

PLANNING & ZONING REVIEW NOTES

III. B. 3.

SUBJECT: Request by The Retreat on Haw River, LLC for subdivision final plat approval of “**The Retreat on Haw River, Phase 1A**” (f/k/a Williams Pond and Sanctuary at Haw River), consisting of 67 lots on 240 acres, located off SR-1711, Bynum Ridge Road, Baldwin Township.

ACTION REQUESTED: See recommendation.

ATTACHMENTS: The following may be viewed on the Planning Department website at www.chathamnc.org under Planning, Rezoning & Subdivision Cases, 2007.

1. Major subdivision application.
2. ArcView map, parcel #'s 81311 & 81274
3. Cover letter from Nicolas P. Robinson dated August 10, 2007.
4. Letter from Nicolas P. Robinson addressing conditions of approval, dated August 27, 2007.
5. Final plat titled “The Retreat On Haw River, Phase 1 A”, prepared by ESP Associates, P. A., dated August 9, 2007.

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:

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|-------------------|-----------------------------|----------------------|----------------|
| <u>Zoning:</u> | CU-RA-90 | <u>Water System:</u> | Chatham County |
| <u>Watershed:</u> | River Corridor & WSIV-PA | <u>Sewer System:</u> | Private |

Subject to 100 year flood plain: Yes (see plat)

Approvals to Date:

March 21, 2005: Approval by Chatham County Board of Commissioners for amendments to Chatham County Watershed Protection Ordinance, Sections 303 (A) and Section 600; approval to rezone property from RA-5 and RA-40 to CU-RA-90; and approval of a Planned Unit Development, consisting of 185 lots on 650 acres. *Copies of the approval letter; An Ordinance Amending The Watershed Protection Ordinance of Chatham County; An Ordinance Amending The Zoning Ordinance of Chatham County; and A Resolution Approving an Application For a Conditional Use Permit can be viewed on the county web site, Planning, Prior to 2005 (Miscellaneous Cases), Williams Pond.*

July 17, 2006: Approval by Chatham County Board of Commissioners for subdivision preliminary approval of “The Sanctuary at Haw River, Phase One”, consisting of 121 lots on 376 acres.

Re: "The Retreat on Haw River, Phase 1A"

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS: The developer is requesting final approval of Phase 1A, consisting of 67 lots. This is a portion of the 121 lots that received preliminary approval on July 17, 2006. As stated in the cover letter, the name has been changed to "The Retreat on Haw River". The developer paid a fee of \$500.00 for a name change after preliminary plat approval.

A financial guarantee for the completion of the infrastructure, i.e. asphalt concrete pavement courses, some erosion control items and the installation of the remaining water services, has been submitted with certification of cost submitted by Michael V. Zaccardo, P. E., CE Group. Section 3.1B. (1) of the Subdivision Regulations states that, "the County may waive the requirement that the applicant complete all required improvements...when the public health and/or safety will not be endangered..." The roadways serving these lots have been graded, and graveled so the lots are accessible to emergency vehicles. County water is available to the subdivision so water for fire service is not an issue in consideration of whether the public health/safety will be endangered. It is the staff opinion that this development qualifies for acceptance of a financial guarantee.

Each of the 67 lots is to be served by an individual on-site sewerage treatment system. Staff has received verification from Thomas Boyce, Chatham County Soil Specialist that all lots have been reviewed and approved and permits have been issued.

The final plat dated August 9, 2007 has been slightly modified from the preliminary plat. The modifications include reduction of the overall number of lots in Phase I, increase of open space from approximately 38 acres to 124 acres, and increased the connectivity of the trail system. The overall roadway design and lot design has not changed. Please note that lots now shown on the final plat for Phase 1-A have been reduced in size to eliminate the stream buffer and floodable area from the lots. These areas have now been designated as part of the overall open space to be owned and maintained by the Homeowners Association. The minimum lot size of 90,000 square feet is still maintained. Another modification is the elimination of three (3) lots along the northern edge of Williams Pond. This area is now labeled as an Amenity Area to be owned and maintained by the Homeowners Association. The recordable Mylar copy of the final plat will include the required 100 foot buffer from the rear property lines of Lots 57 and 52 as required in condition # 8 of sketch design approval (formally lot #'s 134 and 129). Attachment # 4, letter from Nick Robinson, Attorney-at-Law, addresses how the conditions of sketch design approval are being met and revisions to the recordable Mylar. A revised copy of the final plat incorporating said changes can be viewed on the Planning Department web site under 'Revised final plat'.

RECOMMENDATION: *The plat displays the necessary information and meets the requirements of the Subdivision Regulations with the final approvals of other agencies.* The Planning Department recommends granting final plat approval of "The Retreat on Haw River, Phase 1A" with changes to final plat as specified in attachment # 4 shown on the recordable Mylar copy.