

PLANNING & ZONING REVIEW NOTES

V. B.

SUBJECT: Request by Dornoch Group for subdivision sketch design approval of “**Lystra Road Subdivision**”, consisting of 90 lots on 144 acres, located off SR-1721, Lystra Road, Williams Township.

ATTACHMENTS:

1. Major subdivision application.
2. ArcView map, parcel # 18756
3. E-mail, dated November 23, 2006 from Barbara Dickinson, adjoining property owner.
4. Soil scientist report dated October 23, 2006, prepared by Soil & Environmental Consultants, PA.
5. Wetland Delineation and Stream Evaluation report dated April 14, 2006 prepared by Soil & Environmental Consultants, P A.
6. Memorandum from Jacquelyn Presley, Urban Wildlife Biologist,
NC, North Carolina Wildlife Resources Commission.
7. Sketch design map titled “Lystra Road Subdivision”, prepared by The John R. McAdams Company, Inc, dated 11/13/06, revised 11/20/06.

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:

See major subdivision application and sketch design map for background information.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS: The developer is requesting sketch design approval of Lystra Road Property, consisting of approximately 90 lots on 144 acres to be accessed by public, state maintained roadways. Two entrances off Lystra Road are planned as shown on the sketch design map. Barbara Dickinson, an adjoining property owner, has requested that the proposed development be required to provide turn lanes at the two entrances due to the increased traffic volume on Lystra Road and that the speed limit should be lowered on a portion of the road. See attachment # 3. Turn lane requirements and speed limit reductions are both issues that must be addressed by NCDOT. The developer is required to submit commercial driveway permits at the time of preliminary plat submittal. NCDOT will evaluate the traffic capacity of Lystra Road and the anticipated increased traffic to be generated by this project in evaluating whether turns lanes are warranted. Lots 69, 70, 71, and 72 will be accessed by a 30 foot wide private easement. The easement will be required, at a minimum, to be constructed to have a 16 foot wide travel way with 4 inches of crush and run stone. The developer has stated that the easement will be a paved roadway and will be owned and maintained by the homeowners association. Dedication of future public right-of-way has been shown on the sketch design map to the adjoining properties of Hallman and Durham.

The Duke Power 325 foot wide easement crosses the property. The proposed roadway crosses the easement, however, all lots are designed to be outside of the easement area. Each lot is designed to have an individual on-site wastewater system. Several of the lots (identified with the letter 'D') will require state approved surface drip systems. County water is available to the property and will be utilized.

Staff review of the Natural Heritage Program data for the subject property indicated the property to potentially contain habitat for the Loggerhead Shrike, (coverage for this is countywide). A portion of the property lies within the Herndon Creek Ravine Natural Heritage Area as shown on the sketch design map. Per the Chatham County Watershed Protection Ordinance, Herndon Creek requires a 50 foot water hazard buffer from the bank of the stream landward on each side of the creek. The developer has shown the standard buffer area as required in a WSIV-Protected watershed area, and has voluntarily shown an additional 50 foot buffer (for a total of 100 feet) from the bank of the creek landward on the north side of the creek. No septic systems or repair areas will be allowed within the 100 foot buffer. The developer has also shown a 200 foot 'no build' area from the bank of the creek. No structures will be allowed, per private covenants, to build within 200 feet of the creek. Lot #'s 17, 18, 19, and 31 are designed to be outside of the 100 foot water hazard buffer established along Herndon Creek. The 100 foot buffer area will be owned and maintained by the homeowners association. The developer has shown a 25 foot wide undisturbed vegetation easement along the entire boundary of the property. This vegetation easement will need to be incorporated into the private covenants / restrictions placed on the property by the developer.

Attachment # 6, Memorandum from Jacquelyn Presley, Urban Wildlife Biologist, are comments from Jacqueline Presley, NC WRC, regarding environmental issues associated with development of the subject property and suggestions for the developer to minimize impacts to the Herndon Creek Ravine Natural Heritage area and existing wildlife. The developer is addressing some of these concerns by increasing the Herndon Creek water hazard buffer within the Ravine Natural area to 100 feet and providing the 200 foot no build area. The developer has also stated in an e-mail "The Urban Wildlife Biologist is also recommending that the cul-de-sac serving lots 31 and 32 be pulled back from the Herndon Ravine Boundary. This is something that we are considering but are not prepared to revise at this time." Since this is a subdivision issue, the Board can not require the developer to adhere to the recommendations. If he chooses, the developer can incorporate some or all of these recommendations into their private covenants / restrictions.

The developer has provided a development schedule to submit for preliminary plat within 18 months after all required permits have been obtained.

Attachment # 5 is a wetland delineation and stream evaluation report prepared by Soil and Environmental Consultants, PA. Perennial and intermittent streams and wetland areas were identified on the property. These areas have been buffered accordingly with the required 50 foot water hazard buffer on each side of the creeks.

The developer / engineer has been in touch with Jane Pyle, Chatham County Historical Association. Per the developer, the property does not contain any historical structures. Ms. Pyle questioned the location of a cemetery (King Family cemetery) based on old field notes from Mr. Will Heiser, but stated that she thought the cemetery was located

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farther to the east off the subject property. Ms. Pyle requested that if, during the surveying / development of the property, that any cemetery or historical structures are discovered, that she be contacted.

RECOMMENDATION: The Planning Department recommends granting sketch design approval of Lystra Road Property with the following condition:

1. Note # 16 be changed on the preliminary and final plats to read “No septic systems shall be located within 100 feet of Herndon Creek. No structures shall be located within 200 feet of Herndon Creek.