

..TITLE

Vote on a request by KC2 Enterprises, LLC & I-3, LLC for subdivision First Plat review and approval of Carolina Crossings, consisting of 20 lots on 73.23 acres, located off Hwy 751, Williams Township, parcel #60710.

..ABSTRACT

Action Requested:

Vote on a request by KC2 Enterprises, LLC & I-3, LLC for subdivision First Plat review and approval of Carolina Crossings, consisting of 20 lots on 73.23 acres, located off Hwy 751, Williams Township, parcel #60710.

Introduction & Background:

Zoning:	R-1
Water Source:	Private wells
Septic:	Private, on-site initial and repair systems
Watershed District:	WSIV-PA/Jordan Lake Buffer Area
Within the 100 year Flood Plain:	No

The subdivision process consists of four (4) main steps: Concept Plan, First Plat, Construction, and Final Plat review. The applicant has completed the Concept Plan review along with their community meeting. The property is within the joint Cary/Chatham planning area in the very low density designation. Planning staff has notified the Cary Planning Department of the proposed project.

Discussion & Analysis:

This request is for First Plat review and approval of Carolina Crossings Subdivision, consisting of 20 lots on 73.23 acres, located off Hwy 751. The Subdivision Regulations, Section 5.2 C (4) states “During a First Plat review, the first Planning Board meeting shall include a Public Hearing to receive comment on the proposed subdivision.” Item (b) states “Following the Public Hearing, the Planning Board shall review the proposal, staff recommendation and public comments and indicate their recommendation for approval, disapproval or approval subject to modifications. If the Board recommends disapproval or approval subject to modifications, the necessary reasons or modifications will be specified in the minutes of the meeting.” The Board has two (2) meetings to act on the proposal.

The roadway will be built to public, state road standards and the lots will be served by individual wells and septic systems. A soil scientist report prepared by David E. Meyer, L. S. S., Protocol Sampling Service, Inc. was submitted to Thomas Boyce, Chatham County Soil Specialist and Soil Scientist for review to verify that each lot will have adequate soil for either a county approved septic system and repair area or for a system approved by the NC Division of Water Quality. Mr. Boyce reviewed the report and

stated that it was adequate. A copy of the soil scientist report can be viewed on the Planning Department webpage at www.chathamnc.org/planning , then click on Rezoning and Subdivision Cases, 2014, Carolina Crossings.

The developer held a Community Meeting on March 10, 2014 at Martha's Chapel Church with 12 people attending. The purpose of the community meeting is to receive input from the community on the project. See attachment # 2. The Subdivision Regulations states "The First Plat is the point at which the applicant submits the detailed proposal to the county for review and approval by the Planning Board and Board of Commissioners. Approval of the First Plat allows the applicant to complete the engineering necessary to receive all required permits and submit the Construction Plan to the Planning Department for approval." The Technical Review Committee consisting of county staff met on April 16, 2014 to review the project. There were general questions about the project, but no concerns.

Due to the number of lots, the developer was required to provide General Environmental Documentation regarding the property to the Environmental Quality Department for review and approval. After review of the documentation, Natalie Landry, Environmental Quality Inspector, approved the report on June 4, 2014. She noted that "any Allowable uses and Allowable with Mitigation uses in the protected riparian buffers will require a Buffer Authorization from Chatham County. In Addition, all permits for wetland and stream impacts from NCDWR and the US Army Corps of Engineers will need to be obtained prior to receiving approval from Chatham County for a Grading Permit and Land Disturbing Permit." A copy of the Documentation can be viewed on the Planning Department webpage.

An on-site riparian buffer review was conducted by Environmental Services, Inc. and a report of the findings was furnished to Natalie Landry, Chatham County Environmental Quality Inspector. Two perennial streams requiring a 100 foot, undisturbed buffer per side, 1 ephemeral feature requiring a 30 foot wide undisturbed buffer per side, and 4 wetlands requiring a 50 foot per side undisturbed buffer were identified. These features and their associated buffers are shown on the First Plat. Two stream crossings for the roadway will be required and Lot 20 will require a driveway access crossing. These crossings may require a Buffer Authorization from Chatham County and a Section 404/401 Permit for the proposed activity from the Division of Water Resources and the US Army Corp of engineers. If required, the Authorization and permits will be required to be furnished with the Construction Plan. One stormwater pond will be required and is shown on the First Plat. A Stormwater Permit will be required to be submitted with the Construction Plan submittal.

The Chatham County Emergency Operations Office has approved the road name 'Carolina Crossings Drive' for submittal to the Board of County Commissioners for approval.

On June 17 staff and two Planning Board members visited the site. The site has been selectively timbered in the past and is currently wooded with pines and some hardwoods.

There is an existing house and two outbuildings on the property that will be removed. The house was built in 1933 per tax records. The structures do not appear to be of historical significance. The developer has stated that to their knowledge, there are no cemeteries or other historical structures located on the property. The Chatham County Historical Association has been invited to visit the site to view the structures to determine if there is anything historically significant that can be removed or documented before the structures are demolished.

The Planning Board met on July 1, 2014 to review the request. Logan Winters, owner/developer was present and Mark Ashness, P.E. CE Group, was present. A public hearing was held. Richard A. Vickers spoke and stated that he was an adjacent property owner on the north side and he has a pond on his property. He expressed his concerns regarding potential run-off from the subject property into his pond; concerns about his well being impaired by the 20 wells to be drilled on the subject property; sewer/septic run-off into his pond; concern about possible trespassing on his property and safety regarding the pond. Mr. Vickers stated that he wanted a fence constructed on the common property line between his property and the subject property. No one else spoke at the public hearing.

General discussion by the Board followed. Some questions from board members included whether or not the developer was working to address Mr. Vickers concerns, how will the developer know if there is sufficient water to accommodate the 20 wells; and how will the off- site septic area for Lot 18 be accessed. Mark Ashness, P. E. addressed the Board and stated that the lots are large and average 3.5 acres; that since the property is within the Cary-Chatham Joint Plan Area and if the property were annexed into the Cary jurisdiction, that the density would be much higher; that the development will meet all the subdivision, erosion control, and stormwater requirements; that every effort will be made to prevent erosion or run-off from the subject property onto Mr. Vickers property; that only a portion of Lot 1 of the proposed development would drain towards Mr. Vickers pond; that the developer does not plan to construct a fence and is not required to by the Subdivision Regulations; that Lots 18 and 19 will share a common trench for their septic line(s) and that any buffer authorizations required will be obtained; that a short left turn-lane will be constructed for cars traveling south along Hwy 751; and that developers/property owners will typically drill deeper wells than necessary to provide for water storage. Ms. Rachael Mitchell, adjacent property owner spoke and asked whether or not her property, adjacent to the south, would be affected by the construction of the turn lane. Mr. Ashness stated that her property would not be affected and that the developer had sufficient room for the construction of the turn lane.

Recommendation:

The Planning Board, by vote of 8-1, and Planning Department recommend granting approval of the road name 'Carolina Crossings Drive' and recommend granting First Plat approval of Carolina Crossing as submitted.