




# **CONSIDER AN APPLICATION FOR MINOR SUBDIVISION REVIEW – 8320 AND 8340 ROGERS ROAD (PROJECT #18-116)**

## **STAFF REPORT**

TOWN OF CHAPEL HILL PLANNING AND DEVELOPMENT SERVICES  
Judy Johnson, Operations Manager

<p><b>PROPERTY ADDRESS</b></p> <p>8320 and 8340 Rogers Road</p>	<p><b>MEETING DATE</b></p> <p>December 4, 2018</p>	<p><b>APPLICANT</b></p> <p>Mainsail Development, LLC</p>
<p><b>STAFF RECOMMENDATION</b></p> <p>Staff recommends that the Planning Commission adopt Resolution A, approving the application, with stipulations.</p>		
<p><b>PROCESS</b></p> <p>Minor subdivision applications are submitted to the Planning Board for consideration and action. Minor subdivision applications are evaluated based on compliance with:</p> <ol style="list-style-type: none"> <li>the procedural and dimensional requirements of the Land Use Management Ordinance.</li> </ol> <p>If the application meets the standards for subdivision set by the Land Use Management Ordinance, the Town is obligated to approve.</p>	<p><b>DECISION POINTS</b></p> <p>We believe that the proposed application, with the conditions proposed in the attached resolution, meets all regulations and standards in the Land Use Management Ordinance pertaining to minor subdivision. A checklist of these regulations and standards is included in the attached Project Summary.</p> <p>No changes are proposed at this time to the existing structure.</p>	
<p><b>PROJECT OVERVIEW</b></p> <p>The application proposes to subdivide an existing vacant lot on 0.9 acres of land area. The lot is on the eastern side of Rogers Road near the intersection with between the intersections with Tallyho Trail and Claymore Road. Subsequent lot configuration will be as follows:</p> <ul style="list-style-type: none"> <li>Lot 1: 19,746 sq. ft. lot;</li> <li>Lot 2: 19,411 sq. ft. lot;</li> </ul> <p>The subsequent lots will meet the minimum 17,000 sq. ft. lot size requirement in the Residential – 1 (R-1) zoning district, and are already served by OWASA. The lot is outside the town limits but within Chapel Hill Extraterritorial Jurisdiction (ETJ).</p> <p>Improvements to Rogers Road, including dedication of half of a 70-foot right-of-way and improving the frontage to include a bicycle lane and a five-foot wide concrete sidewalk, are recommended. This would match the Rogers Road improvements to the south.</p>	<p><b>PROJECT LOCATION</b></p>  <p>Map prepared by Chapel Hill GIS - November 2018</p>	
<p><b>ATTACHMENTS</b></p>	<ol style="list-style-type: none"> <li>Project Details Table</li> <li>Draft Resolution A</li> <li>Draft Resolution B (Denying the Application)</li> <li>Applicant Materials</li> </ol>	



# Project Details

## Overview

Site Description	
<b>Project Name</b>	8320 and 8340 Rogers Road Minor Subdivision
<b>Address</b>	8320 and 8340 Rogers Road
<b>Property Description</b>	Minor subdivision of existing parcel into 2 residential lots
<b>Existing</b>	Vacant
<b>Orange County Parcel Identifier Numbers</b>	9870-52-9175
<b>Zoning</b>	Residential – 1 (R-1)

Design/LUMO Standards	Compliance with Ordinance	
<b>Dimensional Matrix 3.8-1 Standards Residential-1 (R-1) Zoning District</b>	Standard	Application
Setbacks	Street – 28 feet Interior – 14 feet Solar – 17 feet	✓
Minimum gross lot area	17,000 sq. ft.	Lot 1: 19,746 sq. ft. Lot 2: 19,411 sq. ft.
Minimum lot frontage	64 feet	Lot 1: 95 feet Lot 2: 96 feet
Minimum lot width	80 feet	Lot 1: 95 feet Lot 2: 96 feet
Floor Area Ratio	NA	NA
Floor Area (maximum)	NA	NA
Vehicle Parking Spaces (maximum)	NA	NA
Front Yard Parking (maximum)	40%	NA
Setback Height (maximum)	29 feet	NA
Core Height (maximum)	40 feet	NA
Amount of Impervious Surface	50% maximum	NA
<b>LOT LAYOUT STANDARDS</b>		
Erosion and Sedimentation Control	NA	NA
Steep Slope Disturbance	NA	NA
Land Disturbance	NA	NA
Resource Conservation District Regulations	NA	NA
Watershed Protection District	NA	NA
Schools Adequate Public Facilities	Required	✓ with condition #6
Stormwater Management	Required	✓ with conditions #3 & 4

