



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
12-18-06

PART A

Subject:

A request by Greg Isenhour for a revision to an existing CU-PUD Permit for **Cole Place**, located off Plaza Dr. (Private), Williams Township to add an additional 16 townhomes to the existing 60 townhomes already constructed.

Action Requested:

See Recommendations.

Attachments:

The following was submitted prior to the November 20, 2006 Public Hearing:

1. Application packet

The following can be viewed on the Planning Department's webpage at www.co.chatham.nc.us under Planning, Rezoning & Subdivision Cases, 2006:

2. Arcview map
3. Minutes from the November 20, 2006 public hearing

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: Cole Place

Introduction / Background / Previous Board Actions:

A public hearing was held on November 20, 2006. Only one person spoke on the issue and those minutes can be viewed on the planning department webpage. The Planning Board met on December 5, 2006 and made a recommendation to approve the revision, with conditions, of this conditional use permit. The vote was unanimous with nine (9) members present. This property was originally approved for a planned unit development in 1988 for eight (8) residential units (condos). In 2003, the applicant submitted for a revision to include one (1) non-residential lot that is now the health spa. In 2004, the applicant submitted for a revision for Phase I to include 28 townhomes and a second revision in 2005 for Phase II to include an additional 28 townhomes, a charter school, and a new solid waste center. All were approved. There was one stipulation included in this approval. If neither the charter school nor the solid waste center were put onto this property, the applicant could then resubmit for additional residential use. The charter school has been relocated to the Briar Chapel development and a new solid waste center never evolved.

Before a conditional use permit may be approved the Board of Commissioners is required to make five findings listed in the Chatham County Zoning Ordinance and shown below:

1. The use requested is among those listed as an eligible use in the district in which the subject property is located or is to be located.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare.
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.
4. The requested permit will be consistent with the objectives of the Land Development Plan.
5. Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities have been or are being provided.

Issues for Further Discussion and Analysis:

This request, if approved, will serve as the sketch design for the subdivision application.

It is staff opinion finding #1 has been met by previous approvals and by this request in that it is located within a residential agricultural zoned district where a planned unit development is allowed under the conditional use permit option.

It is staff opinion finding #2 is subjective in nature but may be made so the developer/applicant can continue to develop this property for residential use since the charter school and the solid waste center options did not materialize. The applicant states all other units have sold and are being occupied indicating need and desirability.

It is staff opinion finding #3 may be made from the standpoint the developer of this planned unit development has agreed to and installed all other conditions previously set on this application in efforts to reduce the impact from surrounding properties. An example of this would be this property is located within a WSIV-PA watershed. The impervious surface allowed in this designation is 36%. The addition of these townhomes will bring this parcel to 12.5%

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Issues for Further Discussion and Analysis – con't

impervious surface. Previous storm water measures were installed for the 1-year, 24-hour storm. Staff will make a recommendation in the conditions at the end of the recommendation section to increase that to the 2 year, 24 hour storm event which will cause the current detention area to be enlarged so those measures can be met.

It is staff opinion finding #4 has been met by previous approval of the conditional use permit in 1988 and approved revisions in 2003 and 2005. The draft, yet approved, land development map shows this area in a compact community corridor where these types of neighborhood, economic, and crossroads centers are to be located as can be viewed beginning on page 24 of the Plan.

It is staff opinion finding #5 has been met from the standpoint that roads and utilities (county water) are currently being supplied to the property. The properties will be served by the current private drive, Plaza Drive, which has been paved to NCDOT standards.

County water is being provided to these properties by way of the North Chatham Water and Sewer. Water is purchased from Chatham County to provide this service.

Recommendation: The Planning Department staff and Planning Board recommend approval of this request with the following three (3) conditions:

- 1) Any extension of Plaza Dr. and any other roads to be developed in connection with this request are to be built and paved to NCDOT standards and is to be extended through the development connecting with Plaza Drive Extension to allow full movement of emergency service's vehicles. The applicant reserves the right to install a security gate at the entrance off Plaza Drive Extension for access by emergency vehicles only; not open for public use.
- 2) A minimum undisturbed buffer of 75' each side of Cub Creek that crosses this parcel shall be observed.
- 3) Storm water measures shall be enlarged and/or installed to sustain the 2year, 24-hour storm for the new development area before the final certificate of occupancy is issued.