



## Chatham County Planning Board Agenda Notes

**Date: July 5, 2022**

**Agenda Item: VII-2**

**Attachment #: 11**

- Subdivision**
                 
  **Special Use Permit**
                 
  **Rezoning Request**  
                                 
  **Other:**

<b>Subject:</b>	Request by Ben Mayo, P.E. of Withers Ravenel on behalf of Windjam Development (RBV 1525,LLC) for Subdivision First Plat review and approval of Flatiron Forest, consisting of 29 lots on 42.124 acres, located off Hamlets Chapel Rd (S.R. 1525), Parcel 2037.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Major Subdivision Application and Checklist</li> <li>2. Vicinity Map</li> <li>3. School District Correspondence</li> <li>4. Letter from the NC Department of Natural and Cultural Resources, dated April 27, 2022</li> <li>5. Copy of Community Meeting Report Form dated May 10, 2022</li> <li>6. Copy of Soil Correspondence as well as Soil Scientist report and Soils Map</li> <li>7. Road Name Submittal Form</li> <li>8. Riparian Buffer Report, dated June 8<sup>th</sup> 2022</li> <li>9. USACE Notification of Jurisdictional Determination correspondence dated May 10<sup>th</sup> 2022</li> <li>10. TRC Comments, email correspondence from Chatham County Historical Association</li> <li>11. Topo Map</li> </ol>

**Introduction & Background:**  
**Zoning:** R-1 Residential  
**Water System:** Public Water  
**Sewer System:** Individual Septic Systems  
**Subject to 100 Year Flood:** No special flood hazard area within the development.  
**General Information:**  
 The subdivision process is a four (4) step process: Concept Plan, First Plat, Construction Plan, and Final Plat. The applicant has completed the community meeting and the Concept Plan review. The minimum lot size requirement for the project is 40,000 square

feet of useable area. The Planning Board has two (2) meetings in which to act on the proposal.

**Discussion & Analysis:**

The request is for First Plat review and recommendation of Flatiron Forest Subdivision consisting of 29 lots on 42.12 acres, located off of Hamlets Chapel Road (S.R. 1525). A vicinity map showing the property location (attachment #2) is included in the agenda packet. The parcel ID is 2037. Per the subdivision regulations, section 5.2C(4), a public hearing shall be held at the first planning board meeting to receive comments on the proposed subdivision. Item (b) states that 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. As stated above the Planning board has two (2) meetings to act on the proposal.

**Roadways:** Flatiron Forest Drive and Copley Court, are proposed to be built with 20-foot-wide travel way and a 60-foot-wide right-of-way and is to be state maintained.

**Historical:** There has not been any communication with the Chatham County Historical Association associated with this project. Sy Robbins informed the applicant that they would want to be informed if any old foundations or other significant structures are encountered during development.

**Schools:** Notification of the proposed development was provided to the Chatham County School System. Chris Blice Chatham County Schools Assistant Superintendent for operations said they had no concerns with the development as proposed.

**Timbering:** This property has been used for timbering in the past and is currently in Agricultural/Present Use tax status.

**General Environmental Documentation:** Withers Ravenel completed the GED for this project on behalf of the applicant and that information was submitted to Watershed Protection for review. The site has three streams, one ephemeral subject to a 30' buffer; one perennial subject to 100' buffer; and one intermittent subject to a 50' buffer. There are six delineated wetlands on the property subject to 50' buffers. This site is comprised of undeveloped woodlands and has historically been timbered. The dominant vegetation across the site is pine forest. The canopy is comprised of predominantly loblolly pine, a sparse understory of red maple, sweet gum, and American holly.

**Community Meeting:** A community meeting was held on May 10<sup>th</sup>, 2022, at 50 Windfall Creek Dr. Chapel Hill, NC. Approximately 12 people attended. The following comments and questions were discussed:

- Can proposed lighting be kept minimal?
- Adjacent homeowners would like a dedicated landscape buffer.

