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Vote on a request to approve a request by Mark Ashness, P.E., on behalf of Laurel Ridge Development, Inc. for subdivision Final Plat review and approval of **Laurel Ridge Phase 1B**, consisting of 12 lots on 68 acres, located off Old NC 87, SR-1520, Hadley Township, parcel #82018.

...Abstract

Action Requested:

Vote on a request to approve a request by Mark Ashness, P.E., on behalf of Laurel Ridge Development, Inc. for subdivision Final Plat review and approval of **Laurel Ridge Phase 1B**, consisting of 12 lots on 68 acres, located off Old NC 87, SR-1520, Hadley Township, parcel #82018.

Introduction and Background:

The Board of Commissioners granted sketch design approval of “Womble Subdivision”, consisting of 56 lots on 202 acres on December 13, 2004. A development schedule for “Womble Subdivision” was approved during sketch design review and approval. The 202 acres were located on both the east and west sides of Old Graham Road. The western portion was later incorporated into Chapel Ridge, Phase 3, leaving the remaining eastern portion, approximately 162 acres.

The Board of Commissioners granted preliminary plat approval on November 20, 2006 for “Creekside”, (eastern portion) consisting of 30 lots on 162 acres along with a revised development schedule. The revised development schedule stated that the final plat was to be submitted prior to December 31, 2009. This was the eastern portion of the original “Womble Tract”. Due to a name duplication, the name was changed from “Creekside” to “The Estates at Laurel Ridge”. Final plat approval for “The Estates at Laurel Ridge, Phase 1A”, consisting of 18 lots was granted by the Board of Commissioners on October 17, 2007.

The Board of Commissioners granted approval of a unified development schedule on October 21, 2013 to extend the final plat submittal date to June 30, 2020. The June 30, 2020 date was extended by the adoption of Senate Bill 704, adopted by the General Assembly and approved by the Governor in response to the COVID-19 pandemic, for five months to May 31, 2021.

The property is zoned R-5 and has a three-acre minimum lot size with a five-acre average and has a watershed designation of WSIV-PA.

Discussion and Analysis:

The request is for Final Plat approval of Laurel Ridge, Phase 1B consisting of 12 lots on 68 acres with a financial guarantee for the completion of required infrastructure. Phase 1B received preliminary plat review and approval by the Board of County Commissioners on November 20, 2006 for 30 lots under “Creekside”. The submittal includes a request for a financial guarantee for completion of the required infrastructure. Under the pre-2008 Subdivision Regulations, a project must have a minimum of 40% of the infrastructure completed prior to submission of a final plat and the roads must be accessible to emergency vehicles. A cost estimate letter, June 30, 2020, has been provided by Mark Ashness, P.E., CE Group stating that the required infrastructure is 82% complete. The cost letter may be updated prior to plat recordation if

buffers. She would like the lots reconfigured to be larger with less lots and would like a 100' wide buffer on Dry Creek.

Cari Filer also requested a 100' wide buffer on Dry Creek and expressed concerns with private drainage on Lots 13 and 14. She also questioned what steps were taken to mitigate the stormwater runoff and slow it down as it proceeds to the protected wetland areas and if there was any tree protection.

Mr. Mark Ashness, P.E. spoke on behalf of the developer. Mr. Ashness explained that the lots were 5 acres average with shoulder and ditch sections, no curb and gutter, no extensive piping on the property, and no plans for mass grading. Due to the size of the lots, there are no issues with concentrated runoff or any high velocity issues.

Board members discussed the 50' wide buffers on Dry Creek and two tributaries running into Dry Creek, whether there was any history of drainage problems with the culvert over the road, and asked the developer to consider increasing the 50' wide buffer to 100' wide buffer along Dry Creek. Mr. Ashness confirmed there are two tributaries that flow into Dry Creek and there are 50' wide buffers shown on both sides of the water features. He commented that the drainage area to the culvert is a well-defined channel and the drainage area isn't very substantial and hasn't had any problems. NCDOT has reviewed the public drainage area and it will be turned over to NCDOT for maintenance in the future. The board asked if the developer would be willing to increase the buffer from 50' wide to 100' wide along Dry Creek, Mr. Ashness stated he would need to talk with his client. The board decided to postpone a vote to January 5, 2021 meeting to give Mr. Ashness time to communicate with the developer.

Since the December 1, 2020 Planning Board meeting, the developer has agreed to place an additional 50' voluntary buffer and a copy of the revised survey can be found on the following website - <https://www.chathamnc.org/government/departments-programs/planning/rezonings-subdivision-cases/2020-items/laurel-ridge-phase-1b-final-plat-4804> .

Planning Board Discussion:

The Planning Board met virtually January 5, 2021. Ms. Elaine Chiosso resident expressed concerns about the numerous sedimentation erosion control violations and would like Lots 12-15 combined due to the number of streams and wetland. Mr. Markness, P.E., Nick Robinson, Attorney, and Hadley Swain Kirkland, Developer were present. Board members discussed the following: when was the last stream delineation on the property, the working of the riparian buffers on the final plat should reflect Jordan Lake Buffers, where the wastewater will be treated, whether the developer would consider combining Lots 12-15 to create larger lots, and labeling of the 50' voluntary buffer. Per the Pre-'08 Subdivision Regulation on-site stream calls are not required. The developer agreed to revise the riparian buffer language to reflect Jordan Lake Buffer on the final plat and wastewater will be treated by Aqua NC. Mr. Ashness commented that the lots are five-acre average with no wells or septic and with plenty of room for homesites, the developer meets the criteria and will not combine Lots 12-15. Planning staff explained voluntary buffers cannot be enforced, staff can enforce the Jordan Lake 50' buffer, and the buffers on the plat have to reflect the 50' Jordan buffer and 50' additional voluntary buffer due to enforcement protocols for major subdivisions that are approved under pre-2008 subdivision regulations.

How does this relate to the- Comprehensive Plan:

The property is located in an area designated as Conservation on the Future Land Use and Conservation Plan Map (Land Use Strategy 5.2). Although the proposed subdivision is not a conservation design it meets the adopted riparian buffer and stormwater control standards of the county.

Recommendation:

The Planning Department and Planning Board by 5-3 vote recommends granting final plat approval of "Major Subdivision Laurel Ridge – Phase 1B Property of Laurel Ridge Development, Inc." with the following conditions:

1. Prior to final plat recordation the county attorney shall approve the form of the contract and financial guarantee.
2. Prior to final plat recordation the engineer shall certify to the county that there is all weather access for emergency vehicles and the certification must be approved by the Fire Marshal
3. Final plat title shall include "The Estates at Laurel Ridge".
4. Final plat shall identify the Jordan Lake Buffers.