

commercial uses at this site; that it meets the requirements of the Land Use Plan; that commercial development exists on all four quadrants of the intersection now; that it is certainly an economic development center and commercial crossroads area. He further stated that the proposed business use is beneficial to the area and County in tax revenue; that the prospect of this area as a residential area is diminished based on the widening of the intersection and increased commercial development; that estimated tax revenue is ten-fold what it is now; that demands on County services will be minimal; that there will be 10-15 employees; that it will not be a detriment to the community; that the Department of Transportation's recommended improvements will provide for minimal traffic impact; that impervious surfaces are 21.2%; that the soils are suitable for sub-surface septic system; and that it is an opportunity to guide commercial projects to the appropriate area.

Robert Eby, 19 E. Madison, Pittsboro, NC stated that he is representing CCEC; that this proposal is straightforward; that it requests rezoning; that the rezoning to B-1 makes sense; that the Conditional Use Permit is another story; that the presentation is misleading; that the accompanying text request does not have a commitment to build a bank; that the proposal asks that when Baycorp decides what it wants to build, it doesn't have to have another public hearing on an amendment; that no specific site plan has been submitted; and that approving the request would freeze out an opportunity for the public to comment later. He urged the Board of Commissioners to wait for a specific site plan.

Nick Robinson stated that the options in Chatham County are limited; that they could ask for B-1 and allow anything at all, but that they are asking for a more restrictive list.

Jeffrey Starkweather, 890 Old Goldston Road, Pittsboro, NC stated that people of Chatham County would like to have a specific development before approval; that the list is too broad; that the Land Use Plan encourages entrances on side roads; that the entrance off of Highway #15-501 would cause congestion; and that the only entrance should be off of Mann's Chapel Road.

Nick Robinson stated that the Department of Transportation recommended the driveways; that there is a median on Highway #15-501 now; and that will allow for safer access.

Conditional Use Permit Request by North Chatham Investments, Inc.: Consideration of a request by North Chatham Investments, Inc. for a Conditional Use Permit for a Planned Unit Development and daycare facility with the existing RA-40 zoning district and a B-1 Conditional Use Business District with a Conditional Use Permit for various uses, on approximately 98.5 acres, located off US #15-501 North and SR #1721, Lystra Road, Williams Township

Norman Block, 2213 Winpost Lane, Apex, NC, spoke in support of the proposal. He stated that there is tremendous pressure on Chatham; that Travis Blake is a local resident; that he has tried to do something the right way and listen to the community; that this hard work should not be lost in the midst of all the negative talk about development in general.

Travis Blake, owner of the property, stated that he has tried to build a thoughtful project; that this project takes into careful consideration responsible growth; that it is environmentally sound; that he has taken effort to include many stakeholders; that it will meet the Phase II guidelines for stormwater runoff; that the wastewater treatment facility is state-of-the-art; that the tenant mix is designed to encourage traffic from Orange County; that this has been conceived by business people in the area; and that there is medical office space included.

Loyse Hurley, 16 Matchwood, Pittsboro, NC, President of CCEC; stated that they would like to compliment Travis Blake for his outreach to the community; that he was always open to suggestions; that he

wanted this development to be a model; that he has made changes based on concerns and considered other recommendations; that he plans to have an office within the development; that this project attempts to meet the needs of the community; that this project should be an asset to the community; that the reuse of the wastewater will lessen the impact on Jordan Lake; and that it will still meet the impervious surface requirements. She further stated that CCEC has one main reservation and that is the traffic burden; that it is not located at a four-way intersection; that Mr. Blake has attempted to get a full entrance on Lystra Road but has been stymied by the Department of Transportation; that southbound traffic will have difficulty entering the project; that the alternative is to enter at the second Lystra Road entrance but that would compromise safety in the development; and that traffic aside, CCEC recommends approval of the project.

Travis Blake stated that he is trying to work with the adjacent property owner to combine driveways; that they have relocated the day care; that they are working with all interested parties; that as they move forward he is trying to work with other developers; and that he has a bus stop included that will be serviced by Chapel Hill Transit.

