



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
5-15-06

PART A

Subject:

Request by Roanoke Investments, LLC, Robert D. Swain, for subdivision sketch design approval of **“The Bluffs”**, consisting of 112 lots on approximately 597 acres, located off S. R. 1520, Old Graham Road and SR-1547. Rock Rest Road, Hadley Township.

Action Requested: See Recommendations.

Attachments: See last page of Part B for list of attachments

Submitted By:

Keith Megginson, Planning Director

Date

County Manager Review:

Charlie Horne, County Manager

Date

This abstract requires review by:

County Attorney

Date Reviewed

Finance Officer

Date Reviewed

Budget Officer

Date Reviewed

PART B

Re: The Bluffs

Introduction / Background / Previous Board Actions:

See major subdivision application, text, and sketch design map for background information. The subject property is located in a portion of Chatham County zoned RA-5 which requires a 3 acre minimum / 5 acre average lot size. See attachment # 2. The property lies within two difference watershed districts as shown on attachment # 3. The River Corridor district is measured as 2500 feet from the bank of the river landward and has the same lot size minimum and average as the RA-5 zoning district. The WSIV-Protected Area watershed district allows a 40,000 square foot minimum lot size. The zoning district of RA-5 which extends westward to Old Graham Road is the more restrictive of the districts.

Issues for Further Discussion and Analysis:

As stated on the application and in attachment #1(A), 'The Bluffs' will maintain a 3 acre minimum / 5 acre average lot size as required by the RA-5 zoning district and the Chatham County Private Road Standards. The Chatham County Subdivision Regulations states in part in Section 6.2 D "Private Road, (1) Private Roads: Private roads may be allowed in the following types of developments: (b) The division of land into tracts which are on the average five (5) acres or greater in size with no tract less than three (3) acres. The acreage of a tract is determined by the area located within lot lines. Tracts larger than ten (10) acres will not be included when calculating the average lot size of the subdivision. All land within the lot lines *except public right-of-ways* may be included in the lot area." The developer has deducted the area within the public road right-of-ways (approximately 7 acres) from the gross acreage in determining the average lot size of 5.1 acres. Area within the private road right-of-ways may be included in the density calculation.

A portion (3100 ft) of the existing public, state maintained road, Rock Rest Road, SR-1547 will be used as one entrance into the subdivision. A second entrance (private) will be provided off Old Graham Road as shown on the sketch plan map. Per information provided by the developer at the Planning Board meeting, the new proposed private entrance off Old Graham Road will be considered the main entrance into the development. Private roads serving 24 or less lots may be graveled. Per the Subdivision Regulation Section 6.2, Rural Roads, D (3) (K), "all roads which will provide direct or indirect access to twenty-five (25) or more subdivision lots shall be designed to meet N. C. Division of Highways' standards for subdivision roads, and travel ways shall be constructed to said standards." All roadways within the project will be private, designed and constructed to meet the N. C. Division of Highways hilly standards. Staff recommends that prior to preliminary plat submittal, the developer evaluate the possibility of providing a dedication of right-of-way (private) to the adjoining property of Jean A. Mitchum, 113 acres, for possible future development of property and interconnecting roadways.

The sketch design plan includes approximately 10 acres of common area shown as a park area on the northern property boundary along the Haw River and a 50 foot wide linear park area along the river frontage. A 40 foot wide pedestrian walking access is shown between lot #'s 57 and 58. Prior to preliminary plat submittal, staff recommends the developer evaluate the possibility of providing additional pedestrian access to the park areas along the river.

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Issues for Further Discussion and Analysis – con't

The sketch plan shows an existing tract of land owned by Allen E. and Susan W. Spalt, consisting of parcel #'s 10928 of .8 acres and 10920 for a total of 9.11 acres, which is not included in the subdivision plan. The tract is accessed by an existing private easement of record off SR-1547, Rock Rest Road. The tract will continue to utilize this easement unless the access is changed by agreement of all parties. Staff recommends that this issue be resolved prior to preliminary plat submittal.

