

PLANNING & ZONING REVIEW NOTES

III. C.

SUBJECT:

Request by Governors Village Commercial, LLC for subdivision preliminary and final approval of **“Governors Village Townhomes, Phase Three”**, consisting of 14 blocks to be further subdivided into 76 residential townhome lots, located off S. R.1847, Moring Drive Extension, Williams Township.

ATTACHMENTS:

1. Major subdivision application.
2. ArcView map, parcel # 66750.
3. Letter dated November 13, 2006 from Patrick Bradshaw, Attorney-at-Law, regarding the preliminary and final submittal and addressing the conditions of zoning approval.
4. Letter dated November 10, 2006 from Neil R. Phillips, President, Aqua North Carolina, Inc.
5. Letter dated November 13, 2006 from Courtney A. Bowen, Bradshaw and Robinson, Attorneys-at-Law, to Dr. Ann Y.Hart, Chatham County Schools.
6. Letter dated November 13, 2006 from Mark Riggsbee, North Chatham Fire Department Chief.
7. Note revisions for Governors Village Townhomes Phase Three
8. Final plat titled “Governors Village Townhomes, Phase Three”, prepared by Mitchell – Westendorf, PA, dated October 22, 2006.

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:

See major subdivision preliminary and final application and plat for background information. On March 21, 2005, The Board of County Commissioners approved a zoning request for a modification to the existing Conditional Use Permit for Governor’s Club Planned Unit Development to add 18.95 acres to be developed as 49 single family residential lots, located off SR-1726, Old Farrington Rd, -- **and to revise the existing Conditional Use Permit to change the approved land use for the East Dossett parcel (+/- 11 acres) from commercial to 76 residential townhomes**, located off S. R.-1008, Mt. Carmel Church Road, Williams Township. The 49 single family residential lots received final approval by The Board of County Commissioners on December 12, 2005. A portion of the staff notes for the modifications follows:

The Governors Club PUD was originally approved by the Board of County Commissioners in 1988. Various modifications and revisions have been made to the PUD since that date. Currently, 1813.19 acres are approved within the PUD. In 1997a revision was made to include townhouses and to redesign and increase the commercial areas within Governors Village. This revision included the approval of 100,000 square feet of future commercial area on the East Dossett parcel with later review of the design

Re: Governors Village Townhomes, Phase Three

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS – con't

and included a requirement to include internal access to the Polk parcel. Currently 2003 residential lots are approved for development with the Governors Club PUD.

A public hearing was held on the request on January 18, 2005. Patrick Bradshaw, attorney for the applicant, addressed the Board on behalf of the applicant to explain the request and answer any questions the Board might have. Mr. Bradshaw stated that one portion of the request was to convert the 100,000 square feet of approved commercial area on the East Dossett parcel (11 ac +/-) to 76 residential townhouses, while preserving the possibility, based on market demand, that some of the already approved commercial density could be used in the remaining commercial area of the PUD. He also stated that the need for the modification was due to the unlikelihood that the property can be developed for commercial use and because the existing townhomes in the community has been so popular; that they have worked for years to try to attract commercial users to this tract and have been unsuccessful; and that research shows that there are not yet enough homes in the immediate area to support additional commercial. He also stated that additional residential use would help support the existing commercial

uses in Governors Village..... The townhouse lots will be accessed by Village Park Drive, a public roadway off Mt. Carmel Road, S. R. 1008. The roadway serving the townhouse lots are to be a private, paved roadway constructed to the NCDOT standards.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS: The request is for preliminary and final plat approval based on a financial guarantee for completion of infrastructure. Warren D. Mitchell, P.E. has prepared a letter detailing the remaining improvements to be completed on this project as of the date of the letter, November 13, 2006. The water lines have been installed, however, the as-built plans have not been provided to Chatham County Public Works Department for review and approval at this time, requiring the financial guarantee amount to also include the amount necessary for completion of the water system. If the as-built water plans have been approved by Chatham County Utilities prior to recording of the final plat, the financial guarantee dollar amount may be reduced. Roy Lowder, Utility Director, has requested some language changes to Note # 6 on the final plat and an additional note to be added regarding utilities. See attachment # 7. The county attorney has reviewed the form and language of the financial guarantee and found them acceptable. County water will be utilized and the 76-townhouse lots will be served by the Carolina Meadows wastewater treatment plant, owned by Aqua North Carolina. Aqua is in the process of expanding the plant and has posted a financial guarantee in the form of a performance bond for the completion of the expansion. The county attorney has approved this bond. See attachment # 4.

Agency reviews required for preliminary review have been received as follows:

NCDOT	Commercial Driveway Permit	May 16, 2005
Chatham County Health Department	Erosion Control Permit	June 20, 2006

Chatham County Public Works NCDWQ	Water Plan Approval	August 16, 2006
NCDWQ	Authorization to Construct	August 17, 2006
NCDWQ	Wastewater Collection System Collection	July 18, 2006

The Chatham County school system has been notified of the townhouse development. See attachment # 5. The Chatham County Emergency Operations office has approved the road names *Governors Lake Drive, Daughtridge Drive, Philpott Drive, and Perdue Drive*. Mark Riggsbee, North Chatham Volunteer Fire Department, has stated in attachment # 6 that the project exists within the response district and that fire protection can be provided.

The roadways within the project are private, paved roadways, designed to meet the NCDOT standards for subdivision roads.

RECOMMENDATIONS: The Planning Department recommends granting approval of the road names *Governors Lake Drive, Daughtridge Drive, Philpott Drive, and Perdue Drive* and granting preliminary and final plat approval of “Governors Village Townhomes, Phase Three” with the following condition:

1. Language changes as specified in attachment # 7 shall be added to the Mylar copy of the final plat.