couldn't answer details of the detention ponds until he has had the opportunity to study the details of the topographic maps and consult with the engineer. He said he hoped there was the opportunity for alternative types of stormwater management facilities other than detention ponds. There was discussion of rain gardens as an alternative to detention ponds. Monroe said it is not really simple. The plants have to be carefully selected, the ground specially prepared and maintenance is a must. There is a level of maintenance that makes them somewhat less desirable to developers and they have to be carefully placed. The whole process of Low Impact Design requires planning from the very beginning of a project to consider lot siting, roadway design and orientation.

Mr. Hoyle referred to Monroe's next to last comment. "Although a park and a swimming pool are shown, they are intended for the use of future residents of the development so the developer will have to pay the town a fee in lieu of dedication at the time he is prepared to file Final Subdivision Plats."

Mr. Hoyle said he is concerned about her estimate of the number of students that the development would produce. He said he thinks 107 students for 405 dwelling units is a bit low. He said he realizes some of these units are apartments but he would like some expansion on her explanation of the estimate. We have to be concerned about the overcrowding of the schools. Monroe said that the methodology that she used was to assign student generation rates to the housing types proposed. Apartments tend to produce fewer school children particularly if they are two bedrooms. He said that townhouses generally create a few more students than apartments but less than single family homes. He said she took the breakdown of the housing types and assigned standard student generation rates to each of those housing types, and then multiplied that generation rate by the number of units of each housing type.

Mr. Hoyle said he was aware the Mr. Spoon's residential feature was less than half of Powell Place but they gave the town 10 acres that could be used for schools and he wondered what Mr. Spoon would give to the town. He said he was willing to put a fire station in the development but they never got back to him about that. He said he is open to a library or public space. He said he has a church, Grace Point, which wants to come in to his project.

Mr. Hoyle asked if Mr. Spoon had taken into consideration any low income housing. Mr. Spoon said he would offer a discount in town homes or in the amount of ten or twenty thousand dollars to town or county employees.

Mr. Hoyle asked Monroe about the availability of sewage treatment for this project. Monroe said there is no capacity available now. The Master Plan can be reviewed and even approved, but he cannot accept any site plans or subdivision plans which require more than 1800 gallons of capacity per day. It is the same condition that applies to River Oaks and Moore's Ridge.

Mr. Plummer asked how much green space there was in the project. Mr. Meder said that they have 7.2 acres of stream buffers. The town requires a 50 foot buffer and they are providing 100 feet on each side of perennial streams. The 7.2 acres equates to slightly more than 5% of the site. Open space and amenities equals 13.5 acres or more than 9% of the tract. The voluntary stream buffer would be the location of a walking trail that would connect with the residential areas and connect to the commercial areas of the site. That would also include a small park area where they are trying to preserve a couple of 100 year old oak trees. The two acre park site is the location of the old Harris homestead and is a very nice site. There will be sidewalks on both sides of the streets and they will tie in to the trail and it is intended to be a walking trail with something like a Chapel Hill Grit surface.

Ms. Farrell asked if Mr. Spoon was planning on phasing this project in. He said he wants to start from both ends, starting at the commercial at the north with a site for Chapel Hill Tire and some type of office building or day car or a church. And he would anticipate starting with residential from the south end of the project because the sewer is a gravity feed from there. He said he couldn't build more than twenty or thirty houses a year.

Mr. Hoyle said he hoped that there would not be the need to continue the clear cutting that has occurred up to this point. He asked if Mr. Spoon would preserve as many trees as possible. Mr. Spoon said the simple answer is yes. When he bought the Cooper tract he noticed that some huge oak trees had been cut, but the piece that Mr. Holmes owned hasn't been timbered at all. He said his clearing is working around the oaks on the property and trying to not cut anything else until they see how the lots lay out.

Mr. Hoyle said that unless anyone has any questions and, in view of the fact that Monroe has two pages of concerns, he thinks we should entertain the possibility of tabling this until the next meeting and then make a recommendation to the Commissioners. **Ms. Marsh made a motion that the Board table this item until the next meeting. Ms. Farrell seconded the motion; it passed unanimously.**

Mr. Hoyle introduced **Old Business**, the Traffic Calming devices discussion. He noted that there is not one traffic calming device that would satisfy all the various problems. Monroe said that he hoped members could return the information with their preferences highlighted and he would return a suggestion to the Board for a series of solutions from which developers could choose.

Mr. Hoyle summarized the Commissioner's actions. He noted that the Parks and Recreation Board was sending out a survey and he encouraged Board members to respond.

There were no Board members concerns. **S. Farrell made a motion to adjourn. Ms. Marsh seconded the motion; the meeting was adjourned at 8:15 pm.**

