

PLANNING & ZONING REVIEW NOTES

III. C. 2.

SUBJECT: Request by The Legacy at Jordan Lake, LLC for subdivision preliminary and final plat approval of **“The Legacy At Jordan Lake, Phases Two & Three”**, consisting of 114 lots, on 166 acres, Located off Big Woods Road, SR-1714, Williams & New Hope Townships.

ATTACHMENTS:

1. Major subdivision application.
2. ArcView map.
3. A copy of A Resolution Approving An Application For A Conditional Use Permit For Jordan Lake, LLC And Holland And Rebecca Gaines.
4. Comments from Cynthia Sax Perry, Attorney-at-Law addressing conditions of zoning approval.
5. Final plat titled “The Legacy At Jordan Lake, Phase Two” and “The Legacy At Jordan Lake, Phase Three”, prepared by Absolute Land Surveying and Mapping, P. C., dated April 18, 2006.

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:

See major subdivision application and preliminary / final plat for background information.

March 15, 2004: County Commissioner approval of a RA-40 District with a Conditional Use Permit for a Planned Unit Development to consist of 454 residential lots on 577 acres.

October 19, 2005: County Commissioner approval for a modification to the permit as stated above to add 50 acres and 9 residential lots.

December 12, 2005: County Commissioner preliminary and final approval of Phase One, consisting of 105 lots on 238 acres.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS:

The request before the Board is for preliminary and final approval of The Legacy at Jordan Lake, Phase Two and Three, formally The Homestead, consisting of 54 lots in Phase Two and 60 lots in Phase Three. Total acreage of Phase Two and Three is approximately 166 acres. A Resolution Approving An Application For A Conditional Use Permit For Jordan Lake, LLC and Holland and Rebecca Gaines, states the ten conditions of zoning approval. See attachment # 3. Attorney Cindy Perry has stated in attachment # 4 how the developer is conforming with the conditions.

Re: “The Legacy At Jordan Lake, Phases Two & Three”
ISSUES FOR FURTHER DISCUSSION AND ANALYSIS – con’t

The developer is requesting final approval of Phase Two and Three with a 100 per cent financial guarantee based on filing a statement of record for the subdivision in accordance with the Federal Interstate Land Sales Full Disclosure Act. See the Subdivision regulation, Section 3.1, Improvement and Adequate Security, B (1), Adequate Security for complete language. A financial guarantee in the form of a letter of credit for completion of Phase Two and Three roadways, erosion control, utilities, and storm water retention has been submitted to the county attorney for review and approval.

County water is available and wastewater will be treated by an on-site sewer treatment plant. Roadways are to be paved, private, and constructed (paved) to NCDOT standards, although not designed to state standards. Staff recommends that the stub out for an emergency road to the Preserve boundary between Lots 125 and 126 be shown on the mylar copy of the final plat. Agency approvals required for preliminary review have been received as follows:

Chatham County Health Dept Erosion Control Division	Erosion Control Permit	Aug 23, 2006
Chatham County Public Works	Water Plan Approval	Sept. 14, 2006
NCDWQ	Authorization to Construct Water System Management Plan	Sept. 12, 2006
U. S. Army Corps of Engineers	404 Creek Crossing Permit	Sept. 06, 2006
NCDWQ	Pressure Sewer Extension	Oct. 26, 2006

The above listed approval documents may be viewed on the Planning Department web page.

The Chatham County Emergency Operations Office has approved the road names *Covered Bridge Trail, Timber Crest Drive, High Woods Ridge and North Crest Circle.*

Zoning condition #1 addresses public utility access to “adjacent undeveloped properties”. Per attachment # 4, Item # (1), utility easements are to be provided to the adjoining properties of the McLean Tract and The Preserve at Jordan Lake. Staff recommends that public utility access also be shown to the adjacent undeveloped property of W. D. and Patricia M. Harris. Staff recommends that said easements be a minimum of 20 feet in width and clearly labeled on the mylar copy of the plat.

Re: "The Legacy At Jordan Lake, Phases Two & Three"

RECOMMENDATION: The Planning Department recommends granting approval of the road names Covered Bridge Trail, Timber Crest Drive, High Woods Ridge, and North Crest Circle and granting preliminary and final approval of The Legacy At Jordan Lake, Phases Two and Three with the following conditions:

1. The plat shall not be recorded until the county attorney has approved the financial guarantee.
2. The mylar copy of the final plat shall show 20 foot wide public utility easements to the McLean Tract between Lots 130 and 129, the Harris tract (in a location best determined by Chatham County Public Works and the project engineer) and to The Preserve at Jordan Lake along the boundary of Lot 125.
3. Staff recommends that the stub out for an emergency road to the Preserve boundary between Lots 125 and 126 be shown on the mylar copy of the final plat and built and maintained as a graveled, all weather access to the Preserve boundary.