



Chatham County, NC

Legislation Details (With Text)

File #: 24-5154 **Version:** 1

Type: Agenda Item **Status:** Passed

File created: 2/29/2024 **In control:** Planning

On agenda: 3/18/2024 **Final action:** 3/18/2024

Title: Vote to approve a request by Brian O’Kane, P.E. on behalf of Garden Street Communities Southeast, LLC for subdivision First Plat review and approval of Savannah Ridge, consisting of 78 lots on 152.08 acres, located off Moncure School Road (SR1931), parcel 11229 in Haw River Township

Sponsors:

Indexes: Comp Plan Goal 1: Preserve the rural character and lifestyle of Chatham County, Comp Plan Goal 10: Foster a healthy community., Comp Plan Goal 6: Provide recreational opportunities and access to open space.

Code sections:

Attachments: 1. More information from the Planning department website

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------------|----------|--------|
| 3/18/2024 | 1 | Board of Commissioners | approved | Pass |

Vote to approve a request by Brian O’Kane, P.E. on behalf of Garden Street Communities Southeast, LLC for subdivision **First Plat** review and approval of **Savannah Ridge**, consisting of 78 lots on 152.08 acres, located off Moncure School Road (SR1931), parcel 11229 in Haw River Township

Action Requested:

Vote to approve a request by Brian O’Kane, P.E. on behalf of Garden Street Communities Southeast, LLC for subdivision **First Plat** review and approval of **Savannah Ridge**, consisting of 78 lots on 152.08 acres, located off Moncure School Road (SR1931), parcel 11229 in Haw River Township.

Introduction & Background:

Zoning: R-1
Water System: Public
Sewer System: Private on-site

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 Savannah Ridge, consisting of 78 lots on 152.08 acres, located off Moncure School Road, S.R. 1931. 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.

Background: In August 2021 Savannah Ridge submitted an application for a conservation subdivision of 158 lots. The Planning Board recommended denial based on errors and inconsistency with the conservation subdivision standards and guidelines. The specific deficiencies were the primary natural space being inconsistent with the guidelines. This project was withdrawn prior to the Board of Commissioners receiving the application for a final decision.

Roadways: The road is to be built as a 20-foot-wide travel way with a 60-foot-wide public right-of-way and is to be state maintained.

Historical: The applicant contacted Bev Wiggins and Sy Robbins, Chatham County Historical Association (CCHA). CCHA is disappointed that no on-site cultural investigation was completed. This area was the Minter Plantation and possibly Minter family and slave graves may be on the site. The applicant is encouraged to follow the CCHA's guidance document checklist. (Note: the Subdivision Regulations do not include a requirement for an on-site archaeological field reconnaissance survey).

Schools: Notification of the proposed development was provided to the Chatham County School System. Chris Blice, Chatham County Schools Assistant Superintendent for Operations was contacted by email dated November 16, 2023.

Environmental Impact Assessment: Due to the number of lots, an Environmental Impact Assessment (EIA) was required to be submitted and peer reviewed. The EIA dated August 31, 2023 and updated October 5, 2023 was prepared by Timmons Group and peer reviewed by Johnson, Mirmiran & Thompson (JMT). Per the EIA Appendix D "Threatened and Endangered Species" per the US Fish and Wildlife Service, are the tricolored bat, red-cockaded woodpecker, Cape Fear Shiner, monarch butterfly and harperella document states there are no critical habitats within the project area. Per the NC Natural Heritage Program (NCNHP) The letter states "A query of the NCNHP database, indicates that there are records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. The proximity of these records suggest that these natural heritage elements may potentially be present in the project area if suitable habitat exists."

Greenway Trail: The greenway is an old railroad bed and a 30' wide greenway easement is proposed across the back portions of the lots fronting Moncure School Road. The easement will be given to Chatham County in lieu of paying the recreation exaction fee and Parks & Recreation Department requested the easement dedication. Details will be finalized by final plat regarding the legal.

Community Meeting: A community meeting was held on December 19, 2022, at Sprott Youth Center, 80 Sprott Center Drive, Moncure, NC. Approximately twelve people attended the meeting. Items/issues discussed included increased traffic, boat owners parking in the neighborhood when the

Poe's Ridge Boat Ramp parking lot is full, signage at the intersection of Jordan Dam Road and Moncure School Road for safety, location of construction entrance, adequate disposal area for septic systems, issues with neighbors existing septic disposal system, stormwater ponds attracting mosquitos, power easement, nuclear evacuation area, school capacity, and protection of environmentally sensitive areas.

Technical Review Committee: The TRC met December 13, 2023, to review the First Plat submittal. Mr. Zach Daugherty with Garden Street Communities Southeast and Brian O'Kane, P.E., were present. Discussion included standard setbacks will be required for each lot, if there will be street lighting, if the greenway will extend across lots 64-74, recreation payment in lieu fee being waived, apply for a fire flow test, best to tie into the water line off Moncure School Road, plat was missing a few wetland calls and needs to be shown on revised plat, label each stream transition and buffers, road names are approved, possible slave grave sites may be on property because the Minter Plantation was in this area, and label open space areas.

