

**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
5-16-05

PART A

Subject: Request by Community Properties, Inc. on behalf of Polk-Sullivan, LLC/Chatham Partners, LLC for subdivision Planned Unit Development sketch design approval of "Meadowview", consisting of 715 lots on approximately 793 acres, located off SR-1520, Old Graham Road and NC 87, Center / Hadley Townships.

Action Requested: See Recommendations.

- Attachments:**
1. Application booklet dated April 11, 2005
 2. Letter from Ed Harris
 3. ArcView map
 4. Portion of FIRM rate map 370299 0050 B
 5. Comments submitted by Nick Robinson dated 5/3/05
 6. Comments submitted by Haw River Assembly dated 5/3/05

Submitted By:

Keith Megginson
Keith Megginson, Planning Director

5/4/05
Date

County Manager Review:

Charlie Horne

Charlie Horne, County Manager

5/4/05
Date

This abstract requires review by:

- County Attorney** _____
Date Reviewed
- Finance Officer** _____
Date Reviewed
- Budget Officer** _____
Date Reviewed

PART B

Re: Meadowview

Introduction & Background:

Zoning:	Unzoned	Minimum lot size:	40,000 sq ft
Watershed District:	WSIV-PA	Water hazard setback:	50 feet
Water source:	Town of Pittsboro		

The county Subdivision Regulations, Water Supply Watershed Protection Ordinance and the Flood Damage Prevention Ordinance are applicable to the property. The three ordinances can be found at the county web site of www.co.chatham.nc.us - then go to Planning to - then go to Ordinance & Planning Documents.

The property is located in a WSIV Protected Area, which drains into the Haw River above Pittsboro's water intake at Bynum and eventually into Jordan Lake. The lake is the water supply for Chatham County, Cary and Apex at the present time. The WSIV Protected Area requirements are addressed Section 302 (E) of the Watershed Ordinance. Section 303 addresses cluster development and Section 304 stream buffers.

The Flood Damage Prevention Ordinance addresses subdivisions in Article 5, Section D.

Discussion & Analysis: A planned unit development is proposed for this project to allow for clustering of 715 lots to include lots ranging in size from 5000 square feet to 40,000 square feet allowing for approximately 475 acres of open space / 60% of the total acreage. The open space is to include meadows, amenities and natural buffer zones for wildlife habitats. This project does not include a golf course. The open space area will be dedicated to the property owners' association. The application booklet addresses the Net Land Area computation in the Master Plan section. The gross density as shown in the application is to be 1.11 acre per unit. The Watershed Ordinance in Section 302(e) allows residential and non-residential development with residential density to be one dwelling unit per acre and lots not less than 40,000 square feet except within a cluster development. Section 303 addresses Cluster Development and Section 304 buffers. The language on cluster development states that the density shall not exceed that as if calculated with lots of 40,000 square feet. The impervious surface limit is established in Section 302 (e)(2)(b) at 24% when curb and gutter are installed. The application text states under the Stormwater Management tab that the project at final build out will be less than 22.6% of the entire site. The proposal meets the requirements of the Watershed Ordinance in regard to density and impervious area.

Stream buffers within a WSIV-PA are required to be a minimum of 50 feet in width from each side bank of the stream. The development proposal shows twice the required amount with 100-foot stream buffers along each side of the streams shown on the US Geological Survey as intermittent or perennial.

The closest significant stream to the project is Brooks Creek to the south of the project. A portion of the property along this part of Brooks Creek (approximately 13 acres) lies within the 100-year flood plain as shown on FIRM rate map #370299 50B. The applicant's text states that all floodplain lies within the passive open space.

Re: Meadowview

The development proposed is located south of the Chapel Ridge development and is property that has been managed for timber production in the past. The project is proposed to have two entrances, one on NC 87 that will require turn lanes and one off SR-1520, Old Graham Road. The NCDOT has reviewed plans for both entrances. The traffic analysis states on page 4, 2nd paragraph that due to the significant left turn volume projected at the NC 87 entrance, that intersection is expected to operate at a lower level of service. The intersection is not proposed to be signalized at this time. The roadway design portion of the application addresses the issue and the additional turn lanes to be installed at the entrances. The entrance off NC 87 and all roadways within the development, except for Phase 4, are to be public, state maintained roadways. Roads within Phase 4 will be constructed to NCDOT standards and maintained by the property owners association for that specific phase. This phase may be gated. Phase 4 is located in the northeast corner of the development. (The applicant's text incorrectly stated that the gated section was Phase 5.) See exhibit # 11 in the application booklet. Roadway connectivity between Meadowview and Chapel Ridge is to be provided by way of the central rotary at the Chapel Ridge Golf Clubhouse. See the traffic analysis found behind the roadway design tab in the application booklet.

