

STAFF REPORT

UDO 2019-02-18

Preliminary Plan Sleepy Hollow Estates Phase II Major Subdivision

PROJECT INFORMATION

File Reference: UDO 2019-02-18
Project Name; Sleepy Hollow Estates
PIN: 02-8935-01-28-8169
Applicant: Daniel Cartwright
Address: 366 N. Gregory Rd
Shawboro, NC 27973
Phone: (252) 202-6645
Email:

Agent for Applicant: Timmons Group
Address: 1805 West City Dr. Unit E
Phone: (252) 338-2913
Email:

Current Owner of Record:

Meeting Dates:

2/19/2019 Neighborhood Meeting
3/6/2019 Technical Review Meeting
3/20/2019 Planning Board

Application Received: 2/22/19
By: David Parks, Permit Officer

Application Fee paid: \$2,000 Check #1210

Completeness of Application: Application is generally complete

Documents received upon filing of application or otherwise included:

- A. Land Use Application
- B. Preliminary Plan
- C. Agent for Applicant letter
- D. Deed
- E. Perc Tests from Albemarle Regional Health Services
- F. TRC Inputs

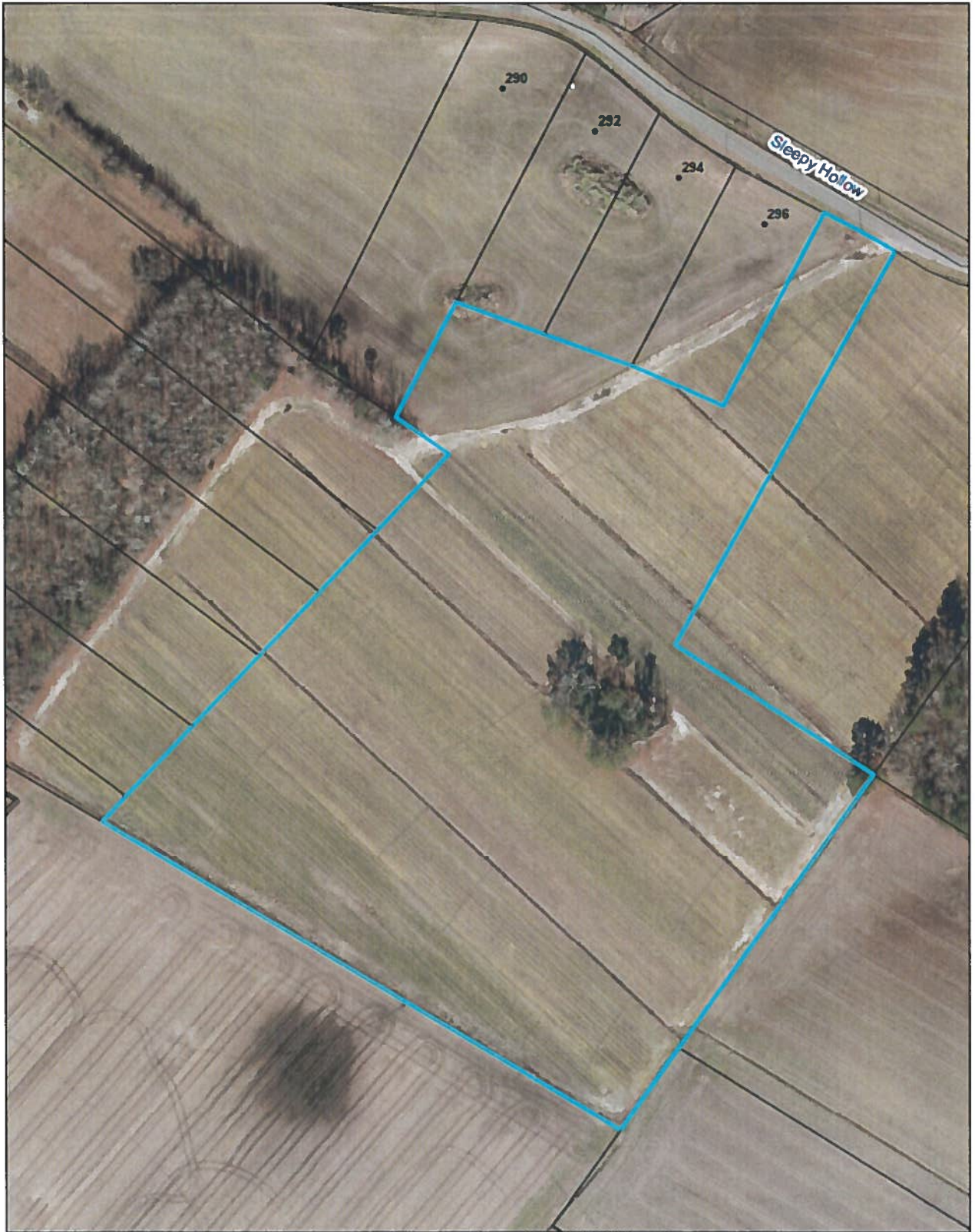
PROJECT LOCATION:

