

**MINUTES
TOWN OF PITTSBORO
PLANNING BOARD MEETING
Monday, June 3, 2013, 7:00 PM**

ATTENDANCE

Members Present: Kenneth Hoyle, Raeford Bland, Alfreda Alston, John Clifford, Shannon Plummer, Rob Butler {Alternate}

Staff Present: Stuart Bass, Planning Director, Ileana Platon, Administrative Support Specialist.

A. CALL TO ORDER

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

B. APPROVAL OF MINUTES

Minutes for meeting held May 6, 2013 were not available.

C. OLD BUSINESS

1. REZ-2013-01

**Randolph Development Group LLC Rezoning
Conditional Zoning District, Proposed Bojangles**

***Action Needed- Discussion Consideration of Recommendation to Town
Board of Commissioners***

Mr. Hoyle stated that the Planning board has reviewed the application information regarding this proposed project: that a public hearing was held on the request; and that following the public hearing Mr. Messick submitted information to board members relative to this hearing, Mr. Hoyle noted that some conditions apply to this proposal with possible additional conditions following review by the Commissioners; and that the two things the Planning Board is considering today is the proposed rezoning and Bojangels.

Mr. Bass stated that this conditional rezoning is the first for the Town and is based on the recently adopted amendment to our zoning ordinance in March 2013.

Mr. Hoyle: On the information Mr. Messick provided he questioned that in terms of notices it is mentioned that a commercial driveway is permitted by North Carolina DOT for each entrance of the project that includes a right turn in and a right access onto US 15-501. The Planning Board has no control of these accesses but there is a concern about Russet Run and Suttles Road? What

is happening on those two roads and what is happening between the Bojangles and the other development (Chatham Park).

Mr. Bradshaw from the Randolph Development Group stated that they wanted access to 15-501 but that the plans indicate NCDOT recommendations and approval.

Mr. Hoyle asked about the entrance and exit of the restaurant and if there will be a median there in terms of Russet Run going into the other development. He assumes it is all being coordinated and that they also have worked out a deal in regards to the sewer connection. In reference to the Landscape and Protection Plan they have not proposed on to leave the large trees that have been on the right-a-way for years and it is well stated in the document. Also at this time the Board would like to make a recommendation to use the color Copper/Bronze instead of Orange.

Mr. Bradshaw stated that Randolph Development Group met with the Preston Group and their indications are that there will be an improvement to the road and median.

Mr. Clifford had a concern about the site plan regarding the dumpster area. He stated that looking at the driveway the scale indicates 1 inch equals 30 feet but from the end of the dumpster doors to the building is less than 15 feet. He was concerned about possible visual obstruction.

Mr. Wayman replied that it is not documented but explained that from the actual take to the back of the dumpster is typically 15 to 20 feet which still allows for the 24 foot drop off. He used the proposed plans to explain to the Board how this would work.

Mr. Hoyle stated that one other detail which was discussed at the Commissioners meeting last week was the two buildings on one lot. He asked if Randolph Development had worked with Mr. Messick on that.

Mr. Bradshaw said that Mr. Messick has recommended a condition which states that Phase 2, that includes the second building, cannot be developed until the ordinance is amended to allow two buildings on one lot.

Mr. Plummer questioned the NCDOT traffic count of 14,000 trips per day and wondered if that was an average. He asked if anyone knew what the traffic was at peak time.

Mr. Wayman responded that when this project first began the traffic the numbers were 11,000 but that NCDOT raised the count to 14,000 but he was unaware why.

Mr. Hoyle asked for a motion.

Mr. Bland made motion to send this proposal to the Commissioners as submitted along with comments and proposed conditions from Mr. Messick.

Mr. Clifford seconded.

Vote: 5-0

D. NEW BUSINESS

1. SP-2013-02

Waffle House Site Plan

Action Recommended-Discussion, Consideration of Recommendation to Town Board of Commissioners

Mr. Bass stated that this is a site plan for a proposed Waffle House outparcel in front of the existing Lowe's commercial area. The zoning is C-2. This is a permitted use by right, it is currently a vacant parcel and water and sewer is available. This proposal is being presented to the Board as a Site plan for review and recommendation to the Town Board of Commissioners. The plans have been reviewed by the Town's Engineer and the Fire Marshall as well as Hydrostructures. Also, please note that in the packets distributed there are two color renditions of the building; Waffle House can offer the building with either of the two colors or one solid color. The representatives from the design group are present tonight.

Mr. Hoyle asked who was representing this proposal and if they were responsible for the Waffle House in Siler City.

Chad Evans with Summit Design Engineer introduced himself and stated that he was not involved with the Waffle House in Siler City and is not aware how long ago that location was built. He stated that recently his client, Corporate Waffle House has been purchasing back most of the franchises and developing them into the corporate standard; and that was due to many Waffle Houses going into different directions. Mr. Evans noted that the proposed Pittsboro site would be a corporate store.