- Will the HOA established for this development be able to enforce standards on adjacent homeowners?
- Homeowners off Buck Branch Road concerned about these homes being able to access Buck Branch Road
- Will utilities be stubbed to adjacent properties?
- Will water be made available to 624 Hamlets Chapel Road?
- Concerns about runoff on Hamlets Chapel Road
- Concerns about runoff during construction – homeowners wanted to confirm tree protection and silt fence will be installed prior to land disturbance
- When will proposed culvert crossings be sized?
- What are the proposed stormwater control measures?
- What are the impervious surface requirements for this development?
- Concerns over this development meeting required zoning standards for minimum lot square footage
- When will homeowners be able to see building envelope locations on each lot?
- When is the First Plat being submitted?
- Will fencing be installed as part of this development?
- What is the price range for houses being built as part of this development?
- Will there be a traffic signal installed at entrance? Concerns about traffic on Hamlets Chapel.
- Will residents of this development be okay with adjacent homeowners' pets?
- Have soils been tested for septic feasibility?
- A homeowner requested the "Coming Soon" sign posted on the property be moved as to not be directly across from their home and that the "For Sale" sign be removed.

**Technical Review Committee:** The TRC met to review this project at their June 15<sup>th</sup> meeting. Planning staff informed the applicant that the minimum size for all the lots needed to be at least 40,000 square feet. The plat would need to be revised to show those changes and that has been done. Watershed staff said the plat was showing suitable soils within the buffer, which will need to be removed and that has been done. Also, staff raised concerns about lots 1,9, and 10 if they will have enough buildable areas with the septic area and buffers being shown on those lots. Staff asked about the stormwater control measure (SCM) in front of lot 16 and if it was an easement or an open lot. Both SCMs would have their own open lot spaces. Watershed staff recommended extra care be taken in construction of the SCM because it was so close to a buffer.

There was some discussion if the applicant can make these changes before the July 5<sup>th</sup> Planning Board deadline. The new application and revised plats were provided to staff and have been included in the packets for the meeting.

**Septic:** According to Environmental Health septic field layouts will be needed for 1,2,6,7,11,16,22,28, &29 depending on the amount of suitable soils that will be available

once the house sites are located. Central Carolina Soil Consulting, PLLC submitted a soil/site evaluation to the applicant on December 11<sup>th</sup>, 2021. The report is attachment 7.