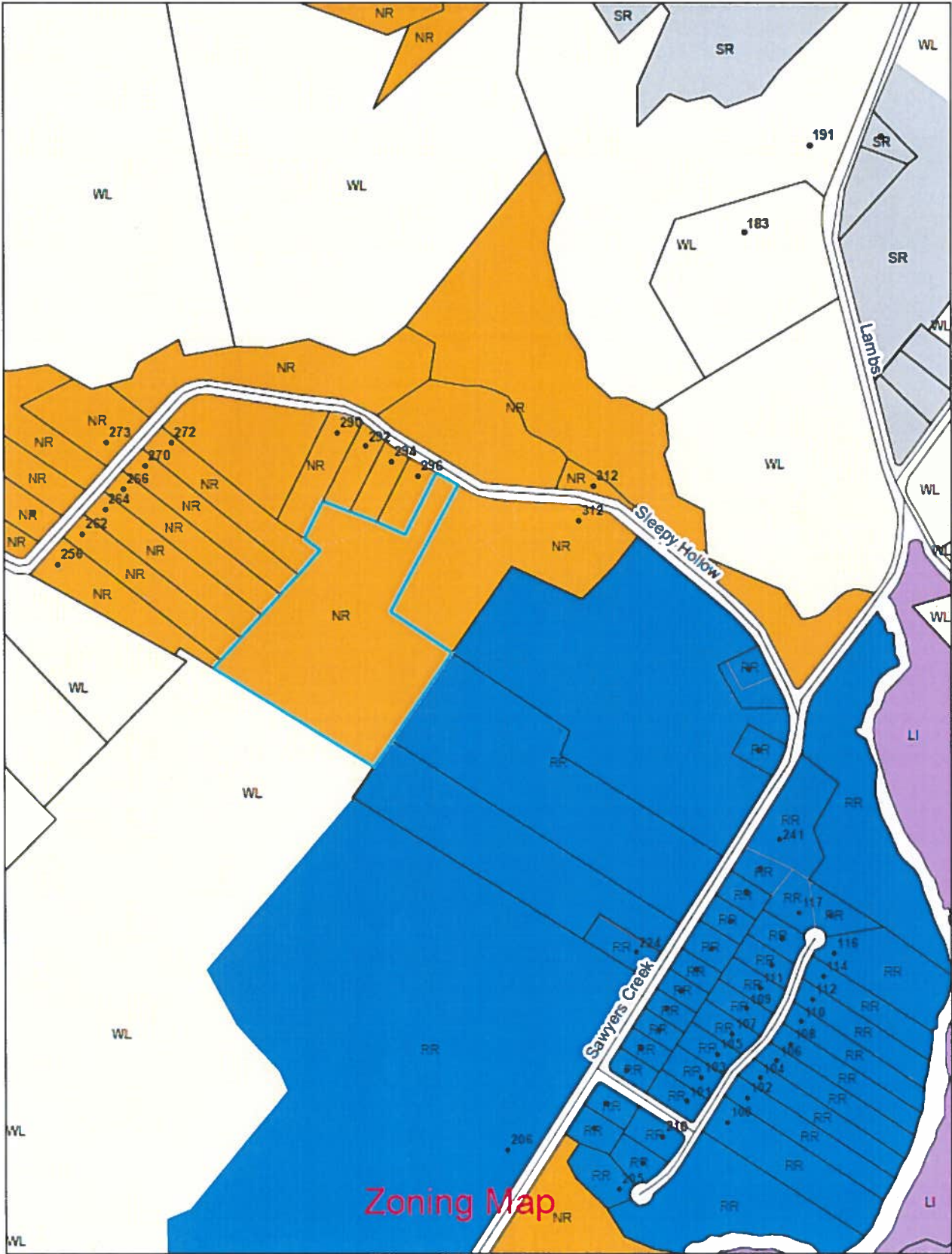
Street Address: Off Sleepy Hollow Road Adjacent to address 312

