



Chatham County Planning Board Agenda Notes

Date: December 3, 2019

Agenda Item: VII-1

Attachment #: 11

- Subdivision**

 Conditional Use Permit

 Rezoning Request
 Other:

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| Subject: | Request by Mitch Craig, P.E. on behalf F-L Legacy Owner, LLC for subdivision Preliminary Plat review and approval of The Legacy at Jordan Lake - Phase 3 , consisting of 69 lots on 29.59 acres, located off Big Woods Road, parcels #89438 and #92463. |
| Action Requested: | See Recommendation |
| Attachments: | <ol style="list-style-type: none"> 1. Major Subdivision Application. 2. Cover letter dated November 8, 2019 3. Soil Erosion and Sedimentation Control Letter of Approval 4. Stormwater Letter of Approval 5. Email dated February 4, 2015 from Dan LaMontagne PE, Chatham County Public Works Director 6. Email dated October 11, 2018 from Rachael Thorn, Watershed Protection Director 7. North Carolina Environmental Quality Division of Water Resources Application for Approval 8. North Carolina Environmental Quality Division of Water Resources Wastewater Collection System Extension Permit 9. Steep Slopes Exhibit 10. Conditional Use Permit Stipulation update 11. Preliminary Plat titled "The Legacy at Jordan Lake – Phase 3 Subdivision Plat – Portion of Tract 2B, Property of F-L Legacy Owner, LLC |

Introduction & Background:
Zoning: R-1 with a Conditional Use Permit for a Planned Unit Development
Watershed District: WSIV-Protected & Jordan Lake Buffer Areas
Water Source: public, Chatham County
Sewer Source: private, waste water treatment plant
Road type: private, paved
Within the 100 year flood plain: No floodable area in Phase 3
Reviewed: Under pre-2008 Subdivision Regulations
 The Legacy at Jordan Lake Subdivision was approved by the Board of County

Commissioners on March 15, 2004 as a Planned Unit Development for a cluster development. Modifications were made to the plan in 2005 to add 50.6 acres and change the number of lots to 463. The project is approved for 463 lots on 626 acres with an amenity center. Phase One received final plat approval in December, 2005 for 105 lots. Phases Two and Three, consisting of 114 lots received preliminary / final plat approval in 2006 (54 lots in Phase Two and 60 lots in Phase Three).

In 2011, the developer submitted a request to the Board of County Commissioners to relinquish the final plat approvals for Phases Two and Three (undeveloped); to recombine the 114 lots with the remaining undeveloped portion of the property into one parcel of land containing 402 acres; and to allow Phases Two and Three to revert to their approved preliminary plat status as of November 20, 2006. The BOC approved the request on November 7, 2011. The Resolution Accepting The Voluntary Relinquishment of Final Plat Approvals of The Legacy at Jordan Lake, Phases Two and Three is recorded in Book 1593, Page 272. The recorded recombination plat can be viewed at Plat Slide 2011, Pages 199 & 200 and at Plat Slide 2012, Page 10. The Resolution stated that the recreation fees and the water availability fees previously paid by the developer would be retained by the county and credited toward any similar fees incurred by the developer in future submittals until December 31, 2015 or any later date required by an amendment to the Permit Extension Act. To date, 394 lots have been final platted. The tennis courts, playground, clubhouse and pool have been completed. The clubhouse and pool opened to the residents on September 9, 2017.

As part of a 2014 CUP revision, the final plat sunset date for all phases is December 31, 2020.

The Planning Board has two (2) meetings to review the request.

Hard copies of the construction plans may reviewed at the Planning Department office.

Discussion & Analysis:

Request: The request before the Board is for preliminary plat approval of Phase 3, consisting of 69 lots on 29.59 acres and the last phase of project. The lots in Phase 3 are a smaller than the previous platted lots, which increased the open space. The developer has provided an update to the Conditional Use Permit conditions of approval. See attachment #10. Phase 3 is being developed out of Tract 2B, phases are owned by F-L Legacy Owner, LLC. Phase 3 has steep slopes in the vicinity. See attachment #9 for the Steep Slopes Exhibit.

Roadways: Roadways within Phases 3 will be private with a 50 foot wide right-of-way. The roadways will be paved to the NCDOT standards, but not reviewed and approved by NCDOT. Per Note 12 on the preliminary plat, the roads will be privately maintained by the Legacy at Jordan Lake, HOA.

Permits: Other agency permits as required for preliminary plat submittal have been received as follows and may be reviewed at

Historical / Archeological: Per the engineer, there are no cemeteries or historical structures, i.e. buildings, chimneys, fences, etc, 50 years or older located in Phase 3.

Road Names: The Emergency Operations Office has approved two of the three road names High Wood Ridge and North Crest Drive for submittal to the Board of Commissioners for approval. One additional road name will be needed were High Woods Ridge and North Crest Drive intersect. Per Emergency Operations Office North Crest Drive stops at High Woods Ridge, because Emergency Operations Office cannot start the addressing at a cul-de-sac.

Conditional Use Permit Stipulations: See attachment # 10.

Water Features: Phase 3 is adjacent to an unnamed stream. The stream has a 50' buffer on either side of the stream and is located within the open space area owned by F-L Legacy. One stormwater pond is proposed for the project.

Fire Marshal Review: The Fire Marshal has reviewed the plans for Phase 3 regarding access for emergency vehicles and found the plans acceptable based on road widths. The development is a gated community and the fire department has been provided access if the gate is locked.

Technical Review Committee: The TRC met on November 13, 2019 to review the plans for Phase 3. Items discussed were utilities, stormwater maintenance and stormwater drawings, and road names may need to be adjusted. There were no other concerns from staff.

Comprehensive Plan: The property is located in an area designated as Compact Residential. The designation is based on the existing approved Planned Unit Development for a cluster development.

Recommendation:

The Planning Department recommends granting approval of the road names, High Woods Ridge and North Crest Drive and granting approval of the subdivision Preliminary Plat of **The Legacy at Jordan Lake – Phase 3** as submitted with the following conditions:

1. The final plat Site Data on sheets 2 and 3 shall show 69 residential lots.
2. The final plat will provide the third road name where High Woods Ridge and North Crest Drive intersect.
3. Prior to final plat recordation the county attorney shall approve the form of the contract and financial guarantee.

4. Prior to final plat recordation the engineer shall certify to the county that there is all weather access for emergency vehicles and the certification must be approved by the Fire Marshal.