BOARD AND COMMITTEES

Appearance Commission: Consideration of a request to appoint three members to the Appearance Commission

Chairman Morgan moved, seconded by Commissioner Outz, to reappoint Sue Schwartz, 312 Shady Grove, Pittsboro, NC, to the Appearance Commission. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

FY 2006-07 Budget Calendar: Consideration of a request to adopt the FY 2006-07 Budget Calendar

Commissioner Emerson moved, seconded by Commissioner Outz to adopt the FY 2006-2007 Budget Calendar, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Ernest Ramsey Gym:

The County Manager stated that the Chatham County Schools is interested in selling the Ernest Ramsey Gym located in Siler City, and by General Statute, the Board of Education must offer first refusal to the County.

Commissioner Emerson moved, seconded by Commissioner Cross to refuse the purchase of the Ernest Ramsey Gym in Siler City. The motion carried five (5) to zero (0).

Lease for Office Space:

The County Manager stated the office space is needed for the Grants and Special Projects Manager and that space had been located on Hillsboro Street in Pittsboro.

Commissioner Emerson moved, seconded by Commissioner Outz to approve the lease for office space for the Grants and Special Projects Manager. The motion carried five (5) to zero (0). The lease is attached hereto and by reference made a part hereof.

COMMISSIONERS' REPORTS

The motion passed 5-2-1 with Austin, McBee, Eliason, Brown and Smith voting in favor of the motion; and Mason and Wilson voting against; and Walker abstaining. Mr. Mason noted that he voted against the motion since he is in favor of staff's initial recommendation to approve the request with nine (9) conditions as noted in tonight's agenda notes.

Ms. Prather asked that Mr. Mason's reason for voting against the motion be noted in staff's notes to the County Commissioners.

- B. Request by Robert Blichington for a revision to the existing conditional use permit for Michael Cates / Ferrellgas, L.P. / propane gas business to a conditional use permit for a Contractor's Office and Shop, on one (1) acre, located off US Hwy. 15-501 N. in Baldwin Township.

Chairman Eliason stated that the applicant has requested that this issue be postponed until the December 6, 2005 Planning Board meeting and that the postponement not count as one of the Board's three required meetings. No action was required by the Board at this time.

Item from September 19, 2005 Public Hearing:

- * C. Request by North Chatham Investments, Inc for a Conditional Use Permit for a Planned Unit Development and Daycare Facility within the existing RA-40 zoning district and a B-1 Conditional Use Business District with a Conditional Use Permit for various uses, on approximately 98.5 acres, located off U. S. 15-501 N and SR-1721, Lystra Road, Williams Township.

Staff distributed draft recommendations for Williams Corner to the Board. (See copy attached.)

Mr. Megginson stated that this request is for approximately 400,000 square feet of commercial and office with residential component; that the application covers most of the details; that tonight's agenda notes indicate a the following issues that staff has concerns with:

- access
- waste water system
- on-site soils

Soils: Mr. Megginson stated that the soils issue is basically the easiest to address; that from staff and Environmental Health's review of the information submitted there was soils information provided in the document but it did not appear that there were actual on-site soils investigations to verify that what is in the document is actually what is on site; that staff contacted the State Division of Water Quality for additional information; that staff has not been able to find out about the proposed systems relative to how permitable they are; that the 3M Company located south of Pittsboro has a membrane plant at their manufacturing facility to handle domestic waste water; that the application discusses that the waters of the re-use quality are used in cooling systems & etc.; that depending on the timing, something might need to be done with the water before facilities are built, i.e. residential component, restaurant; that it is important to know that there are sufficient on-site soils to handle waste water;

and that it is also important to find out more about the feasibility of the proposed system (i.e. finding #5). Mr. Megginson stated that staff recommends tabling this issue tonight to allow additional time for the applicant to submit additional soils information.

Access: Mr. Megginson stated that proposed road access has been changed from the original plans. He reviewed the revised entrances by using the large map displayed on the projector. Mr. Megginson noted that it is staff's position that if the existing Polk's Landing entrance is proposed to be moved at some point, (i.e. Polk's Landing road would access further north) and provide for a possible traffic light as well as the one already planned for Hwy. 15-501; that staff recommends just having two entrances onto Hwy. 15-501 instead of three to have fewer traffic conflict points along a major highway; and that staff recommends that the Board discuss the proposed realignment of the road tonight. Mr. Megginson referenced an E-mail to Travis Blake from Brantley Powell, HBP Properties, LLC dated October 31, 2005 regarding Polk's Landing Road realignment. (See copy of E-mail attached.)