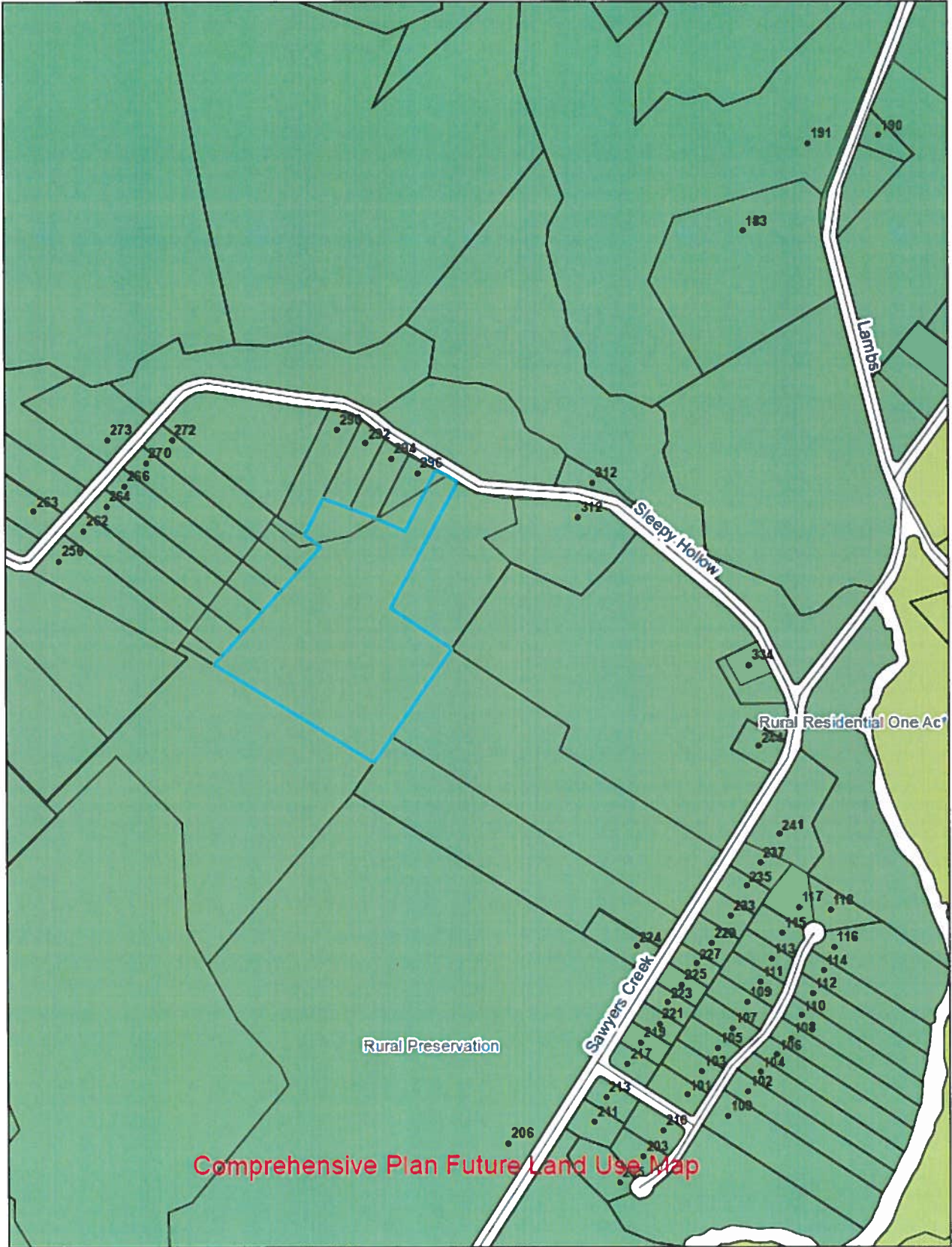
Location Description: Courthouse Township