The property to the south of the project owned by Edward M. Harris, III and others, parcel #5985, (see attachment # 3), consists of approximately 162 acres +/- . This property currently has a 60-foot wide access easement out to SR-1520. Mr. Harris has requested the Board consider requiring access be provided from Meadowview to his property. It appears there is floodable area along the portion of Brooks Creek on the Harris property where a road crossing would be required in order to provide access between the two properties. See attachment # 4 showing the flood area. Section D of the Chatham County Flood Damage Prevention addresses Standards for Subdivision Proposals. Item # 4 states "Public or private roads serving more than three (3) subdivision lots shall have a travel way a minimum height of three (3) feet above the base flood elevation." It is undetermined at this time if there are wetlands associated with the floodable area on the Harris property. Staff recommends access to the Harris property be further reviewed prior to preliminary submittal.

The Elizabeth Lee Alston property also to the south of Meadowview and west of the Harris tract, parcel #5909 shown on attachment # 3, consists of 72 acres +/- and appears to be landlocked. Exhibit # 2 in the applicant's text shows a public roadway within Phase 2 to be close to the Alston's northern property line. Staff recommends access to the Alston property be further reviewed prior to preliminary submittal.

The Charles and Sybil Lutterloh property, parcel #64636, to the south of Meadowview, consists of 138 acres +/- and has access to NC 87 by a perpetual private easement. Staff recommends access to this property be further reviewed prior to preliminary submittal.

The Donna Holt property, parcel #64637, located to the southwest of Meadowview, consisting of 102 acres +/-, has existing state road frontage on NC 87. Staff recommends access be reviewed prior to preliminary submittal for a public road through Phase 2 to the Holt property to provide for future potential development

Re: Meadowview

possibilities and/or to provide for future interconnecting road access from NC 87 to SR-1520.

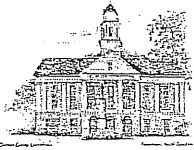
The development is proposed to have public water provided by the Town of Pittsboro from their plant on US 15-501. The water system within the development will be private and provided by Heater Utilities, which was recently purchased by Aqua America. An elevated tank is currently being constructed within Chapel Ridge to provide adequate water pressure and fire flow throughout both projects. Per the applicant, all wastewater will be treated at the Chapel Ridge wastewater treatment plant to a tertiary level and effluent will be discharged by a spray irrigation system on both the Chapel Ridge golf course and meadows within Meadowview residential community. See the Utilities section of the application. The wastewater treatment plant is to be operated by Heater Utilities (Aqua America), a private company.

The application addresses an environmental assessment, an economic analysis, environmental monitoring and a development schedule.

Budgetary Impact:

Recommendation: The Planning Department and Planning Board recommend granting sketch plan approval with the following conditions:

1. Prior to submittal of the preliminary plat for review, the feasibility of access to the properties of Alston, Harris, Holt and Lutterloh shall be evaluated.
2. Due to the possibility that Chatham County may add this subdivision to its distribution system, the development must exceed Heater Utilities specifications and meet Chatham County's specifications as required in Chapel Ridge regarding the materials used in water main materials and installation.
3. Detailed stormwater plans shall be provided and approved by the county prior to preliminary approval.
4. Any required environmental monitoring reports shall be provided to the local county offices of the Health Department.



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
3-20-06

PART A

Subject: Request by The Parks at Meadowview, LLC for a revision to the existing sketch design for **Meadowview Planned Unit Development** to reduce the number of lots from 715 to 600, to have all roadways be private, to redesign the lot layout, and to change the name to The Parks at Meadowview, located off S. R. 1520, Old Graham Road, Center and Hadley Townships.

Action Requested: See Recommendations.