Mr. Wilson made a motion; seconded by Mr. Martin to table the request. Discussion followed. Mr. Megginson stated that it would be helpful if Board members would let the developer know if they are in agreement with the various issues; and to inform the developer of any other concerns that they might have so that the developer could adequately address the concerns during the next Planning Board meeting.

Mr. Wilson rescinded his motion to allow open discussion to address various issues. Mr. Megginson stated that he failed to mention earlier the movement of the wastewater system plant. He noted that it is the recommendation of staff to switch this location closer to the storm water pond. It was the consensus of the Board that the revised site plan and the wastewater treatment plant were two major concerns.

Mr. Wilson made a motion; seconded by Ms. Smith to table the issue. Discussion on the motion followed. At this time, Chairman Eliason gave Travis Blake an opportunity to express his views. Some of Mr. Blake's specifics noted were:

Soils: Mr. Blake stated that his hydrologist (Michael Wicker, Withers & Ravenel, Inc.) has reviewed the extensive soil survey done on the project; that there are two areas that have not been included in this study (one area in the back and one area in front of the property); that even without these two areas there are more than adequate soils; and that in addition, evaporative cooling is proposed to be used.

Polk's Landing entrance: Mr. Blake stated that he has worked with a number of neighbors regarding the proposed entrances; that he does not think additional work on the site plan is necessary; and that his E-mail from H.B. Powell dated October 31, 2005 confirms the effort to realign Polk's Landing Road in conjunction with the Sharpe Tract. (See copy of Mr. Powell's E-mail attached.)

Staff's recommendations: Mr. Blake stated that a number of staff's proposed conditions have already been addressed; that the lighting plan would meet the draft ordinance; that the signage plan is preliminary since all the plans are not final; that the Appearance Commission and D.O.T. have seen and accepted the proposals; and that the Board listen to the experts that he brought with him tonight before considering to table the request. Mr. Blake added that there is a need for some of the medical facilities to move as soon as possible. Chairman Eliason stated that a motion was on the table to table the request. Board discussion followed regarding site design. Mr. Megginson stated that it has been the policy of the Planning Board in the past not to do site design during the meeting; that soil information is provided the Health Department's soil scientist for review for comments and opinion; that staff has not yet received any verification from Mr. Zimmerman with the State regarding the proposed system; and that staff has not received information from the Appearance Commission relative to the second meeting Mr. Blake referred to above. It was the consensus of the Board that the developer provides any additional information available so that staff would be comfortable with the next set of recommendations for the project.

Dr. Glenn Wright, UNC Hospitals, stated there is a need to expand their facility as they continue to grow; that the proposed area is convenient and is an ideal location; that they, as an institution, do not wish to put any pressure on anyone to insist that the proposed project is approved or disapproved; and that currently there are no other options on the table as far as clinical locations.

Vote on motion:

Mr. Wilson restated his motion; seconded by Ms. Smith to table the request to allow the applicant additional time to address the following issues:

- driveway entrances along US 15-50
- relocation of waste water treatment system
- on-site soils information
- Appearance Commission be provided the opportunity to review the plan as the Planning Board thinks is acceptable.

The motion passed 7-1 with all Board members present voting in favor of the motion except Mr. Austin who voted against.

Items for November 21, 2005 Public Hearing: Mr. Megginson stated that these items (D., E. & F.) are for the upcoming public hearing; and that the Board would be discussing item E. (conditional zoning) next on tonight's agenda.

- D. Public Hearing request by Greg Isenhour, IS Development Co., LLC, on behalf of North Chatham Park, Lot #5, for a revision to the existing conditional use permit, condition #1, requesting a time extension.
- E. Public Hearing to consider proposed text amendments to the Chatham County Zoning Ordinance to replace conditional use zoning with conditional zoning.