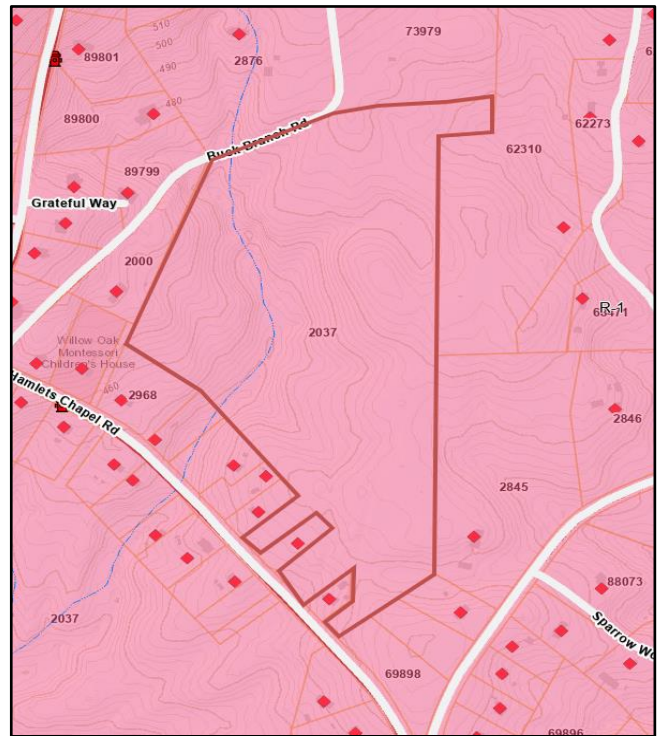
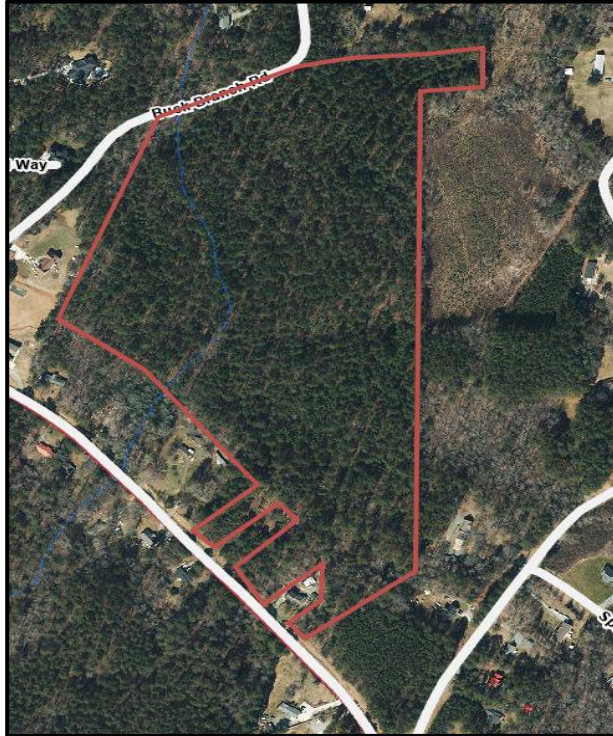
**Water:** The site is served by a 10" county waterline on Hamlets Chapel Rd.

**Road Names:** The applicant has proposed four road names for the roads within the development and those names have been submitted to Emergency Operations. The plat is showing Flatiron Forest Dr and Copley court to be used for the road names within the subdivision.

**Water Features:** The site has three streams, one ephemeral subject to a 30' buffer; one perennial subject to 100' buffer; and one intermittent subject to a 50' buffer. There are six delineated wetlands on the property subject to 50' buffers.

**Stormwater and Erosion Control:** There are two SCMs proposed for the site. One device is located between lots 15 and 17 and in front of lot 16. The other device is located between lots 19 and 20 right next to the road right-of-way. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department. A Stormwater Permit and Sedimentation & Erosion Control Permit will be obtained from the Chatham County Watershed Protection Department prior to Construction Plan submittal. No land disturbing activity can commence on the property prior to obtaining Construction Plan approval.

**Site Visits:** June 23<sup>rd</sup> at 5:30 and June 24<sup>th</sup> 9:00. At the time of preparing the notes for Planning Board packets staff has not visited the site. Pictures of the site visit can be viewed on the Planning Department webpage at [www.chathamcountync.gov/planning](http://www.chathamcountync.gov/planning), Rezoning and Subdivision Cases, 2022.



**Plan Chatham Evaluation:**

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. The entirety of this project is located within the rural designation on the future land use and conservation map. The description for rural includes single family homes on large lots, low density development, mix use of agriculture, home-based and small-scale businesses, open space, greenway trails, protected lands, and conservation easements.

The proposed subdivision meets the adopted riparian buffer and stormwater control standards of the county. It should be noted that Plan Chatham is not intended to be used as a regulatory tool but is a policy document. When reviewing subdivision applications, the boards can use the plan as a tool to identify future regulatory changes.

**Recommendation:**

The Planning Department recommends granting approval of the road names Flatiron Forest Dr and Copley Court and granting approval of subdivision First Plat for **Flatiron Forest Subdivision** with the following conditions:

1. Approval of the First Plat shall be valid for a period of twelve (12) months following the date of approval by the Board of Commissioners and the Construction Plan approval shall be valid for a period of twenty-four (24) months from the date of approval by the Technical Review Committee or Board of Commissioners.
2. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.