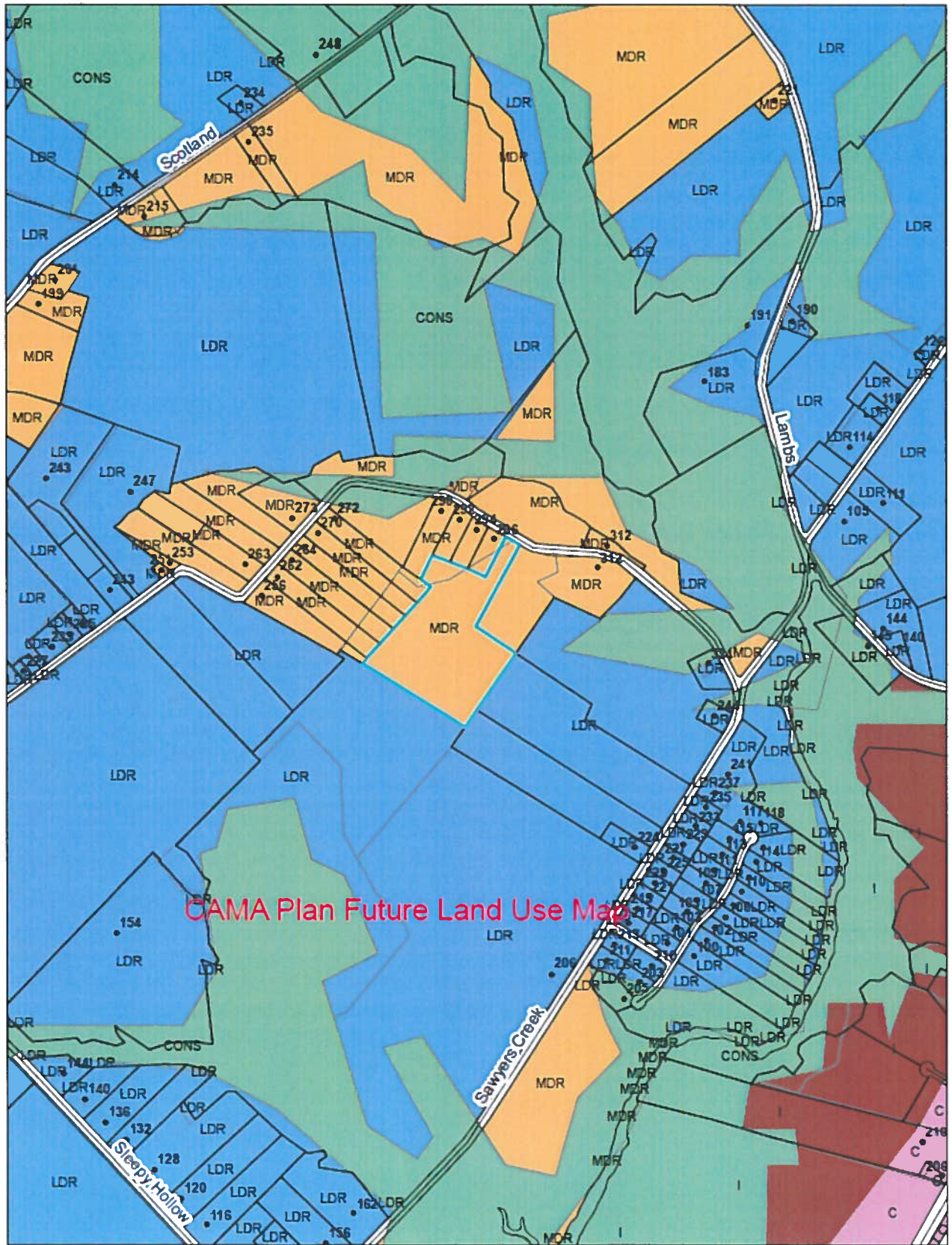
REQUEST: Preliminary Plan Phase II Sleepy Hollow Estates Major Subdivision – 10 lots - **Article 2.3.16 of the Unified Development Ordinance.**