Lots fronting on road meeting Town standards	Required	✓with condition #7 & 8
Recreation Area	NA for Minor Subdivision	NA
Landscape Bufferyards	NA for Minor Subdivision	NA
Homeowner's Association	NA	NA
Tree Protection	NA*	NA
Parking	NA*	NA
Front Yard Parking 40% restriction	NA*	NA
Utility lines underground	NA*	NA
Public Water and Sewer requirement	Required	✓

✓ Meets Requirements; NA Not Applicable

\* will apply when subsequent development application is proposed

**RESOLUTION A**  
(Approving Application)

**A RESOLUTION APPROVING AN APPLICATION FOR A MINOR SUBDIVISION FOR  
8320 AND 8340 ROGERS ROAD (PIN 9870-52-9175) (File No. 18-116)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the 8320 and 8340 Rogers Road Minor Subdivision, proposed by Mainsail Development, LLC, on the properties identified as Orange County Property Identification Number 9870-52-9175, if subdivided per the preliminary plat revision dated April 24, 2018 and the conditions listed below, would comply with the provisions of the Land Use Management Ordinance:

These findings are based on the following supplemental stipulations:

Stipulation Specific to the Development

1. That this approval shall be valid for one year from the date of approval subject to reapproval by the Town Manager in accordance with the provisions of the Land Use Management Ordinance.
2. That this approval shall authorize the creation of no more than two (2) lots.
3. That future development must comply with *Section 5.4 Stormwater Management* of the Land Use Management Ordinance.
4. That the property owner provide the necessary Certificate of Adequacy of Public Schools or an exemption prior to recordation of the Final Plat.
5. That the name of the development and its streets and house numbers be approved by the Town Manager prior to recordation of the Final Plat.
6. That prior to recordation of the Final Plat, it will be necessary to provide a detailed fire flow analysis indicating compliance with the North Carolina Fire Prevention Code C105.1 and provide documentation of compliance with the minimum spacing of fire hydrants.
7. That the Final Plat shall dedicate half of a 70-foot right-of-way for the Rogers Road frontage.
8. That Rogers Road frontage be improved to widen the northbound travel land to 16 feet to accommodate a bicycle lane as well as construction of a five-foot wide concrete sidewalk located behind the ditch section.
9. That the Final Plat shall identify intermittent and/or perennial streams, federally-regulated 100-year floodplain, and associated Resource Conservation District.
10. That a shared driveway easement shall be recorded on the final plat. A note to this effect shall be included on the final plat.
11. That future site improvements or redevelopment of either of the newly created lots requires issuance of a Zoning Compliance Permit.
12. That the property owner provide the necessary owner(s) signatures, notarized, on a reproducible mylar, with a paper copy, prior to Town Manager approval of the Final Plat.

BE IT FURTHER RESOLVED that the Planning Commission of the Town of Chapel Hill hereby approves the application for a Minor Subdivision for 8320 and 8340 Rogers Road in accordance with the plans and conditions listed above.

This the 4<sup>th</sup> day of December, 2018.

**RESOLUTION B**  
(Denying Application)

**A RESOLUTION DENYING AN APPLICATION FOR A MINOR SUBDIVISION FOR 8320 AND 8340 ROGERS ROAD (PIN 9870-52-9175) (File No. 18-116)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the 8320 and 8340 Rogers Road Minor Subdivision, proposed by Mainsail Development, LLC, on the properties identified as Orange County Property Identification Number 9870-52-9175, if developed according to the revised plans dated April 24, 2018, and the conditions listed below, would not comply with the provisions of the Land Use Management Ordinance:

These findings are based on the following:

(INSERT REASONS FOR DENIAL)

BE IT FURTHER RESOLVED that the Planning Commission hereby denies the application for a minor subdivision for 8320 and 8340 Rogers Road.

This the 4<sup>th</sup> day of December, 2018.