



## Chatham County Planning Board Agenda Notes

**Date: October 4, 2022**

**Agenda Item: VII-1**

**Attachment #: None**

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

<b>Subject:</b>	Request by Susan Joplin on behalf of Silver Developers, LLC for subdivision <b>First Plat</b> review and approval <b>Hawk Point Road Extension</b> , on 20.35 acres, located off Hawk Point Road, parcel 92282 and 95254.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Major Subdivision Application</li> <li>2. Vicinity map</li> <li>3. Copy of Community Meeting Report Form dated January 13, 2022</li> <li>4. Riparian Buffer Report, dated May 13, 2022</li> <li>5. US Army Corp. of Engineers Notification of Jurisdictional Determination dated February 28, 2022</li> <li>6. Copy of General Environmental Documentation and approval letter dated July 12, 2022</li> <li>7. Approved Buffer Reduction Request of NNP-Briar Chapel, LLC per Section 9.2 of Compact Communities Ordinance dated June 21, 2022 (<i>online</i>)</li> <li>8. Adjacent Property Owners (<i>online</i>)</li> <li>9. First Plat titled 'Recombination Plat Parcels 2714, 2717, 92282 &amp; 95254, Pittsboro, NC 27312 Baldwin Township, Chatham Co., NC', prepared by Maerstan, PLLC Land Surveyors</li> </ol> <p style="margin-top: 10px;">All documents submitted may be viewed online:  <a href="https://www.chathamcountync.gov/government/departments-programs-i-z/planning/rezonings-subdivision-cases/2022-items/hawk-point-rd-extension-first-plat">https://www.chathamcountync.gov/government/departments-programs-i-z/planning/rezonings-subdivision-cases/2022-items/hawk-point-rd-extension-first-plat</a></p>

**Introduction & Background:**

**Zoning:** CUD-CC (parcel 92282) and R-1 (parcel 95254)  
**Water System:** Public Water  
**Sewer System:** N/A  
**Subject to 100-year flood:** Special flood hazard area within the development.  
**Township:** Baldwin

**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 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 Hawk Point Road Extension and realignment, located at the end of Hawk Point Road, on parcel 92282 extending to parcel 95254. A vicinity map showing the property location is included in the agenda packet and can be viewed online. 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) meeting to act on the proposal.

**Roadways:** Hawk Point Road is proposed to be built with a 40-foot-wide public right-of-way and is to be state maintained.

**Historical** During the Technical Review Committee meeting on August 17, 2022, Sy Robbins, Chatham County Historical Association (CCHA), commented that should the site have future development to look for Native American activities.

**General Environmental Documentation:** The developer submitted the General Environmental Documentation and a letter dated March 2, 2022, from North Carolina Department of Natural and Cultural Resources Natural Heritage Program to Chatham County Land & Water Resources Division for review. The letter states "A query of the NCNHP database, indicates that there are no records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. Please note that although there may be no documentation of natural heritage elements within the project boundary, it does not imply or confirm their absence; the area may not have been surveyed."

Drew Blake, Watershed Protection Assistant Director, reviewed the information submitted. Mr. Blake replied in a letter dated July 12, 2022, that the requirement has been met. Additional comments included any Allowable uses and Allowable with Mitigation uses in the protected riparian buffer will require a Buffer Authorization from Chatham County, all permits for wetland and stream impacts from NC Division of Water Resources 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.

**Community Meeting:** A community meeting was held on January 12, 2022, at 697 Hillsboro Street, Pittsboro. Approximately eight people attended the meeting and items/issues discussed included:

- The proposed sidewalk be moved to the south side of Hawk Point Road or removed completely
- Future development on parcels 2717 and 92282
- What will happen to the portion of the road abandonment directly beside parcel 92347

**Technical Review Committee:** The TRC met virtually on August 17, 2022, to review the First Plat submittal. The applicant, Susan Joplin, P.E. was present. Items discussed included the following:

- Riparian buffer and floodplain boundaries needs to be shown on final plat
- The waiver request for the perimeter buffer was approved in June
- If future development occurs on parcel 92282 to look for signs of Native American habitation
- The utility plan does not show the current fire hydrant at the corner of Cardinal Ridge Rd. and Hawk Point Rd.
- 8" waterline brought to the bottom side of the parcel 95254 for future extension=
- Don't like to see waterlines goes under the roadway but rather be in the right-of-way
- Place a fire hydrant placed at the west side of the cul-de-sac
- Waterlines and fire hydrants must be placed in public water easements or public rights-of-way
- If parcel 2717 needs a metered connection it can connect to the 8" waterline extension to the North
- If the water line extension for parcel 2717 is to the east of the fire hydrant before the bulb of the cul-de-sac
- There will need to be a flushing mechanism on the end of the water line on parcel 95254, if the parcels will have sewer from Briar Chapel.

**Water:** Water will be public and provided by Chatham County Water Dept. for this development.

**Waiver:** Board of Commissioners approved the buffer reduction request waiver on June 21, 2022.

**Road Name:** The road is an extension of Hawk Point Road which was approved during Briar Chapel Phase 10.

**Water Features:** Drew Lucas with Wetlands & Waters, Inc. submitted the Riparian Buffer Review Application with a riparian buffer map to Drew Blake, Watershed Protection Assistant Director, for review. The site visit was completed by Wetlands & Waters, Inc. on March 30, 2022. Mr. Blake completed an on-site riparian buffer review to verify the consultant's findings. Mr. James Lastinger with the U.S. Army Corps of Engineers visited the site on

February 28, 2022. Mr. Blake issued a confirmation letter of his findings dated May 13, 2022, confirming two (2) perennial streams, one (1) potential wetland, and one (1) mapped floodplain were identified. The two (2) perennial streams require 100-ft buffers, and the one (1) potential wetland require 50-ft buffers from all sides landward. buffer area.

**Site Visit:** The site visits were scheduled for August 18, 2022 and staff and advisory board members attended. 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. These properties are in an area of the county identified as compact residential on the Future Land Use and Conservation Plan Map. The description for compact residential includes a mix of detached and attached residential units, open spaces, some multifamily units, community centers, amenities, recreational uses, schools and churches may be a part of the fabric.

The proposed road extension meets the adopted riparian buffer and stormwater control standards of the county. The developer also contacted the NC Natural Heritage Program to review their database for any rare species, important natural communities, natural areas, or conservation/managed areas within the project boundary and no rare species were identified in their records. 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 extension for **Hawk Point Road Extension** with the following conditions:

1. Approval of the First Plat (Recombination 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.