Mr. Hoyle said that there was a good reason for his above question. He asked if Mr. Evans had seen the Waffle House in Siler City. He noted that the business has good screening from the road and the sign is visible but the building is not. The situation he is leading to is that based on the location of this project and the Town's standards on landscaping and hueing, they are just in the brink of having something on the north side of Pittsboro that is going to look like Hillsboro. He requested additional screening from what has already been proposed with regards to the standards and that the reason for this request is due to criticism received from the existing Taco Bell and Lowes which have no additional screening.

Mr. Evans said that they have met the ordinance requirements and that he understands the request for additional screening. Relating to the required screening, his client has asked that they orchestrate sight lines from the highway since it drives up their sales and makes the site visible from 15-501 and Highway 64. He asked if the Board had a quantity or specific standard that they are looking for because he is unable to commit without this inquiry which he would have to present to his client.

Mr. Hoyle asked Mr. Bass how he would respond to his question and **Mr. Bass** replied that they could work with the applicant to come up with additional plans to satisfy both sides.

Mr. Plummer asked if they were asking these applicants to do more than what the ordinance requires and if they realized that where this restaurant will be located customers would have to make a conscious decision to turn down three other restaurants to get to them.

Mr. Hoyle said it is just a suggestion and by no means indicated to shield the location. He also asked when they would begin construction.

Mr. Evans stated that they would like to start by the end of the summer and be open for business at the first of the year.

The Board then discussed the color scheme of the building and recommended the red brick combination instead of the brown brick combination.

Mr. Hoyle asked for a motion.

Mr. Plummer made motion to recommend approval and send it to the Board of Commissioners.

Mr. Bland seconded.

Vote: 5-0

**2. Chatham Park Investors LLC
Chatham Park PDD rezoning and Master Plan
*Action Recommended – Presentation and Discussion***

Mr. Hoyle turned the Chatham Park request over to John Clifford since he did not attend the last meeting which had a low attendance.

Mr. Clifford stated that Mr. Culpepper provided a thorough presentation on Chatham Park a few months back. Some segments were touched on but they did not go deeply into any one section but there were some questions. It was an opportunity for some of the Town's staff present to get some answers on inquiries they had. This is a project that has many layers. He asked if the waste water was discussed. Mr. Culpepper replied that it was not.

Mr. Culpepper said this is an opportunity to answer any of the Board's questions. He said that at the last meeting he just went by the book and ran through it. He just wanted to know if there were any questions organization wise with the book. Some changes in the table of permitted uses were made by Mr. Bass. They have tried to set it up with basic organization making it as familiar with the Town's current zoning documents using the table of permitted uses. They have used the land use map showing 27 sections within the project, each one of those sections is listed on the table of permitted uses just as the Town's ordinance would do the same with the different zones.

He described how each color on the map represented residential, non residential, mixed and commercial areas. These maps have been posted on line. Following North Carolina law for all jurisdictions the way they set up park lands is that for every dwelling unit created there must be 1/33 acres of recreation areas. With 22,000 dwelling units proposed for this project requires 600 acres of recreation areas. They have begun by supplying the first portion of those 600 acres by providing two parks. One would be along the Haw River and mix the linkage between the two state parks with a a proposed trail to link the two. The other park will be more of a regional park. Going further into the subject of parks they have broken down the entire property into park surface areas, what this does is that instead of having disjointed subdivisions with various small parks they would created larger parks of about 10 to 50 acres. By doing that you would have enough park land area that can contain quality parks but this will be worked with the Town to determine whether the locations are suitable.

Mr. Bland had questions about the greenways or trails and the width measurements of the stream buffers and if they fit the criteria of the park.

Mr. Culpepper replied that there are stream buffers in some cases that are 50 feet wide on each side starting from the top of the bank and others are 100 feet wide on each side. They would not fit the criteria of the park they are not going to double count. The buffer itself is a required buffer for storm water. If they put a greenway in that buffer and there are improvements made then what they would be asking to do is a fee structure which is normally done on other jurisdictions which means that the money they spent on the greenway can be credited towards their requirement for park land, it's a fee in lieu. Once again they would be working together with the Town on this and the Town would have to agree to allow them that fee in lieu and that it satisfies a need for the Town. There will be a large portions of park in there and there will be areas that are too steep for anything to be built on and by putting a specific cap on the development, they believe that densities for developments such as this and others are becoming more compact more efficient developments, the more compact you get when you have a number of units established once that total is reached they are unable to build anything else, the rest is open space. That area is not a place to build a large lot subdivision, it is not the most efficient place to build, the soil is not right and the decentralized system discussed can be serviced and not have just a large lot.

Mr. Hoyle asked where they were proposing to place schools and if there are specific areas for them.

Mr. Culpepper said they have worked with schools and the subdivision ordinance does require the builder to preserve spaces for schools but they will not try to tell the School Board where to build them. They would be pleased to have a whole series of elementary schools built because it attracts residents but they cannot specifically plan where a school would go, however, they will work closely with the School System in placing schools and reserving properties. When considering the fact that for every single family home the impact fee is \$3,500.00 and it is perceived that schools are built in locations that satisfy the school system and credit schools for this \$3,500.00 impact fee. The school would provide the location and the design. There has been a suggestion that a combination school may work well here, a location that would house

elementary, middle and high school with middle and high school sharing a facility and thus saving money.

