



# CHATHAM COUNTY BOARD OF COMMISSIONERS AGENDA ABSTRACT

ITEM NUMBER:  
MEETING DATE:  
1-17-06

## PART A

**Subject:**

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.

**Action Requested:** See Recommendations.

**Attachments:**

*The following was distributed prior to the September 19<sup>th</sup> public hearing:*

1. Williams Corner application and supporting text.

*Included in this packet:*

2. November 1, 2005 Planning Board notes

3. December 6, 2005 Planning Board notes

4. E-mail from Damon Webb, PLS, NCDOT to Travis Fluitt, E. I., Kimley-Horn and Associates, Inc. dated December 2, 2005

5. Minutes from the December 14, 2005 Appearance Commission meeting.

6. Revised site plan, revision date 11/28/05

**Submitted By:**

\_\_\_\_\_  
Keith Megginson, Planning Director

\_\_\_\_\_  
Date

**County Manager Review:**

\_\_\_\_\_  
Charlie Horne, County Manager

\_\_\_\_\_  
Date

**This abstract requires review by:**

☒ **County Attorney**

\_\_\_\_\_  
Date Reviewed

☒ **Finance Officer**

\_\_\_\_\_  
Date Reviewed

☐ **Budget Officer**

\_\_\_\_\_  
Date Reviewed

## PART B

*Re: North Chatham Investments, Inc.*

### **Introduction / Background / Previous Board Actions:**

See attachment # 1, 2 and 3

### **Issues for Further Discussion and Analysis:**

The issue was tabled in December to allow the developer additional time to address issues regarding the following:

\* Driveway entrances along 15-501: The revised site plat, dated 11/28/05 shows the three (3) proposed driveway entrances onto 15-501 and the two (2) entrances on SR-1721, Lystra Road. The current main entrance into the development is proposed to be across from Polks Landing Road and is designed as a full movement entrance. The middle entrance has been designed as a future full movement access and has been located such that if Polks Landing Road is relocated to the North in the future, and the two entrances are aligned properly, the location would be suitable for an additional traffic signal on U. S. 15-501. See e-mail from NCDOT, attachment #4. Currently, the middle entrance will be a right in / right out only and if the Polks Landing Road is realigned in the future, the existing main entrance will become a right in / right out only. The northern entrance is to be a shared entrance with the adjoining subdivision and will also be right in/ right out only.

- Relocation of Waste Water Treatment Plant: the revised site plan shows the relocation of the waste water treatment plant away from the adjoining subdivision and more towards the rear of the property. The Appearance Commission reviewed this plan and found it to be acceptable.
- Additional Soils Information: the developer provided additional soils information from Soil & Environmental Consultants, PA, which was reviewed by Thomas Boyce, Chatham County Soil Specialist. Mr. Boyce found the report adequate for the proposed use.
- Appearance Commission review: The applicant met with the Appearance Commission on December 14, 2005 for further review of the landscaping, signage, and lighting. The revised site plan, dated 11/28/05, shows the location of four (4) signs consisting of three (3) 4' X 6' monument style entry signs on US15-501 and one (1) 4' X 6' development name sign located on the corner of US15-501 and SR-1731, Lystra Road. Although not shown on the plan, the developer also discussed with the Commission a 'residential identification sign' to be located on Lystra Road, SR-1731, at the residential entrance. Staff recommends signage area of this sign not be larger than 32 square feet. No signage has been requested for the proposed Daycare Facility and is therefore; not part of this request.
- The plan also showed the proposed landscaping. See attachment # 5 for landscape recommendations. A lighting plan was not submitted. Staff recommends a lighting plan for each phase or stage be submitted to the Planning Department for review prior to issuance of the first building permit.

**Re: North Chatham Investments, Inc.**

**Recommendation:** The Planning Department and Planning Board recommend granting 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 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%.

***Re: North Chatham Investments, Inc.***

**Recommendation - con't**

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