> Approval of the road names Legacy Way, Legacy Falls Drive North, Legacy Falls Drive South, Rolling Meadows Lane, Covered Bridge Trail, Stoney Creek Way, and Bridgewater Court and preliminary and final plat approval of "The Legacy at Jordan Lake, Phase One", with the following three [3] conditions:

1. The plat shall not be recorded until the county attorney has given final approval to the financial guarantee.
2. The improvements to Big Woods Road as required in condition # 6 of the zoning approval shall be completed prior to issuance of the first certificate of occupancy for Phase One.
3. Storm water retention ponds as required in condition # 8 of the zoning approval shall be completed prior to issuance of the first certificate of occupancy for Phase One.

The motion passed 5-1-1-1 with McBee, Mason, Andrews, Harris and Wilson voting in favor of the motion; and Walker voting against; and Smith abstaining; and Eliason being recused and abstaining.

Chairman Eliason returned to the Board.

VII. ZONING AND ORDINANCE AMENDMENTS: *Item from July 18, 2005 Public Hearing:*

- A. Request by Robert Blitchington for a revision to the existing conditional use permit for Michael Cates / Ferrellgas, L.P. / propane gas business to a conditional use permit for a Contractor's Office and Shop, on one (1) acre, located off US Hwy. 15-501 N. in Baldwin Township.

Ms. Richardson stated that the applicant has asked that this request be postponed for another month (until the January 3, 2006 Planning Board meeting) and that the December meeting not count as one of the three required meetings. Ms. Richardson cited that the applicant is requesting this deferral to allow sufficient time for review and approval of the wastewater permit by North Carolina Division of Water Quality [NCDWQ]. It was the consensus of the Board that no action was required at this time.

Item from September 19, 2005 Public Hearing:



- B. Request by North Chatham Investments, Inc for a Conditional Use Permit for a Planned Unit Development and Daycare Facility within the existing RA-40 zoning district and a B-1 Conditional Use Business District with a Conditional Use Permit for various uses, on approximately 98.5 acres, located off U. S. 15-501 N and SR-1721, Lystra Road, Williams Township.

Ms. Richardson stated that staff requests that this issue be tabled until the January 3, 2006 Planning Board meeting; that the Planning Board reviewed this project during the November 1, 2005 Planning Board meeting; that one of the conditions at that time was that the applicant meet again with the Appearance Commission for a more thorough review of the proposed lighting, landscaping, signage and road placement; that the applicant has not yet met again with the

Appearance Commission; that the applicant is scheduled to meet next week with the Appearance Commission; that staff has received additional information regarding soils; and that staff has also requested that the developer provide comments from NCDOT specifically about the proposed design of entrances along US 15-501 and the suitability of a future arrangement for a traffic signal if Polks Landing Road is relocated to the north. Ms. Richardson noted that an additional traffic signal would make for better movement of traffic for the residents of Polks Landing.

Travis Blake, applicant, stated that the Polks Landing entrance, as it is now, is dangerous; that he has moved the proposed road in his development further north; that said road has been widened and would accommodate a stop light; that the wastewater treatment system has been moved and the Appearance Commission reviewed these plans last October; and that the Appearance Commission has requested to review proposed signs.

No adjoining property owners spoke.

Ms. Andrews made a motion, seconded by Ms. Smith to table this request, per staff's recommendation, until the January 3, 2006 Planning Board meeting. Discussion on the motion followed. Mr. Walker asked if all Board members had received the E-mail from Jeff Austin (dated November 30, 2005) and if Mr. Austin's comments satisfied members regarding the wastewater treatment system. Board members acknowledged that they had received Mr. Austin's memo. Chairman Eliason noted that Mr. Austin works with wastewater system design and has some technical experience with this particular membrane system. There was no further discussion on the motion and the vote on the motion to table the issue until next month's Planning Board meeting was unanimous. (8 Board members)

At the time, Chairman Eliason called for a ten-minute break.

Items from November 21, 2005 Public Hearing:

- C. Request by Greg Isenhour, IS Development Co., LLC, on behalf of North Chatham Park, Lot #5, for a revision to the existing conditional use permit, condition #1, requesting a time extension.

Ms. Richardson reviewed the agenda notes for this request.

Greg Isenhour, applicant, was not present.

No adjacent landowners spoke.

