

PLANNING & ZONING REVIEW NOTES

VII. A.

SUBJECT: Request by Darden Development, LLC and Jordan Lake Preserve Corporation on behalf of Polk-Sullivan, LLC, Chatham Partners, LLC and Virginia Grantham for subdivision final plat approval of “**Chapel Ridge, Phase 3**” (formerly The Woodlands), consisting of 173 lots on 242 acres, located off SR-1520, Old Graham Road, Hadley Township.

ATTACHMENTS:

1. Major subdivision application.
2. Letter dated August 14, 2006 from Nicolas P. Robinson, Attorney-at-Law
3. Letter dated August 22, 2006 from Nicolas P. Robinson, Attorney-at-Law.
4. Letter from Aqua North Carolina, dated August 18, 2006.
5. Final plat titled “Chapel Ridge, Phase Three”, prepared by Absolute Land Surveying and Mapping, P. C., and dated August 14, 2006.

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS: See major subdivision application and final plat for background information, i.e. zoning, road surface, water system, sewer system and flood. A copy of the preliminary design notes for “The Woodlands” can be found on the Planning Department web page for year 2006.

Previous Board Actions:

- 12-13-04: County Commissioner sketch design approval of “Page Subdivision”, consisting of 74 lots with a public roadway.
- 12-13-04: County Commissioner sketch design approval of “Womble Subdivision”, consisting of 56 lots with a public roadway.
- 12-12-05: County Commissioner sketch design approval of “Grantham Subdivision”, consisting of 74 lots with a public roadway.
- 07-17-06 County Commissioner preliminary design approval of “The Woodlands”, (formally Page, Grantham and a portion of Womble on the west site of Old Graham Road), consisting of 173 lots.

Copies of the above listed sketch and preliminary notes can be found on the county web site at www.co.chatham.nc.us then click on Planning, 2005 and 2006.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS: “The Woodlands” preliminary design request, stated that access to the 173 lots was to be by a public, state maintained roadway. Prior to the Planning Board meeting, the developer stated that there may be a request, submitted to the Board for “The Woodlands”, in the near future, to be included as a portion of the Chapel Ridge Planned Unit Development in which case the roadways would be requested to be private and built to the NCDOT hilly standards. An interconnecting roadway between projects was proposed between Lots 53 and 54. Public road plan approval from NC DOT had not been received at that time although the

application to NC DOT had been submitted on April 5, 2006. A condition of preliminary approval stated "Placement of ABC stone subgrade and pavement shall not begin until

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either road plan approval has been received from NC DOT or the County has approved a revision allowing the roads to be private roads constructed to the NC DOT Hilly Standard.”

With this request for final plat approval, the developer is requesting that the name be changed to “Chapel Ridge, Phase Three”; that the project be added to the Chapel Ridge Planned Unit Development; that there be an interconnecting roadway between phases, and that the roads in Chapel Ridge, Phase Three be allowed to be private roadways constructed to the NC DOT hilly standards versus public roads built to the NC DOT standards and dedicated to the public. Attachments 2 and 3 address these requests. A check in the amount of \$500.00 has been paid to Chatham County for the name change. An erosion control permit has been issued by the Chatham County Soil Erosion and Sedimentation Control Office on August 23, 2006 for the connector road between phases. Included with this request is a permit issued by NCDWQ, dated April 26, 2006 for the Buck Mountain Service Area, Wastewater Treatment and Reclaimed Water Utilization System which specifically includes “The Woodlands” as part of the service area. A copy of both of the referenced permits can be reviewed on the Planning Department web page. Attachment # 4 is a letter from Aqua North Carolina regarding potable water service and wastewater treatment. Condition # 2 of preliminary approval stated “The water system shall be developed to meet the standards specified for the Chapel Ridge Subdivision”. This condition has been deleted per a resolution to the Chatham County Water Policy adopted by the Board of County Commissioners in August, 2006.

The developer is requesting final review and approval based on Section 3. 1 B (1) of the Subdivision Regulations which states in part “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 requirement 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.” Please review language in entire section. A financial guarantee in the form of Performance Bond(s) for 100% of the infrastructure construction for Chapel Ridge, Phase Three has been reviewed and approved by the county attorney.

Lots along Dry Creek are subject to the 100 year flood plain. At preliminary review staff received documentation from CE Group, Inc. showing approximate useable area for each lot outside the 100 year flood plain. Staff recommends this information be shown on the final Mylar copy along with flood elevations along Dry Creek.

RECOMMENDATION: The Planning Department recommends granting approval of the request to change the name to “Chapel Ridge, Phase Three”; to add the project to the Chapel Ridge Planned Unit Development; to approve an interconnecting roadway between phases, and that the roads in Chapel Ridge, Phase Three be allowed to be private roadways constructed to the NC DOT hilly standards and approval of the final plat titled “Chapel Ridge – Phase Three” with the following condition:

1. The mylar copy of the final plat shall show the approximate useable area for each lot outside the 100 year flood plain along Dry Creek along with flood elevations along Dry Creek.