- Attachments:**
1. Application booklet, The Parks at Meadowview, Modification to a Planned Residential Community, dated February 13, 2006.
 2. ArcView map
 3. Letter dated February 27, 2006 from the Harris Family.
 4. Phasing plan from original application.
 5. Letter from Tom Bender, Chatham County Fire Marshall

Submitted By:

Keith Megginson
Keith Megginson, Planning Director

3/8/06
Date

County Manager Review:

Charlie Horne

Charlie Horne, County Manager

3-8-06
Date

This abstract requires review by:

County Attorney _____
Date Reviewed

Finance Officer _____
Date Reviewed

Budget Officer _____
Date Reviewed

PART B

Re: The Parks at Meadowview

Introduction / Background / Previous Board Actions:

See application booklet and text for background information. On May 16, 2005, the Board of County Commissioners approved the sketch design request for a Planned Unit Development, Meadowview Subdivision, consisting of 715 lots to be clustered on approximately 793 acres, located off SR-1520, Old Graham Road and NC 87. The development will have public water provided by the Town of Pittsboro from their plant on US 15-501. The water system within the development will be private and provided by Heater Utilities. An elevated water tank has been constructed within Chapel Ridge to provide adequate water pressure and fire flow throughout both projects. Wastewater is proposed to be treated at the Chapel Ridge wastewater treatment plant. The wastewater treatment plant is to be operated by Heater Utilities, a private company.

The project was originally proposed to consist of approximately 475 acres of open spaces / 60 % of the total acreage. Per the applicant, this remains the same.

Issues for Further Discussion and Analysis:

The revisions proposed by the applicant are as follows:

- to reduce the number of lots from 715 to 600
- to have roadways be private instead of public (except the entrance roadway from NC Hwy 87 to the clubhouse in Chapel Ridge and including the rotary will remain public)
- to redesign the lot layout
- to change the name to 'The Parks at Meadowview'

The original application proposed that all roads within the development would be public, state maintained roadways except for Phase 4. The proposed location of Phase 4 was the northeast corner of the development. See attachment #4. Staff has concerns regarding the change from public, state maintained roadways to private roadways for several reasons. The original proposed public road system would have provided access between NC 87 and Old Graham Road without having to go further north to Marshall Road and Lutterloh Road or south to the X-Campbell Road to do so. Currently, the roadways in the adjoining development, Chapel Ridge, are private, ungated roadways that appear to allow for traffic to travel from NC 87 over to Old Graham Road. If these roadways become gated in the future, this cross access would be eliminated. The private, unmanned, gated roadways now proposed for Meadowview may restrict emergency vehicle access within the development and may not allow for any public cross access between existing public roadways. See letter from Tom Bender, Chatham County Fire Marshall, and attachment # 5. If roadways are allowed to become private, properties to the south of the proposed development as discussed below will not have access to a public road; therefore, not allowing for future, public interconnecting roadways. The following text is taken from the sketch design notes dated May 3, 2005 to the Planning Board: *The development proposed is located south of the Chapel Ridge development and is property that has been managed for timber production in the past. The project is proposed to have two entrances, one on NC 87 that will require turn lanes and one off SR-1520, Old Graham Road. The NCDOT has reviewed plans for both entrances. The traffic analysis states on page 4, 2nd paragraph that due to the significant left turn volume projected at the NC 87 entrance, that intersection is expected to*

Re: The Parks at Meadowview

Issues for Further Discussion and Analysis – con't

operate at a poor level of operation. The intersection is not proposed to be signalized at this time. The developer will address the issue at the Planning Board meeting as to when an intersection is required to be signalized by NCDOT. The entrance off NC 87 and all roadways within the development, except for Phase 4, are to be public, state maintained roadways. Roads within Phase 4 will be constructed to NCDOT standards and maintained by the property owners association for that specific phase. This phase may be gated. Phase 4 is located in the northeast corner of the development. (The applicant's text incorrectly stated that the gated section was Phase 5) See exhibit # 11 in the application booklet. Roadway connectivity between Meadowview and Chapel Ridge is to be provided by way of the central rotary at the Chapel Ridge Golf Clubhouse. See the traffic analysis found behind the roadway design tab in the application booklet.

The property to the south of the project owned by Edward M. Harris, III and others, parcel #5985, (see attachment # 3), consists of approximately 162 acres +/- . This property currently has a 60-foot wide access easement out to SR-1520. Mr. Harris has requested the Board consider requiring access be provided from Meadowview to his property. It appears there is floodable area along the portion of Brooks Creek on the Harris property where a road crossing would be required in order to provide access between the two properties. See attachment # 4 showing the flood area. Section D of the Chatham County Flood Damage Prevention addresses Standards for Subdivision Proposals. Item # 4 states "Public or private roads serving more than three (3) subdivision lots shall have a travel way a minimum height of three (3) feet above the base flood elevation." It is undetermined at this time if there are wetlands associated with the floodable area on the Harris property. Staff recommends access to the Harris property be further reviewed prior to preliminary submittal. During the initial sketch design review of Meadowview, the Harris family requested public road access is provided to their 162-acre tract to the south. They are again, at this time, requesting public access be provided. See attachment # 3.