Mr. McBee made a motion, seconded by Ms. Andrews to grant approval of the request as recommended by staff for a one (1) year time extension to obtain a zoning determination and building permit to expire October 18, 2006 and an extension of time to complete all required improvements to October 18, 2007. There was no discussion on the motion and the motion passed unanimously. (8 Board members)

Vote on Motion:

The motion passed unanimously. (6 Board members)

Note: The three (3) conditions are as follows:

1. The preliminary plat shall be revised to include the following:
 - Dedication of public right-of-way and utilities to the Warren and Wayne Strowd property.
 - Temporary turn-around at the road stubs to the Strowd property and Chatham Land and Timber property.
 - Public utility easement(s) between Phase 2 & 3.
 - Useable area for Lots 21 – 24.
 - Lot areas.
 - Water Hazard note.
2. The developer shall evaluate the possibility of providing pedestrian access between Phases 2 and 3 and if found feasible, show on the preliminary plat.
3. The developer shall have a traffic analysis performed to include existing and proposed developments with recommendations of said analysis incorporated in the preliminary design.



VI. ZONING AND ORDINANCE AMENDMENTS:

Item from September 19, 2005 Public Hearing:

- A. Request by North Chatham Investments, Inc for a Conditional Use Permit for a Planned Unit Development and Daycare Facility within the existing RA-40 zoning district and a B-1 Conditional Use Business District with a Conditional Use Permit for various uses, on approximately 98.5 acres, located off U. S. 15-501 N and SR-1721, Lystra Road, and Williams Township.

Mr. Megginson reviewed the agenda notes for this request. He stated that this issue was tabled during last month's Planning Board meeting to allow the developer additional time to address the following issues:

- Appearance Commission requested to review the revised plan,
- Planning Department concerns regarding driveway locations along 15-501,
- additional soils information, and
- relocation of wastewater treatment plant.

Mr. Megginson stated that the developer has addressed all of the above issues. He used the revised plat map to show the proposed entrances (onto 15-501 and S.R. 1721-Lystra Rd.). Mr. Megginson stated that staff has recommended eleven (11) conditions as noted in tonight's agenda notes and that some of the concerns mentioned in said conditions are as follows:

- alignment of roads,
- watershed protection plans,
- storm water management plan, and
- easements, and etc.

Mr. Megginson stated that since this request is for both a conditional use permit and a conditional use zoning there is a legislative change of the property from

the existing RA-40 zoning to a conditional use B-1 business district and a conditional use permit for a planned unit development; that there is also a conditional use permit that is tied to the specific plan for the business area; that the five required findings need to be met; and that under the conditional use permit the Board needs to address said findings in the recommendations to the Commissioners (i.e. whether or not zoning changes are consistent with the objective of the Land Development Plan). Mr. Megginson noted that the developer has listed several pages addressing the five required findings (beginning Section 8.1 in their application booklet).

No adjoining property owners requested to speak.

Travis Blake, applicant, was present. Mr. Blake stated that several adjoining property owners have sent E-mails in support of the project; that this project was conceived for a number of businesses in the area that were running out of room; and that the major focus of the property is to have facilities that would pull from Chapel Hill rather than servicing the residential segment. Mr. Blake referenced the proposed entrance changes (as explained by Mr. Megginson above). He stated that another highlight of the development is an environmental project for having cellular evaporative cooling.

Discussion among the Board followed. Some specifics discussed were as follows:

- revised entrances onto US15-501 and Lystra Road and specifically the proposed Polks Landing Road relocation on the west side of US 15-501
- adjacent development (Bland tract)
- any plans for a holding pond for waste water

Richard Adams, engineer with Kimley-Horn and Associates, Inc., was present representing the applicant. Mr. Adams addressed proposed entrances and relocation of Polks Landing Road. He noted that because the Polks Landing Road proposal involves a new median opening the project is a decision of the Department of Transportation.

Ms. Richardson noted that the adjacent Bland tract has received sketch design approval (60 lots / 113 acres) from the Planning Board and Commissioners.

