

PLANNING & ZONING REVIEW NOTES

VI. A

SUBJECT: Request by Lee Moore Capital Company for subdivision preliminary plat approval of "County Line Site", consisting of 3 commercial subdivision lots and one exempt, over 10 acre tract, located off U. S. 15-501 N., Williams Township.

ACTION REQUESTED: See recommendations.

ATTACHMENTS: 1. County Line Site Preliminary Plat

2. Email dated 11/11/08 from Chatham County Historical Association
3. Email dated 11/25/08 from Fred Royal, Chatham County Environmental Resources Director

The following may be viewed on the Planning Department website at www.chathamnc.org under Planning, Rezoning & Subdivision Cases, 2008.

2. Application packet
3. Commercial Driveway Permit and Water Main Encroachment Permit
4. Map of Disturbed Area
5. Rainwater Harvesting Technical Guidance Document
6. Erosion Control Approval
7. Road Name Approval
8. Sample Site Arrangement
9. Buffer Evaluation
10. Septic Authorization
11. Wetland Delineation

Re: County Line Site

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:

Zoning: Split: B1 and RA-40

Water System: Chatham County

Watershed: WSIV-PA

Sewer System: Private septic

Subject to 100 year flood plain: No

The subject property is located on the east side of US 15-501, at the Orange County border, and split-zoned, with the proposed Lots 1, 2, 3 and a portion of Lot 4 zoned B1, and the remainder of Lot 4 zoned RA-40. The proposed subdivision of the 62.54 acre tract consists of three lots ranging from 1.34 to 2.09 acres and one exempt lot of 55.59 acres. The applicant has received three non-residential building permits, two of which expire December 19, 2008. The property will be accessed by an extension of Smith Level Road, and three 60-foot wide private road easements that will be constructed to County private road standards. The plat shows several water features, including two ephemeral streams, two perennial streams, and one linear wetland feature. The applicant has shown the required buffers on all water features pursuant to Section 304 of the Chatham County Watershed Protection Ordinance. The proposed subdivision will be served by the Chatham County Water System, and the plat shows four septic easement areas to serve the lots.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS:

The applicants have received a NCDOT Commercial Driveway Permit, however the configuration of the lots have changed. Staff recommends a revised Commercial Driveway Permit or documentation from NCDOT that no permit is required. The Chatham County Emergency Operations Department has approved the following road names for the three private roads, County Line Village Drive, Proctor Lane and Hutchins Lane. A Soil Erosion and Sedimentation Control plan has been approved by the County and the applicant has received septic permits from the Environmental Health Section of the County Health Department.

The County Environmental Resources Director has received the Buffer Evaluation from Soil & Environmental Consultants, but is still in the process of reviewing the evaluation. The applicant shows a 100 foot-wide buffer on the delineated wetland on Lot 4, a 100 foot-wide buffer on two perennial streams on Lot 4, and a 30 foot-wide buffer on two ephemeral streams that run through the western edge of Lot 4.

The Chatham County Historical Association reviewed the project, and stated that it appears that there may be a cemetery on the site. The Historical Association would like the developer to contact the Association to conduct an on-site evaluation or have a qualified professional conduct an on-site evaluation and contact the Historical Association with the results. See Attachment 2.

The proposed subdivision fronts on a State-maintained highway, US 15-501, but staff recommends allowing the proposed lots to access the privately-maintained internal road network, built to state standards, with a 60 foot-wide private road easement, to reduce access onto US 15-501. Per section 6.2(D)(4) of the Subdivision Ordinance, the design and construction of the private roads shall be certified to be in compliance with the subdivision regulations in place at time of submittal by a licensed engineer prior to final plat approval. Section 6.2(D)(2) of the Subdivision Ordinance requires the developer to "reference on the final plat the recording of a roads instrument..." It is recommended that such an instrument be provided prior to final plat approval.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS – cont.

Section 6.4©(3) of the Subdivision Ordinance includes the following requirements:

- “A site arrangement that prevents undue interference with through traffic...”
- “An integrated parking area.”
- “An insulation against any adverse effect on any present or future adjacent residences.”
- “A parcel size sufficient in area to allow future expansion.”
- “A plan that demonstrates that the first ½ inch of stormwater runoff will be managed on site, if more than 6 percent of the lot area is covered with impervious surfaces such as buildings, parking, and drives.”

The proposed subdivision does not access directly onto US 15-501, but uses the Smith Level Road extension and a private roadway to access the highway. The private roadway will only provide right-in and right-out access, while the Smith Level Road extension will provide full-movement access off US 15-501. The preliminary plat does not show the proposed parking areas, but it is recommended a site plan of the commercial areas is provided prior to final plat approval. The proposed commercial uses will front directly on US 15-501, and any adjacent residences on the south, west and east are over 150 feet away from the commercial uses. Three of the lots are 2 acres or less in size, but Lot 4 is over 55 acres, which will allow for future expansion. The applicant states on the plat that the impervious surface cover will be less than six percent (6%), however staff recommends that the applicant supply a plan demonstrating the first ½ inch of stormwater runoff will be managed on-site if the overall impervious surface coverage exceeds 6%, and submit it to the County Environmental Resources Director for review prior to final plat approval.

The applicant is requesting the Board of Commissioners to approve the Sketch Design and Preliminary Plat of the County Line Site subdivision, creating Lot 1 consisting of 2.09 acres, Lot 2 consisting of 1.34 acres, Lot 3 consisting of 1.79 acres, and an exempt Lot, Lot 4 consisting of 55.59 acres.

RECOMMENDATION:

The Planning Department recommends granting the request for Sketch Design and Preliminary Plat approval for the creation of three lots, Lot 1, Lot 2 and Lot 3, on three new private roads, Hutchins Lane, Proctor Lane and County Line Village Drive, with the following conditions:

1. The applicant shall provide a revised NCDOT Commercial Driveway Permit showing the new lot configuration, or documentation from NCDOT that no new permit is needed prior to final plat approval.
2. The applicant shall submit documentation from the County Environmental Resources Director showing approval of the Buffer Evaluation performed by Soil & Environmental Consultants prior to final plat.
3. The applicant shall contact the Chatham County Historical Association about a possible historical cemetery that may be present on the site. The developer shall provide documentation from the Historical Association, including any possible recommendations, prior to final plat approval.

RECOMMENDATION – cont.

4. The applicant shall construct the private roads to state standards in a 60-foot wide private road easement, and shall provide certification that they are in compliance with the Chatham County Subdivision Ordinance in effect at the time of submittal prior to final plat. The applicant shall also submit a road instrument for the private roads pursuant to Section 6.2(D)(2) of the Subdivision Ordinance prior to final plat approval.
5. The applicant shall submit a site plan of the commercial areas prior to final plat approval demonstrating an integrated parking area.
6. A plan demonstrating the first ½ inch of stormwater runoff will be managed on-site if the overall impervious surface coverage exceeds 6% shall be submitted to the County Environmental Resources Director for review prior to final plat approval.