The Elizabeth Lee Alston property also to the south of Meadowview and west of the Harris tract, parcel #5909 shown on attachment # 3, consists of 72 acres +/- and appears to be landlocked. Exhibit # 2 in the applicant's text shows a public roadway within Phase 2 to be close to the Alston's northern property line. Staff recommends access to the Alston property is further reviewed prior to preliminary submittal.

The Charles and Sybil Lutterloh property, parcel #64636, to the south of Meadowview, consists of 138 acres +/- and has access to NC 87 by a perpetual private easement. Staff recommends access to this property be further reviewed prior to preliminary submittal.

The Donna Holt property, parcel #64637, located to the southwest of Meadowview, consisting of 102 acres +/-, has existing state road frontage on NC 87. Staff recommends access be reviewed prior to preliminary submittal for a public road through Phase 2 to the Holt property to provide for future potential development possibilities and/or to provide for future interconnecting roadways.

Re: *The Parks at Meadowview*

Issues for Further Discussion and Analysis – con't

The Subdivision Regulations states in Section 6.2 (Rural Roads) B (3) in part “When developments are proposed with private gravel roads, the Board of County Commissioners may require said roads right-of-ways be reserved to adjacent properties where deemed appropriate for future access. The future disposition of said right-of-ways is left to the discretion of the owners of the development”.

If private access is provided to any of the properties to the south, Harris, Alston, Lutterloh, or Holt, these owners will have to obtain the permission of the Meadowview developers and/or the homeowners association in order to utilize said access. The Board of County Commissioners has allowed private road access in the past in planned unit developments such as Chapel Ridge, The Preserve, The Legacy at Jordan Lake and Governors Club. By allowing private roads in The Preserve and The Legacy at Jordan Lake, public road access between Big Woods Road and Mt. Gilead Church Road has been curtailed. As noted earlier, to allow private roads in both Chapel Ridge and Meadowview there will not be interconnecting public roads between NC 87 and Old Graham Road for a considerable distance.

Nick Robinson, Attorney, for the applicant presented information to the Planning Department and to the Planning Board to address the concerns stated above. Mr. Robinson stated that there would continue to be a cross access from NC 87 to Old Graham Road through the Chapel Ridge Development. This access will be by way of the public roadway from Hwy 87 to the clubhouse and rotary and continue along the private roadways within Chapel Ridge. He stated that there were restrictive covenants on record that prohibit the private roadways within Chapel Ridge from becoming gated in the future. He also stated that the golf course within Chapel Ridge is a semi-private course; therefore, allowing the public to come and go along the roadways within the development. Mr. Robinson stated that the proposed gated private roadway system within The Parks at Meadowview would have the gates open during daylight hours and would allow fire and emergency access by way of an entry key system, which all emergency responders would have access to, and in the event of a malfunction of the key system, the emergency responders would be given instructions regarding manual operation of the gates. Mr. Robinson stated that he had spoken with Tom Bender, Chatham County Fire Marshall, and Mr. Bender's concerns regarding emergency access had been addressed. In regard to access to the properties to the south of the development, Mr. Robinson stated that a private access to the Harris property had been shown on the revised sketch plan. He requested that condition # 1 remain as stated, with the developers providing information at the preliminary plat review of the status of discussion with the Harris family.

Given the information provided by Mr. Robinson, staff thinks the concerns expressed above have been met.

Re: The Parks at Meadowview

Recommendation: The Planning Department and Planning Board recommend that the request for a revision to the existing sketch design for Meadowview Planned Unit Development to reduce the number of lots from 715 to 600, to have all roadways be private, to redesign the lot layout, and to change the name to **The Parks at Meadowview** be approved, and that the conditions as required previously be met as follows:

1. Prior to submittal of the preliminary plat for review, the feasibility of access to the properties of Alston, Harris, Holt and Lutterloh shall be evaluated.
2. Due to the possibility that Chatham County may add this subdivision to its distribution system, the development must exceed Heater Utilities specifications and meet Chatham County's specifications as required in Chapel Ridge regarding the materials used in water main materials and installation.
3. Detailed storm water plans shall be provided and approved by the county prior to preliminary approval.
4. Any required environmental monitoring reports shall be provided to the local County offices of the Health Department.
