

PLANNING & ZONING REVIEW NOTES

III. B.

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**SUBJECT:** Request by Dan Sullivan for subdivision preliminary approval of “**Pennington North Subdivision, Phase I, Lots 1, 2, 16, 17, and 18**”, consisting of five (5) lots located off SR-1716, Big Woods Road, New Hope Township.

- ATTACHMENTS:**
1. Major subdivision application.
  2. ArcView map, parcel # 17348
  3. Memorandum dated November 15, 2006 from Jacqueline Presley, Urban Wildlife Biologist, North Carolina Wildlife Resources Commission.
  4. Preliminary Plan titled “Pennington North Subdivision, Phase I”, prepared by John W. Harris, P. E., dated 6/20/06.

**INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:**

See major subdivision application and preliminary plan for background information. The property is accessed off Big Wood Road, SR-1716, through Windfall Subdivision by way of Windfall Creek Drive and Ocoee Falls Drive, proposed public, state maintained roadways. Although accessed through Windfall Subdivision, Pennington North is not to be considered a part of Windfall. County water is available.

April 17, 2006: County Commissioner sketch design approval for 18 lots on 97 acres.

**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS:** The developer is requesting preliminary approval of Phase I consisting of Lots 1, 2, 16, 17, and 18. Phase I will not meet a five acre average on its own, however, all lots will maintain a three acre minimum and the overall average of the entire project will be five acres as required within a RA-5 zoning district. Other agency permits have been received as follows:

Chatham County Public Works	Water Plan Approval Phase I	October 12, 2006
NCDWQ	Authorization to Construct Phase I	October 13, 2006
NCDOT	Road Plan Approval (Entire project)	August 11, 2006
Chatham County Environmental Health	Erosion Control Permit (Entire project)	August 11, 2006

*Re: Pennington North Subdivision, Phase I, Lots 1, 2, 16, 17, and 18*  
**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS** – con't

As stated above, existing roadway, Ocoee Falls Drive will be extended to serve Pennington North. The road name has been previously approved by Chatham County Emergency Operations.

County water is available and will be utilized. Each lot will be served by an individual wastewater system. The soil scientist report has been reviewed by Thomas Boyce, Chatham County Soil Specialist and found to be adequate for preliminary review.

The property is located within a WSIV-Protected Area watershed district which requires a 50 foot water hazard buffer along creeks and streams. Windfall Branch, as shown on the sketch plan, flows through the Pennington property and the Windfall Creek Subdivision. During review of Windfall Creek Subdivision, the Board of County Commissioners required a 100 foot water hazard buffer be maintained along that portion of Windfall Branch since the creek flows into the main body of Jordan Lake. The developer is continuing the 100 foot water hazard buffer along Windfall Branch in the Pennington Subdivision also.

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). The property does not fall into any significant Natural Heritage Areas. Attachment # 3, 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 existing wildlife. Since this is a subdivision issue, the Board can not require the developer to adhere to these suggestions. If he chooses, the developer can incorporate some or all of these suggestions into their private covenants / restrictions.

**RECOMMENDATION:** The Planning Department recommends granting preliminary approval of “Pennington North, Phase I, Lots 1, 2, 16, 17, and 18 as submitted.