Mr. Hoyle said he had the same question for Fire Stations.

Mr. Culpepper stated he is aware that Mr. Gruesbeck also received statements about this; That they are not implying that the Fire Department needs to change or that Chatham Park Investors were involved in the budget hearing; that they know the Fire Department is going to have very different tasks ahead of them with this project and Chatham Park will work with them and the Town to make sure that they have the equipment and location necessary; that response time for all the locations need to be analyzed and studies need to be done; and once completed they will set aside locations for a Fire Department. It was noted that Fire, Police and Schools would need to be worked for future needs regarding their impact and that they will have to work with those agencies and the Town to determine the best way to supply this.

Mr. Clifford requested that Mr. Culpepper explained the Activity.

Mr. Culpepper pointed out that there are 5 Activity Centers, which hind notes that the yellow represents residential and that on the table of permitted uses there are certain uses allowed in that section that are not residential uses but small commercial uses that would only be allowed in those general areas; and that they are mainly convenience sites that may have a coffee shop, grocery store, dental office, etc. and the uses are limited. He then pointed out on the map the location that a Hospital is interested on.

Mr. Clifford asked how complete is the Master Plan at this point.

Mr. Culpepper stated that it is at a level of a Master Plan but not the specific Site Plan; that there is still much to be done; this is a process and not an event; the rezoning only gives certain entitlements to say the things that can be done but it does not allow them to do just anything; that while it establishes the basic standards/rules similar to the Town's Land Use Plan it is not down to detail but those details are required to come on line before they can go further; and that is why they are requesting stipulations and then they will come back with a parking plan, widening plan and landscape plan within the next 2 years. Mr. Culpepper noted that he was reading an article from Chatham Homes Realty on how many closings they have and how many people are moving to Chatham County because there is not much room left in Cary, Apex and Holly Springs.

Mr. Clifford then asked if there are any plans for a golf course.

Mr. Culpepper said that a golf course has been suggested and they have avoided it from being near the river or the lake which is not a permitted use in those areas.

Mr. Hoyle asked if there were any Indian or Slave sites on the property.

Mr. Culpepper stated that none have been found; that County maps do not identify any burial sites; that they will probably go back and review the Cultural resources again because it is important to preserve them as a site for the future; and that so far there has been only one that was located by Mr. ; Brooks because it had been re marked.

Mr. Clifford made sure that Chatham Park would not allow any fracking.

Mr. Culpepper assured that there would not be any fracking allowed since it is not a permitted use. Going back to the parks on the area south near the lake the Corps of Engineers identified this area as a recreation site and are looking for partners to help develop it; and that Chatham Park would like work with them in the development. He stated the area is off of the main lake and is a more shallow area which is adequate for canoes, kayaks and small sailboats. Chatham Park has no frontage on the lake or the river the State and Army Corps of Engineers has it all, and they would like to work with the Town and create some places with access points to the water and maybe some waterfront properties.

What Chatham Park Investors is trying to do at this point is move towards a public hearing so they can present this at a public hearing format and get input from public. He has advised Mr. Bass that once the public hearing begin he will find a location in town where he could be available to assist, provide information and answer any questions the public may have.

Mr. Hoyle made John Clifford the Chair in at this time because he wanted to make a motion in regards to this entire proposal which the planning board has had and reviewed for quite some time.

Mr. Hoyle made motion for the planning board to recommend sending it to the Board of Commissioners for a public hearing and after that it will come back to the planning board and they would have another opportunity to work on it.

Ms. Alston seconded

Vote: 5-0

E. BOARD MEMBER CONCERNS

Ms. Alston asked any more paving was going to be done on Hillsboro Street until DOT comes to pave the entire road because in some portions of the road the pavement is sinking.

Mr. Hoyle stated that in the last Commissioners meeting it was mentioned that paving would be done by November 2013 but it was up to the NCDOT.

F. REPORTS AND ANNOUNCEMENTS

Mr. Bass quickly touched up on material distributed and listed below:

1. Information Item, Nonconforming use Expansion, David Owens
2. Information Item, Pittsboro Speed Study, NCDOT Response
3. 2012 Annual Report.
4. Chatham Park PDD – Table of Permitted uses {Updated}

Mr. Hoyle stated that he has been on the Planning Board since 2001 serving as Chairman for the last 10 years. Although it has been exciting and rewarding and is appreciative to all at this time he would like to step aside as Chairman and allow the Vice Chairman to take Chairmanship. While he is giving up the seat as Chairman he would like to remain on the Board. He asked the other board members if they had any reservations about this decision but there were none. Mr. Clifford was chosen as the new Chairman for the Planning Board. Mr. Hoyle then nominated Mr. Bland as Vice Chairman,

Next Planning Board Meeting is scheduled for Monday, July 1, 2013 at 7:00pm.

G. ADJOURNMENT

**Ms. Hoyle made motion to adjourn, seconded by Ms. Alston.
Meeting adjourned at 8:03 p.m.**