

PLANNING & ZONING REVIEW NOTES

VI. A.

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**SUBJECT:** Request by Jordan Lake Preserve Corporation for preliminary and final plat approval of **Chapel Ridge Phase 2B, Sections 'M', 'O', 'Q', 'R', and a portion of 'N'**, consisting of 166 lots on approximately 792 acres, off S. R. 1520, Old Graham Road, Center and Hadley Townships.

**ATTACHMENTS:**

1. Major subdivision application.
2. Arc View map
3. Copy of approval letter for "Buck Mountain Golf Community", dated January 22, 2003.
4. Copy of minutes dated May 17, 2004.
5. Final plat entitled "Chapel Ridge" – Phase Two 'B', Sections 'M', 'O', 'Q', 'R' and a Portion of 'N', prepared by Absolute Land Surveying and Mapping, P. C., dated February 13, 2006.

**INTRODUCTION AND BACKGROUND:**

*See major subdivision application and preliminary/final plat(s) for background information.*

Chapel Ridge Golf Community (formally Buck Mountain) received subdivision sketch design approval on January 21, 2003 for 700 lots on 792 acres along with an 18-hole golf course. See approval letter, attachment # 3. Status of conditions is as follows:

Condition # 1 - has been met

Condition # 2 - Revised on May 17, 2005 to state, "The roadway to NC 87 shall be constructed to the NCDOT standards prior to issuance of 50 building permits in the Chapel Ridge subdivision." To date 23 single-family residential building permits have been issued.

Condition #'s 3, 4 and 5 - have been met.

Condition # 6 - Staff recommends that lots subject to the 100-year flood have flood elevations shown on the final plat prior to recordation. Said elevations are also recommended to be marked on the ground prior to issuance of the building permit.

Condition # 7 - On May 17, 2004, during the preliminary review of Phase One, Sections A – I, the developer requested and received approval by the Board of County Commissioners to change the status of the entrance off Old Graham Road from public to a private, ungated entrance since the developer had secured an access from the subject property to NC Highway 87. The entrance from NC Hwy 87 was designated as the main entrance to the development, to be built to the North Carolina Department of Transportation standards up to the clubhouse recreation area. The public entrance from Hwy 87 is located on property owned, at the time, by developers of Meadowview, Chatham Partners, LLC and Polk Sullivan, LLC. A deed of easement is recorded in Deed Book 1116, Page 804 in the Chatham County Register of Deeds Office for the construction and maintenance of said roadway. The financial guarantee in the form of

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**INTRODUCTION AND BACKGROUND-** con't

Performance Bonds approved for Phase Two 'A' in May, 2005, included funds for the construction of the public entrance from NC Hwy 87 along with the turn lanes as required on Hwy 87. Sidewalks were to be provided along the public road entrance from NC Hwy 87 to the clubhouse recreation area. Per the engineer, although the sidewalk construction was not originally included in the Phase Two 'A' financial guarantee, there are sufficient funds currently available under this bond to cover the cost of construction for the sidewalks. Sidewalks were also required to be provided along the private road section from Old Graham Road to the clubhouse recreation area. Cost of construction for this section of sidewalks is included in the Phase One financial guarantee performance bonds. See copy of a portion of the minutes from the May 17, 2004 County Commissioner meeting, attachment # 4. A public recreation area was not approved by Chatham County.

Condition #'s 8 and 9 - have been met.

Condition # 10 - Turn lanes as required from Old Graham Road and NC Hwy 87 have been installed but not paved to date. Completion of said turn lanes area is covered under the Phase One and Phase Two 'A' financial guarantee performance bond for road construction. See information as stated in Condition # 7 above.

Condition #'s 11, 12, and 13 – have been met.

The property is served by a private sewer treatment plant and Town of Pittsboro water. Both the sewer treatment plant and water system are to be managed by a private company, Heater Utilities. All sections of Chapel Ridge, Phase One have received final approval along with Phase Two 'A', Sections 'J', 'K', 'L', 'P' and a Portion of 'N'. The total number of lots approved, including this 166, is 677 out of the 700 lots originally approved by the Board of County Commissioners.

**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS:** The developer is requesting preliminary and final approval of Phase Two B, Sections 'M', 'O', 'Q', 'R', and a portion of 'N' consisting of 166 lots with a 100% financial guarantee. The subdivision ordinance states in part in Section 3.1 B (1) that "when either forty (40) percent of the total cost of improvements have been completed or when a statement of record for the subdivision has been filed in accordance with the Federal Interstate Land Sales Full Disclosure Act and when the public health and/or safety will not be endangered, the County may waive the regulations that the applicant complete all required improvements prior to the signing of the subdivision plat, and that, as an alternative, the applicant post an adequate security at the time of application for final subdivision approval". The developer has filed an Original Statement of Record for the 166 lots. The financial guarantee is in the form of performance bonds for the completion of the following: Phase Two 'B' storm drainage/erosion control, roadway construction, and on-site utilities. The amount of the guarantee covers the engineer's certified estimates of construction plus a minimum of 15% according to the County Subdivision Regulations. The financial guarantee has been approved by the county attorney.

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**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS** – con't

Other agency reviews and approvals have been received as follows:

NCDENR	Erosion Control Plan	November 22, 2005
NCDOT	Commercial Driveway	Previously submitted
US Army Corps Of Engineers	404 Permit 401 Permit	Previously submitted
NCDWQ	Wastewater Treatment and And Reclaimed Water Utilization System.	November 29, 2004
NCDWQ	Wastewater Collection System	Submitted 12/29/05
NCDWQ	Authorization to Construct Water lines	February 24, 2006

The Subdivision Regulations state in Section 4.4 B (7) in part “Failure of the approving agencies in steps 10, 11, 12, and 13 to respond within thirty (30) days of an appropriate request to said agency shall not prohibit the subdivision application from proceeding through the county review procedure.”

The Chatham County Emergency Operations Office has approved the road names ‘Appleblossom Court’, ‘Lookout Ridge’, ‘Rosewood Court’, ‘Deep Creek’, ‘Larkspur Court’, and ‘Colonial Trail Court’. The road names ‘Hazelwood’, ‘Cabin Creek’, ‘Golfers View’ were approved in previous phases.

The plat displays the necessary information.

**RECOMMENDATION:** The Planning Department recommends granting approval of the road names ‘Appleblossom Court’, ‘Lookout Ridge’, ‘Rosewood Court’, ‘Deep Creek’, ‘Larkspur Court’, and ‘Colonial Trail Court’ and preliminary and final approval of Chapel Ridge Phase 2B, Sections ‘M’, ‘O’, ‘Q’, ‘R’, and a portion of ‘N’, with the following conditions:

1. No construction of the wastewater collection system until permit(s) have been received and furnished to staff from the appropriate agency.
2. The public roadway to NC 87 shall be constructed to the NCDOT standards prior to issuance of 50 building permits in the Chapel Ridge subdivision.
3. Flood elevations shall be shown on the recorded plat for all lots subject to the 100-year flood plain. Elevations shall also be marked on the ground for said lots prior to the issuance of a building permit.