Mr. Blake stated that the proposed treatment plant would first pump to a tank; that said tank would remain full and used for evaporative cooling; that from there it would go through some landscape features, i.e. water falls, wetlands & etc.; that at the bottom of this it would be pumped over to a holding area; that from there it would be used for various landscaping, wetting and any needs elsewhere; that the pond capacity is planned for 1-1/4 acres and a 180 day retention (that does not include the evaporative cooling into the formula); and that a UV sterilization procedure would be used.

Board discussion followed. Chairman Eliason asked if staff had any other considerations now that the entrances to the development have been realigned. Mr. Megginson stated that the applicant has expressed the need for the facility and the different types of uses planned (including the medical facility needing to expand and relocate from their existing site); that staff's initial concern was how

the commercial aspect of the Briar Chapel development (that is not yet built) relates to this proposal; and that the applicant has addressed present needs of existing businesses as well as current existing needs. Mr. Blake noted that 75% of the proposed development is already committed. Ms. Andrews asked if the proposed wastewater treatment membrane system could be built as planned. Mr. Megginson stated that he has talked with representatives with the State; that this membrane plant is a type of system that the State permits; that with the soils information it appears that there are adequate soils to handle this system even without the evaporative cooling system in place; and that this would be similar to other large systems (i.e. Briar Chapel spray irrigation system or the in-ground system at the Harris Teeter shopping center). Mr. Megginson noted that if the State permits the system and problems exist, then the State could ask stores to be closed.

Mr. Walker made a motion; seconded by Mr. Austin to grant approval of the request to rezone approximately 55 acres from RA-40 to a Conditional Use B-1 Business District and approval of a Conditional Use Permit for various retail and medical office uses (as listed in the application booklet, beginning on page 32) and recommends granting approval of a Conditional Use Permit for a Planned Unit Development and Daycare Facility within the existing RA-40 district on approximately 44 acres based on meeting the five findings, consistency with the comprehensive plan, and reasonableness, and public interest furthered as discussed in Section 8 of the application with the following eleven (11) conditions:

1. A revised site plan shall be furnished to staff prior to issuance of the first building permit to include the following:
 - All landscaping details (i.e. types, sizes, and spacing of plantings) as required by the Chatham County Appearance Commission regarding perimeter landscaping and parking lot landscaping,
 - Location and size of approved signage with lighting specifications,
 - A lighting plan with detailed specifications for each phase or stage (i.e. location, foot-candles, etc) as required by the draft Chatham County Lighting Ordinances shall be provided prior to issuance of a building permit for said phase.
 - Setbacks of structures
2. All required perimeter screening and buffers shall be installed prior to issuance of a certificate of occupancy for the first structure or at the first optimal planting season following issuance of the certificate of occupancy. Vegetation internal to the property shall be installed prior to the issuance of the certificate of occupancy for the first structure within each phase or during the first optimal planting season following issuance of the certificate of occupancy. The vegetation / landscaping shall be kept in good condition and replaced if necessary at the next optimal planting season. If the existing vegetation shown on the plan is disturbed or does not provide screening as addressed in the Chatham County Design Guidelines then vegetation shall be installed to meet said Guidelines prior to the certificate of occupancy for the applicable phase.
3. Entrance locations, three (3) proposed driveway entrances onto 15-501 and the two (2) entrances on SR-1731, Lystra Road, shall be as shown on the site plan dated 11/28/05 (entrance locations shall also be shown on the revised

site plan required in item # 1 above). The current main entrance into the development, across from Polks Landing Road, shall be designed as a NCDOT full movement entrance. The middle entrance shall be designed as a future full movement access, currently designed and used as a right-in / right-out only, and be located such that if Polks Landing Road is relocated to the North in the future, the location would be suitable for an additional traffic signal. If said relocation occurs, the entrance across from existing Polks Landing Road shall become right-in/right-out only.

