

PLANNING & ZONING REVIEW NOTES

VIII. A.

SUBJECT: Request by Community Properties, Inc. on behalf of Hilda McBane for subdivision preliminary design approval of “**The Glens**” (fka McBane Property Subdivision), consisting of 109 lots on 159 acres, located off SR-1520, Old Graham Road, Hadley Township.

ATTACHMENTS:

1. Major subdivision application.
2. ArcView map, parcel #10917
3. Letter from Michael J. Myers, Manager, Engineering and Compliance, Aqua North Carolina, Inc.
4. Letter from Dave Monroe, Pittsboro Town Planner, dated October 16, 2006.
5. Letter from Jane Pyle, Chatham County Historical Association, Inc.
6. Memorandum from Jacquelyn Presley, Urban Wildlife Biologist, North Carolina Wildlife Resources Commission.
7. E-mail, dated February 27, 2007, from Cynthia Crossen, 10 pages
8. Letter dated July 10, 2006, from David Gainey, Wetland Specialist, S&EC, 3 pages
9. E-mail dated February 27, 2007, from Elaine Chiosso, Executive Director, Haw River Assembly.
10. Preliminary design plat, titled “The Glens”, prepared by Withers & Ravenel, dated 02/06/07.

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:

See major subdivision application and preliminary design plan for background information. This property was formally known as “McBane Subdivision”. The property is located off Old Graham Road, SR-1520, and north of Chapel Ridge Phase 3 and west of existing Rock Rest and proposed The Bluffs. The property is located in an unzoned portion of Chatham County and a watershed district of WSIV-Protected Area. The Board of County Commissioners approved a sketch design consisting of 109 lots to be accessed by a public, state maintained roadway on July 17, 2006 with the two following conditions:

1. Language on the preliminary and final plats shall be changed to read “60 foot dedication of public right-of-way” to the Cheek property.
2. A 60 foot dedication of public right-of-way shall be shown to the adjacent property of Kenneth & Cynthia Crossen.

The conditions have been met as shown on the preliminary plat.

RE: The Glens

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS: The developer is requesting preliminary design approval of 109 lots on 159 acres. Lots are to be accessed by a public, state maintained roadway. Potable water will be supplied to the project by Aqua North Carolina, Inc. and wastewater will be collected, treated and reused at the Buck Mountain Water Reclamation Facility. See attachment # 3 and 4. Agency reviews as required by the Subdivision Regulations have been submitted as follows:

NCDENR	Authorization to Construct Water System	December 11, 2006
NCDWQ	Pressure Sewer Extension	February 2, 2007
NCDOT	Road Plan Approval	February 5, 2007
NCDOT	Encroachment Agreement	December 28, 2006
NCDOT	Encroachment Agreement	December 28, 2006
NCDOT	Commercial Driveway Permit	December 28, 2006
CHATHAM COUNTY	Erosion Control Permit	January 29, 2007

Copies of the above permits can be found on the Planning Department web page.

The Chatham County Emergency Operations Office has approved the road names **“The Glens Drive”, “Greenwood Court”, “Baywood Court”, “Sumter Court”, “Wynwood Drive”, “Barclay Court”, “Stanton Drive”, “Southwood Court”, “Weatherly Court”, and “Loftin Court”**.

The developer has notified Dr. Ann Y. Hart, Superintendent, Chatham County Schools of the proposed subdivision and provided a copy of the preliminary plat.

The developer has contacted Jane Pyle, Chatham County Historical Association, regarding a structure on the property. Ms. Pyle visited the site and determined that the structure did not have historical significance. See attachment #5.

Staff has received comments from Jacquelyn Presley, Urban Wildlife Biologist, NC WRC regarding additional buffering along Dry Creek and buffering of the jurisdictional wetland. See attachment # 6. The developer may voluntarily agree to these recommendations; however, neither the Subdivision Regulations nor the Watershed Protection Ordinance currently provide for the additional buffers as recommended. The developer has chosen to provide a 10 foot wide buffer around the jurisdictional wetlands and to maintain the 50 foot buffer along Dry Creek as required by the Watershed Ordinance. As shown on the preliminary plan, the 100 year flood plain along Dry Creek, extends beyond the 50 foot water hazard buffer for most of the stream length.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS – con't

Attachment # 7, is an e-mail from Cynthia Crossen stating concerns regarding the development. Ms. Crossen addressed the Planning Board in July during the sketch design review and requested that an Environmental Impact Assessment (EIA) be required. The Planning Board and Board of County Commissioners did not require an EIA as a condition of sketch design approval, which according to Section 5.2A. (1) of the Subdivision Regulations is when such a requirement would be made. Ms. Crossen also expressed concerns at that time regarding potential streams on the subject property which may require buffering. Prior to the sketch design review, the developer had Todd Tugwell of the US Army Corps of Engineers do a site inspection to make a Jurisdictional Determination on the wetland and streams on-site. Per attachment # 8, "The stream depicted on the USGS Quadrangle located in the middle of the northern portion of the site was found not to exist after a detailed wetland delineation was performed." Ms. Crossen has concern that the on-site visit was conducted during a time of dry weather and, therefore, may not have accurately reflected conditions during periods of wet weather.

The preliminary design plan meets the requirements of the Subdivision Regulations.

RECOMMENDATION: The plat meets the requirements for preliminary approval and the Planning Department recommends granting approval of the road names as listed above and approval of the preliminary design for "The Glens" as submitted.