Septic: A soils report and map was submitted to James Tiger, Chatham County Environmental Health Supervisor II, for review. Mr. Tiger stated, "The proposed septic area square footage is small and typically 10,000 square feet is estimated for 3-bedroom home depending on the soil suitability and trench product. The initial, repair area and tanks will need to be in the suitable soil area."

Water: County water will serve the subdivision.

Road Name: The road names Savannah Ridge Lane, Warren Drive, Orleans Drive, Telfair Lane, and Mercer Ridge has been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval.

Water Features: Lauren Norris-Heflin with Timmons Group submitted the Riparian Buffer review application along with a riparian buffer map to Drew Blake, Asst. Director Watershed Protection Dept. Drew Blake with Chatham County Watershed Protection Dept, Morgan Gilbert, and Lauren Norris-Heflin with Timmons Group completed an on-site riparian buffer review on July 28, 2020, to verify the consultant's findings. The August 25, 2020, confirmation letter stated one (1) perennial stream, two (2) intermittent streams, eleven (11) wetlands, and three (3) ephemeral streams. A 30-ft buffer from top of bank landward on both sides of the feature for all ephemeral streams, a 50-ft buffer will be required beginning at the flagged boundary and proceeding landward on all wetlands, and a 50-ft buffer from top of bank landward on both sides of the feature for all intermittent streams. On-site determination expires five years from the date of the riparian buffer report. The Jurisdictional Determination (JD) was reviewed by Jean Gibby with Army Corp of Engineers dated August 31, 2020.

Development Schedule: One phase is proposed for 78 lots with final plat submittal by December 31, 2028.

Stormwater and Erosion Control: There are four (4) proposed stormwater devices and as part of the stormwater permitting process additional information will be provided to the Watershed Protection Department during the permitting process. 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 Visit: Site visits were scheduled for December 14, 2023, for Planning Department staff and various board members to attend. Zach Daugherty and Brian O’Kane were present to walk the property with staff and Board members and discuss the project.

Special Buffers: The Chatham County Conservation Viewer shows the proposed project is within a hunting safety buffer and a smoke awareness area. The hunting safety buffer is shown in pink and the smoke awareness area shown in green. These are not regulatory buffers, but notifications from the NC Forestry Service and Wildlife Resources Commission regarding activities that occur on the adjoining property owned by the Army Corps of Engineers.

Planning Board Discussion:

The Planning Board met February 6, 2024, Mr. Zach Daugherty and Mr. Brian O’Kane, P.E. were present. Mr. Daugherty and Mr. O’Kane gave a brief presentation. Mr. O’Kane stated the project will connect to the existing public water line. The average lot size is 53,000 square feet. Two access points to the project located off Moncure School Road, there could not be an access point from Jordan Dam Road since the US Army Corps controlled that portion of the road. Within the project there will be pockets of open spaces and the developer has been working with Chatham County Parks and Recreation Department to develop a greenway on the property over the existing railroad bed.

One person spoke during the public hearing, Mr. Smith had concerns with traffic, if there would be any stormwater ponds and plants for the ponds, septic systems and if any broadband was proposed.

Planning Board discussion included:

- Will there be any off-site septic systems. Mr. O’Kane stated no.
- Did the applicant review ERAC comments about the EIA. ERAC had concerns about the school crosswalk, how would the 8” pipe cross the stream and to elaborate on the control burn. Mr. Daugherty stated they did not review ERAC comments. The subdivision entrances will not have any impact on the school. Mr. O’Kane stated the pipe will be within the right-of-way embankment and the permits will be provided by the NC Department of Environmental Quality and US Army Corps of Engineers. It will be one crossing the road and pipe together, not a separate crossing. The burn will be controlled and regulated by the Forestry Dept, according to Mr. Daugherty.
- Are sidewalks plan within the project? No sidewalks are proposed.
- Will the trees along Moncure School Road be protected.
- Concerns with the long skinny lots
- What was the status of the Minter property.

After discussing these items, the Planning Board voted 6-2 to recommend approval of the First Plat application for Savannah Ridge.

How does this relate to the Comprehensive Plan:

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. This property is in a split area of the county. A portion of the property is identified as compact residential, and the other portion of the property identified as conservation on the Future Land Use and Conservation Plan Map. The description for compact residential includes single family homes, community centers, amenities, recreational uses, schools, churches, large natural resource areas to small pocket parks and gardens. The description for conservation includes single family, low impact development, passive recreation areas, and greenway trails. (Strategy 5.2)

The proposed conventional subdivision meets the adopted riparian buffer and stormwater control standards of the county, and the subdivision is proposing a 30' wide greenway trail. 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 none 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 and Planning Board by a 6-2 vote recommends granting approval of the road names Savannah Ridge Lane, Warren Drive, Orleans Drive, Telfair Lane, and Mercer Ridge and granting approval of the First Plat for **Savannah Ridge** with the following conditions:

1. The following development schedule shall be followed: Construction Plan submittal for 78 lots within thirty-six (36) months of the First Plat approval with Final Plat submittal by December 31, 2028.
2. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
3. The Final Plat shall provide the 30' wide greenway easement with connectivity from lot 63-75.