4. A watershed protection plan for the entire project area shall be furnished to staff prior to issuance of the building permit and shall include impervious surface calculations. Prior to issuance of a Certificate of Occupancy for the first structure and each subsequent structure, the developer shall submit evidence satisfactory to the Planning Department of compliance with the approved plan, which does not exceed 24%.
5. A storm water management plan as described in detail in the development application sufficient to control and treat the one year 24 hour storm for the entire project area shall be approved by the Planning Department prior to issuance of a building permit. The developer shall construct and provide an engineer's verification of construction of storm water management control measures sufficient to serve the applicable project area prior to issuance of a Certificate of Occupancy for the first structure within the project area or stage.
6. Easement documents as required by the County for any public utilities used or furnished to the project area shall be recorded prior to issuance of a building permit.
7. All required local, State or Federal permits (i.e. NCDOT commercial driveway permits, NCDWQ Authorization to Construct Water Lines, NCDWQ Sewer Treatment Plant, and Erosion Control Permit) or encroachment agreements shall be obtained and copies submitted to the County prior to the issuance of a building permit.
8. Off-site improvements required by NCDOT or any other agency shall be constructed at no cost to the County.
9. Parking and off-street loading areas shall be installed in accordance with the ordinances and policies of the County.
10. Construction Deadline. This conditional use permit shall automatically expire on the second anniversary of its issuance unless construction has commenced after issuance of the zoning determination and building permits.
11. Setbacks of structures shall be as shown on the site plan dated 11/28/05 and at a minimum meet the B-1 Business District setbacks for area zoned B-1 Conditional Use Business and the area zoned RA-40 with Conditional Use Permit shall at a minimum meet the RA-40 setbacks.

Mr. Walker noted that part of his motion includes that the Planning Board thinks that the developer has met the five (5) required findings. The motion passed 5-1 with Walker, Austin, Eliason, Harris and McBee voting in favor of the motion; and Andrews voting against.

BDC 1/17/04 (William's Corner)
Approval

Sketch Design Approval of "The Hamptons": Consideration of a request by Windjam 23, LLC for subdivision sketch design approval of "The Hamptons", consisting of 89 lots on 183 acres located off SR #1700, Mt. Gilead Church Road and Baldwin Township

As per the Planning Department recommendation, Commissioner Emerson moved, seconded by Commissioner Outz, sketch design approval of "The Hamptons" was granted with the following conditions:

1. The preliminary plat shall be revised to include the following:
 - ❖ Dedication of public right-of-way and utilities to the Warren and Wayne Strowd property
 - ❖ Temporary Turn-arounds at the road stubs to the Strowd property and Chatham Land and Timber property
 - ❖ Public utility easement(s) between Phase 2 & 3
 - ❖ Useable area for Lots 21-24
 - ❖ Lot areas
 - ❖ Water Hazard note
2. The developer shall evaluate the possibility of providing pedestrian access between Phases 2 and 3 and if found feasible, shown on the preliminary plat.
3. The developer shall have a traffic analysis performed to include existing and proposed developments with recommendations of said analysis incorporated in the preliminary design.

The motion carried five (5) to zero (0).

* **Conditional Use Permit for Planned Unit Development and Daycare Facility:** Consideration of a request by North Chatham Investments, Inc. for a Conditional Use Permit for a Planned Unit Development and Daycare Facility within the existing RA-40 zoning district and a B-1 Conditional Use Business District with a conditional Use Permit for various uses on approximately 98.5 acres located off US #15-501 North and SR #1721 Lystra Road and Williams Township

After considerable discussion, Commissioner Outz moved, seconded by Commissioner Emerson, to adopt **An Ordinance Amending the Zoning Ordinance of Chatham County**, attached hereto and by reference made a part hereof. The motion carried four (4) to one (1) with Commissioner Barnes opposing.

Commissioner Emerson moved, seconded by Commissioner Outz, to adopt **Resolution #2006-03 Approving An Application for a Conditional Use Permit for a Request by North Chatham Investments, Inc.**, attached hereto and by reference made a part hereof. The motion carried four (4) to one (1) with Commissioner Barnes opposing.

Proposed Text Amendments to the Watershed Protection Ordinance: Consideration of a request to consider proposed text amendments to the Watershed Protection Ordinance to include the 10/70 provisions in the WS-IV Protected Area

Commissioner Emerson moved, seconded by Commissioner Outz, to table this issue until a later date. The motion carried five (5) to zero (0).

Public Hearings:

Proposed Amendments to the Chatham County Subdivision Regulations: Public hearing to receive public comments on proposed amendments to the Chatham County Subdivision Regulations, Section 6.5 A.2.a. and b. concerning recreation fees