



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
11-20-06

PART A

Subject:

Request by Roanoke Investments, LLC on behalf of Chatham Partners, LLC and Polk-Sullivan, LLC for subdivision preliminary design approval of **“The Bluffs, Phase 1”**, consisting of 36 lots on 180 acres, located off SR-1520, Old Graham Road, Hadley Township.

Action Requested:

See Recommendations.

Attachments:

1. Major subdivision application.
2. ArcView map, parcel # 10919
3. Letter from Nicolas P. Robinson dated October 16, 2006.
4. Letter from Mark Ashness, CE Group, Inc. regarding phasing of various projects on Old Graham Road with regards to infrastructure.
5. Review of Environmental Documents submitted to Chatham County for the Shively Tract, Banner and The Bluffs, prepared by Allison E. Weakley, Biologist, dated November 6, 2006.
6. Preliminary map titled “The Bluffs – Phase 1”, prepared by CE Group, Inc, dated October 12, 2006.

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: The Bluffs, Phase 1

Introduction / Background / Previous Board Actions: See major subdivision application and preliminary design map for background information. The subject property is located in a portion of Chatham County zoned RA-5 which requires a 3 acre minimum / 5 acre average lot size. The property lies within two different watershed districts, a River Corridor and a WSIV-Protected Area. *The current request for Phase I is within the WSIV-PA watershed district.* The River Corridor district is measured as 2,500 feet from the bank of the river landward and has the same lot size minimum and average as the RA-5 zoning district, and requires a 100 foot wide (200 foot total) water hazard buffer on each side of creeks/streams and along the river. The WSIV-Protected Area watershed district allows a 40,000 square foot minimum lot size and requires a 50 foot wide (100 foot total) water hazard buffer along creeks and streams. The zoning district of RA-5 which extends westward to Old Graham Road is the more restrictive of the districts.

Aqua North Carolina, a utility company licensed by the North Carolina Utilities Commission will provide potable water and wastewater will be treated at their Buck Mountain wastewater treatment plant in Chapel Ridge.

Previous Board Actions:

May 15, 2006: The Board of County Commissioners approved sketch design, consisting of 112 lots on 597 acres. A copy of the sketch design submittal and agenda notes can be found on the county web site at www.co.chatham.nc.us - Planning-Rezoning and Subdivision Cases – 2006 – The Bluffs, sketch.

Issues for Further Discussion and Analysis: ‘The Bluffs’ will maintain a 3 acre minimum / 5 acre average lot size as required by the RA-5 zoning district and the Chatham County Private Road Standards. Phase 1 will not meet this average as a single phase, but will contribute to the overall average of the entire subdivision. All lots will maintain a three (3) acre minimum. See Note # 9 on the preliminary plat.

Attachment # 3, addresses the sketch design conditions of approval along with a modification to the development schedule. Attachment # 4 explains the need for a modification to the development schedule. The request seems reasonable.

Some of the lots will be accessed by the public, state maintained portion of existing Rock Rest Road. All other roads within the subdivision will be paved, private roads constructed to the NCDOT standards.

Agency reviews required for preliminary plat approval are as follows:

NCDOT	Commercial Driveway Permit	September 21, 2006
U. S. Army Corps Of Engineers	Notification of Statutory Status of Request from S&EC	October 23, 2006
NCDWQ	Authorization to Construct	September 11, 2006

Re: The Bluffs, Phase I

Issues for Further Discussion and Analysis – con't

Chatham County Erosion Control Permit
Environmental Health – Erosion Control

October 6, 2006

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

The Chatham County Emergency Operations Office has approved the road names *Ridgebrook Drive, Bluffside Court, Hamilton Cove, Blufftonwood Drive*.

The question has been raised about whether an environmental assessment should be requested for The Bluffs. Normally such a request of the applicant would be made during the sketch design consideration so it could be presented at the time of preliminary submittal. The Planning Department did not make such a request at the time of sketch design review for several reasons. The parcel is approximately 597 acres and about 481 acres has been clear cut within the last few years. The design is not unique since the lots average five acres in size and no lots are smaller than three acres. There are no Natural Heritage Program sites on the property although the Haw River Aquatic Habitat is adjacent to the property where the federally listed endangered Cape Fear shiner was found downstream of the project in May of 2000. It has recently been learned that the species was not found during a NC Wildlife Resources Commission survey in September 2005 although it may exist “at very low densities and patchily distributed”. The applicant has had an on site survey of the property preformed and only the buttercup phacelia was found. It was located within the flood plain where no grading or other regulated potentially adverse activities are proposed. See the report by S&EC revised June 14, 2006 on the Planning Department web page along with a memorandum from Sarah McRae, Freshwater Ecologist, with the Natural Heritage Program. This preliminary request is not located on a portion of the property along the Haw River but is along Graham Road and bordering Dry Creek. The Planning Department does not recommend an environmental assessment at this time.

During the November 6th Planning Board meeting, adjacent property owners expressed concerns regarding the following: Phase 1 of The Bluffs not meeting the required five (5) acre average, environmental reports prepared by S&EC, and modification of the development schedule. See attachment # 5, submitted by Allison Weakly regarding the S&EC environmental reports. Staff explained that although Phase 1 of the project does not meet the five acre average as a stand alone phase, that the overall development (The Bluffs) will meet the requirements. The Planning Board discussed the modification to the development schedule as outlined and explained in attachment # 4.

Recommendation: The Planning Department and Planning Board recommend granting approval of the road names *Ridgebrook Drive, Bluffside Court, Hamilton Cove, Blufftonwood Drive* and granting approval of the modification to the development schedule and granting approval of “The Bluffs, Phase I” as submitted. The Planning Board vote was five in favor, one against, one abstention, and one recusal.