



Town of Pittsboro, North Carolina

Department of Planning

(919) 542-1655

MEMORANDUM

TO: Bryan Gruesbeck, Town Manager

FROM: Jeff Jones, Planning Director

SUBJECT: Chatham Park Additional Element Review

DATE: July 20, 2016

Staff has developed a schedule for the presentation and review of Chatham Park's Additional Elements. This review schedule provides opportunity for the Town Board to hear from and engage with Chatham Park officials during a Public Meeting, wherein Chatham Park will present four elements during the Public Meeting and the Town Board will be able to ask questions and have dialogue with staff and Chatham Park. These three Public Meetings will lead up to a Public Hearing where the Public will have an opportunity to voice their comments on the Additional Elements in front of the Board, Staff, and Chatham Park. Chatham Park may then decide to amend their submittal to address the comments received.

Staff is still in the belief that most of the elements can be reviewed by staff and or community organizations who have expertise in a particular element. The Town will need assistance with two elements, helping the Town establish a response to Affordable Housing and to understand the impact on Public Facilities as a result of Chatham Park.

Town Board has contemplated appointing a committee to assist in the Review and if that is the pleasure of the Board, I would ask that the Board make the appointments to this committee and that the Board be clear in the charge of this committee and the expectation of work product from the committee. I would like to remind the Board that currently the Planning Board and the Parks and Recreation Board are both reviewing the Additional Elements and will provide comments to the Town and to Chatham Park. If the Town Board, see fit both of these Boards could be tasked to hold separate meetings regarding Chatham Park's Additional Elements so that their members might have a better ability to discuss the Additional Elements.

The timetable for the review is proposed and it is staff's belief that the timetable is achievable. If not, Chatham Park still has the ability to develop as they desire under the 5/15% agreement established in the Master Plan while the Town completes its review.

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Proposed Timeline for Review of Chatham Park Additional Elements

July 26th – Staff gives Chatham Park comments concerning the first four elements (Phasing, Open Space, Tree Protection, Landscaping)

August 8th – Town Board presentation by Chatham Park of the first 4 elements (Phasing, Open Space, Tree Protection, Landscaping)

August 16th – Staff gives Chatham Park comments concerning the next four elements (Stormwater, Parking & loading, Signage, Lighting) comments

August 22nd - Town Board presentation by Chatham Park of the next 4 elements (Stormwater, Parking & loading, Signage, Lighting) by Chatham Park

August 30th – Staff gives Chatham Park comments concerning the last four elements (Public Art, Affordable Housing, Transit, Public Facilities) comments

September 12th – Town Board presentation by Chatham Park of the last 4 elements (Public Art, Affordable Housing, Transit, Public Facilities) by Chatham Park

September 26th – Public Hearing on the Chatham Park Elements

October 3rd – Review and Recommendation by the Planning Board

October 10th – Town Board Review and Decision

As part of the review process the procedures are as follows:

1. **Public Hearing**: The Town shall schedule a Public Hearing to allow public input on the Additional Element materials. Only one Public Hearing is required for an Element but more than one Element may be the subject of Public Hearing. Notice of the date, time, and place of the public meeting shall be published as by law provided and posted in the Town Hall, in or near the office of the Town Clerk, and on the Town’s website not less than ten (10) days prior to the date of the scheduled public hearing. At the Public Hearing, the Planning Director will present the Element and answer questions. Chatham Park Investors, LLC shall be invited to attend and participate in the hearing. The Planning Director will invite comments on the Element from the public and prepare a summary of questions, answers, and comments from the hearing (prepared as a “Summary Report”) for use by the Planning Board and Board of Commissioners in their review of the Additional Elements.
2. **Review and Recommendation by Planning Board**: Within a reasonable time following preparation of the Summary Report the Planning Director shall schedule review of the Additional Element materials by the Town’s Planning Board. The Planning Director shall prepare a report on the Additional Element materials for consideration by the Planning Board (the “Staff Report”). The Planning Board may make a recommendation to the Town Board regarding each proposed Additional Element. The Planning Board may consider and make a recommendation as to each Element separate from the review or recommendation of any other Element.
3. **Revisions to Plan**. Chatham Park Investors, LLC may revise an Additional Element at any time before the Planning Board makes a recommendation to the Town Board with respect to

the Element, or if the Planning Board does not make a recommendation on an Additional Element to the Town Board, at any time before the Town Board votes to approve or deny the Element. Following issuance of a Planning Board recommendation to the Town Board, without further consideration by the Planning Board, Chatham Park Investors, LLC may revise the Additional Element only to address any suggestions or recommendations from the Planning Board, Town staff, or Town Board. If Chatham Park Investors, LLC desires to revise the Additional Element for any other reason following the Planning Board recommendation, Chatham Park Investors, LLC may do so only if the Town Board, prior to any vote on the Element, refers the Element back to the Planning Board for its review of such revised Element.

