

PLANNING & ZONING REVIEW NOTES

III. B.

SUBJECT: Request by Samir W. Bahho on behalf of Wilkinson Creek, LLC for subdivision preliminary plat approval of **“The Woods at Wilkinson Creek”**, consisting of 23 lots on 47 acres, located off S. R. 1537, Tobacco Road, Baldwin Township.

- ATTACHMENTS:**
1. Major subdivision application.
 2. ArcView map, parcel #1685
 3. Memorandum from Jeff Vaughan, Agri-Waste Technology, Inc., dated August 23, 2006 regarding wetland evaluation.
 4. Letter from Samir W. Bahho, P.E., dated November 9, 2006 to Chatham County Board of Education.
 5. Partial abandonment of easement of Roads End, dated November 13, 2006.
 6. Memorandum from Jacquelyn Presley, Urban Wildlife Biologist, North Carolina Wildlife Resources Commission.
 7. Preliminary plat titled “The Woods at Wilkinson Creek”, prepared by Samir W. Bahho, Structural and Civil Engineering, dated November 07, 2006.

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:

See major subdivision application and preliminary plat for background information.

May 15, 2006: County Commissioner sketch design approval of 23 lots.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS: The developer is requesting preliminary approval of 23 lots. Agencies reviews required for preliminary review have been received as follows:

NCDOT	Road Plan Approval	October 20, 2006
NCDOT	Commercial Driveway Permit	July 20, 2006
CHATHAM COUNTY	Erosion Control Permit	October 17, 2006
NCDWQ	Authorization to Construct Water system	November 27, 2006

Staff has received documentation from Jeff Vaughn with Agri-Waste Technology, Inc. stating that a creek crossing permit from the US Army Corps of Engineers is not required due to the limited amount of wetland disturbance. See attachment # 3. The developer has contacted the Chatham County Board of Education regarding the project. See attachment # 4. The Chatham County Emergency Operations Office has approved the road names *Chelsea Way and Ada Court*. The road name *Roads End Drive* is a previously approved name.

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Useable area of lots fronting along the creek have been indicated on the preliminary plat. All lots have a minimum of 40,000 square feet of useable area outside the state road right-of-way, stream buffer and floodable area. Off-site septic areas, owned in fee simple, are considered a portion of the useable lot area.

County water is available and will be utilized. Each lot will utilize an individual wastewater system. Some lots, as shown on the preliminary plat, will require an off-site system. These off-site systems will be accessed by a utility easement. The off-site wastewater lot will be owned in fee simple by the property lot owner.

As discussed during the sketch design review, the existing Roads End Development private road entrance is to be abandoned and relocated to the public road entrance shown on the preliminary plat. A condition of sketch design required that the issue of realignment of the Roads End private easement be resolved prior to preliminary design submittal with documentation of the agreement presented to staff. Attachment # 5 is the Partial Abandonment of Easement of Roads End, dated November 13, 2006. This agreement is signed by Daniel L. Paxon, Roads End Representative and Chris M. Hinkle, Project Manager for The Woods at Wilkinson Creek. Signatures from all Roads End property owners will be obtained prior to final plat submittal.

Attachment # 6 is a memorandum from Jacquelyn Presley, Urban Wildlife Biologist with the North Carolina Wildlife Resources Commission. Per the memorandum, 100 foot wide native, forested buffers along each side of all perennial streams and 50 foot wide native, forested buffers along each side of all intermittent streams are recommended by NCWRC. Since this is a subdivision issue, the Board can not require the developer to adhere to these suggestions. Based on the requirement of the WSIV-Protected Area watershed district, the developer has provided 50 foot wide water hazard buffers along each side of said creeks. There is floodable area which extends outside of the water hazard buffer along Wilkinson Creek. No structures, septic systems or repair areas are allowed within the water hazard buffer or floodable area. The only feature identified in the Natural Heritage Program data for the project is the Loggerhead Shrike, which is countywide.

RECOMMENDATION: The Planning Department recommends granting approval of the road names Chelsea Way and Ada Court and granting preliminary design approval of The Woods at Wilkinson Creek with the following condition:

1. Prior to final plat submittal, signatures of all Roads End property owners shall be obtained regarding the abandonment of Roads End private easement.