Attachment 1D is a Historical Records Review / Natural Heritage Program / NC Office of Archaeology report prepared by Soil & Environmental Consultants, PA. The Summary of the reports states "The records search at the Natural Heritage Program revealed that no rare plants or animals have been recorded within the project boundaries. The file search at the State Historic Preservation Office produced no records of structures on property listed on the National Registry (NR), Determination of Eligibility (DOE), Study List (SL), or Locally Designated (LD) list. The records search at the North Carolina Office of Archaeology revealed no records of archaeological sites discovered within the project boundaries." A more detailed Archaeological Reconnaissance Survey and Intensive Archaeological Survey of Sites for The Bluffs, dated April 2006 was prepared by Environmental Services, Inc. for Roanoke Investments, LLC. The detailed report explains the on-site work which included various digs on the property at several locations. A paper copy with color photos was provided to staff. You may review this report at the Planning Department web site at www.co.chatham.nc.us , and then select Planning, 2006, The Bluffs.

Water will be supplied by Heater Utilities, Inc. pursuant to a water agreement with the Town of Pittsboro. Wastewater treatment will be provided by Heater Utilities, Inc. through the wastewater treatment facilities at the Chapel Ridge subdivision.
See attachments 4 & 5.

The sketch plan has a lot number correction that will be made to the preliminary and final maps. The total number of subdivision lots proposed is 112.

Eight (8) neighbors from the Rock Rest community and one (1) other adjacent property owner addressed the Planning Board and expressed concerns regarding the following: soils, high water table, low lying land, steep slopes, and water capacity of the Haw River, traffic, environmental, archeological and historical resources, affordable housing, and alternative design for development such as clustering.

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Recommendation: The Planning Department, and with a vote of 7-1-1 (with McCoy, Harris, Andrews, Brown, Mason, McBee, and Smith, voting in favor; Walker voting against; and Eliason abstaining) the Planning Board recommended granting sketch design approval of “The Bluffs” with the following conditions:

1. Prior to preliminary plat submittal, the developer shall evaluate the possibility of providing a dedication of right-of-way (private) to the adjoining property of Jean A. Mitchum, 113 acres.
2. Prior to preliminary plat submittal, the developer shall evaluate the possibility of providing additional pedestrian access to the park areas along the river.
3. Prior to preliminary plat submittal, the issue shall be resolved regarding access to the Allen E. and Susan W. Spalt property.
4. 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.
5. Detailed storm water plans shall be provided and approved by the county prior to preliminary approval.
6. Any required environmental monitoring reports shall be provided to the local County offices of the Health Department.

ATTACHMENTS

Re: The Bluffs

1. Major subdivision application packet containing the following:
 - 1(A) The Bluffs Residential Development summary, dated April 10, 2006.
 - 1(B) Traffic Assessment prepared by Rynal G. Stephenson, PE, Ramey Kemp & Associates, Inc., dated April 7, 2006.
 - 1(C) Letter dated April 10, 2006 from Heater Utilities regarding regarding potable water and wastewater for The Bluffs.
 - 1(D) Historical Records Review / Natural Heritage Program File Search, prepared by Soil & Environmental Consultants, PA, dated April 6, 2006.
 - 1(E) Letter from Nicolas P. Robinson, Attorney, Bradshaw and Robinson, LLP, to Ms. Jane Pyle, Chatham County Historical Association, Inc.
 - 1(F) Environmental Status Report for The Bluffs, prepared by Soil & Environmental Consultants, PA, dated April 6, 2006
2. ArcView map # 1, parcel #'s 10919, 79194, 10923, 10924, 10925, 10922, 10927, and 10926 showing RA-5 zoning district.
3. ArcView map # 2, showing watershed districts: River Corridor and WSIV-PA.
4. Letter from Mark Ashness, P. E., CE Group, regarding sewer capacity.
5. Letter from David Hughes, Town of Pittsboro Manager, dated December 15, 2005, regarding water capacity.
6. Comments from Rock Rest Road adjacent landowners dated May 1, 2006
7. Sketch design map entitled "The Bluffs", prepared by CE Group, Inc., dated April 10, 2006.