4. Review and Action by the Pittsboro Board of Commissioners: Within 30 days of the date of the Planning Board recommendation, or within 60 days of the date of referral to the Planning Board if no timely recommendation from the Planning Board has been received, unless a longer period is necessary the Town Board shall consider the Additional Element. The Town Board of Commissioners may approve the Additional Element or deny if it shall find that the Additional Element fails to comply with the requirements of the Master Plan or fails to adequately protect the public health, safety or welfare. Within seven (7) days following determination by the Town Board, the Planning Director shall notify Chatham Park Investors, LLC of the decision by first class mail.
5. Amendment of Approved Small Area Plan: The process for amendment of an approved Additional Element shall be the same as the process for initial approval of an Additional Element, except that an approved Additional Element will be deemed to be amended to conform to a site plan or subdivision plan approved by the Town for development whether such site plan or subdivision plan was approved before or after Town Board approval of the Element.

Memo from June 27th Meeting.

Background: Following the submittal of the Additional Elements on May 3rd, Staff has been actively reviewing the submittal and would like to give the Town Board a progress report and suggestions on completing a review of the Elements. Attached please find a table intended to outline the nature of the Elements as well as review responsibilities.

The “Category” column which indicates whether the Elements are, in the opinion of Staff, an “Ordinance” type Element that would give details on how a particular site Plan\subdivision should develop, to “Policy” type that would have the Town accept the nature of the Element and agree to a policy that might include outside organizations, such as Chatham Arts Council, Chatham County, Habitat for Humanity to name a few. These Policies Elements could include ordinance language to make the policy implementable.

Lastly, an “Acceptance” type Element that the Town generally accepts the Element for what it is and will use this Element to base future decision of the Town. These two “Acceptance” Elements can be thought of similarly as the phasing of Chatham Park will impact future Facilities needs of the Town. Much of the phase information can be duplicated in the Public Facilities Element and similarly Public Facilities information could be in the Phasing Element.

The “Reviewer” column indicates whether Town Staff is able to review the Element internally or whether community stakeholders should lend assistance. These community stakeholders would help Staff review particulars of the Element that might not be Staff strongest expertise.

The last column – “Consultant Suggested” – indicates whether Staff is requesting the assistance of a professional consultant to assist with particular issues in each Element. In some instances, Staff is suggesting that a consultant come on board to advise Staff and the Town Board on standards and ideas that could be considered for the Element. The two Elements that Staff suggest for consultants are Affordable Housing and Public Facilities.

As mentioned at the previous Town Board of Commissioners meeting, Staff has been working through this model of Staff review with Community Stakeholders on 5 of the 12 Elements: Open Space, Tree Protection, Landscaping, Public Art, and Affordable Housing. Chatham Conservation Partnership (CCP) has been helping Staff with the Open Space, Tree Protection, and Landscaping Elements. This group has conducted extensive work in and around Pittsboro in regards to these three Elements and Staff felt that this group would be a good resource to help with the review of these Elements. Chatham County Arts Council has been engaged to help with the review of Public Art Element. Staff is actively looking for additional stakeholders to assist with this Element. Chatham County Habitat for Humanity has been helpful reviewing the Affordable Housing Element. They have provided comments and ideas from their prospective as a single family affordable housing organization. There will need to be others including a consultant that will assist with this Element.

Of the remaining 7 Elements, Staff - including but not limited to Planning, Engineering, Parks, Legal, Administration - have been reviewing these Elements. Comments and direction will be forth coming to Chatham Park and to the Town Board. Other departments, stakeholders may be brought into the conversation if needed.

As we have discussed, this process will take an appropriate amount of time to complete. Chatham Park had put forth a schedule for public hearing in August. Town Staff has been clear with Chatham Park Staff that September or October is more realistic. So any review by Staff, community stakeholders and consultants should be with the mindset of a fall 2016 deadline. What is going to

assist with the review timeline will be the submittal of a Small Area Plan that will help further identify the goals and vision of Chatham Park on a much smaller scale. Additionally, the Town has Module 2 of the UDO submittal from Clarion. This module will help Staff understand the Town's consultant's ideas for much of the same Elements that Chatham Park is considering. Elements such as Signage, Parking and Loading, Landscaping, Tree Protection, Lighting are in Module 2 and will be the basis for Staff to provide comments to Chatham Park.

As we move through the process it is important to continue to remember that at the end of this process we need to have clear understanding of how development is going to occur in Chatham Park through their ordinances and standards that we get to approve through a Public Hearing legislative review process.

Action Required: Provide Feedback and Direction on the Review Process

Additional Element	Category	Review	Consultant Suggested
Development Phasing	Acceptance	Staff	No
Open Space	Ordinance	Staff, Community Stakeholders	No
Tree Protection	Ordinance	Staff, Community Stakeholders	No
Landscaping	Ordinance	Staff Community Stakeholders	No
Stormwater	Ordinance	Staff	No
Parking & Loading	Ordinance	Staff	No
Signage	Ordinance	Staff	No
Lighting	Ordinance	Staff	No
Public Art	Policy	Staff, Community Stakeholders	No
Affordable Housing	Policy/Ordinance	Staff, Community Stakeholders, Consultant	Yes
Transit	Policy/Ordinance	Staff, Community Stakeholders	No
Public Facilities	Acceptance	Staff, Consultant	Yes