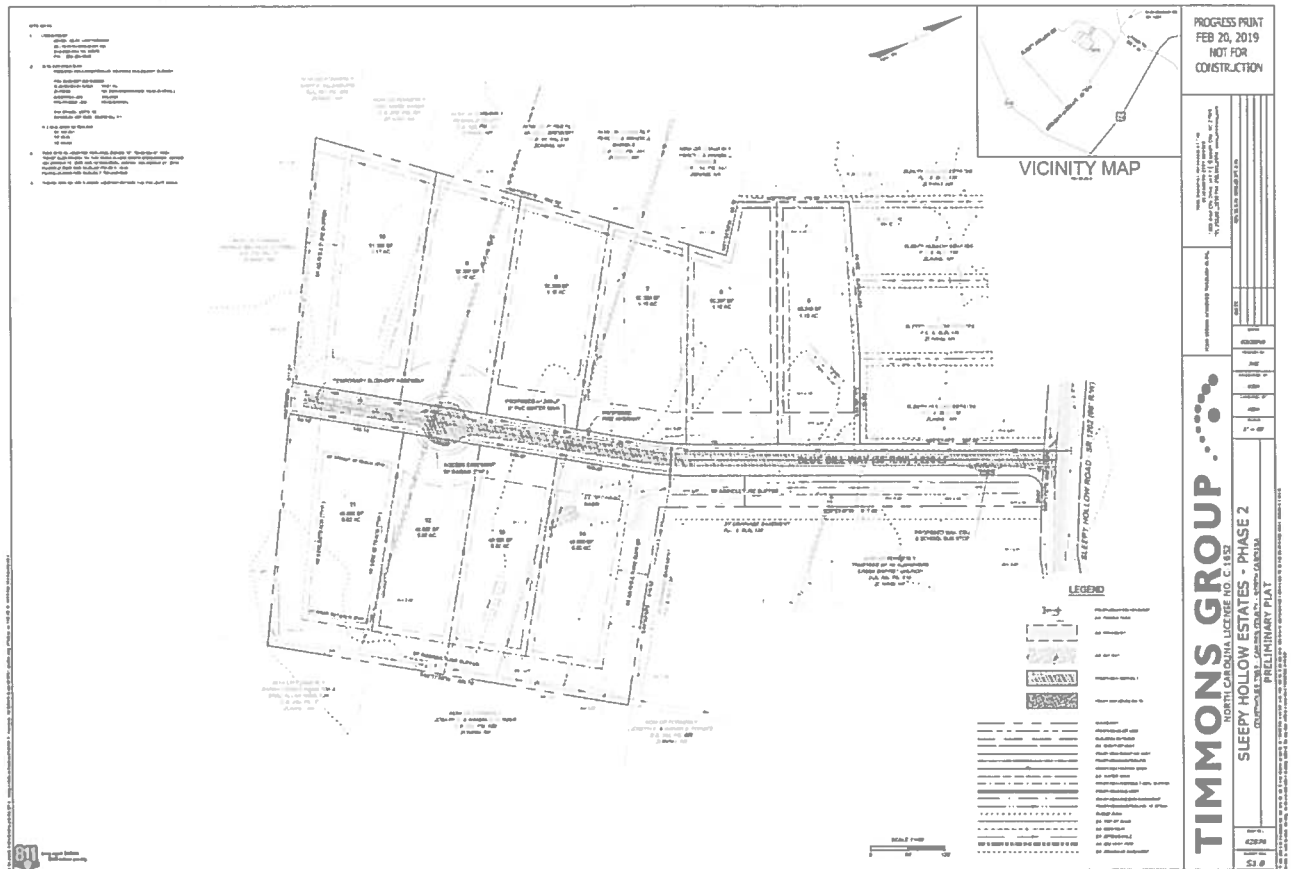
Vicinity Map:











SITE DATA

- Lot size:** Approximately 14 acres
- Flood Zone:** Zone AE/X
- Zoning District(s):** Neighborhood Residential (NR)
- Adjacent property uses:** Agriculture, Residential, Church.
- Streets:** Shall be dedicated to public under control of NCDOT.
- Street/Subdivision name:** Subdivision name: Sleepy Hollow Estates
Street Names: Blue Bill Way
- Open Space:** Required: 12 acres X .05 = .61 acres
- Landscaping:** Landscaping Plan required at Construction Drawing.

Farmland Compatibility Standards: Per Article 151.5.5, a 50' wide vegetative buffer required along all agricultural uses. Indicated on plan.

Recreational Land: N/A (Less than 30 lots) Article 151.6.1.13

ENVIRONMENTAL ASSESSMENT

Streams, Creeks, Major Ditches: Sawyers Creek

Distance & description of nearest outfall: Outfall located at the Southeastern portion of property through 404 wetlands under Sawyers Creek Road out to Sawyers Creek. Distance is approximately 2,100 feet to culvert.

TECHNICAL REVIEW STAFF COMMENTS

1. **South Camden Water.** Approved.
 2. **Albemarle Regional Health Department.** Approved. 10 Perc tests received.
 3. **South Camden Fire Department.** Reviewed with no comments.
 4. **Pasquotank EMS (Central Communications).** Subdivision/road names approved.
 5. **Sheriff's Office.** Reviewed with no comments.
 6. **Postmaster Elizabeth City.** No response. Did not attend TRC meeting.
 7. **Superintendent of Schools.** No response. Did not attend TRC meeting.
 8. **Transportation Director of Schools.** Approved with comments (see attached).
 9. **Camden Soil & Water Conservationist.** Approved.
 10. **NCDOT.** No response.
 11. **Mediacom.** No response.
 12. **Century Link.** Reviewed no comments.
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PLANS CONSISTENCY

CAMA Land Use Plan Policies & Objectives:

Consistent Inconsistent

CAMA Future Land Use Maps has land designated as Medium Density Residential.

2035 Comprehensive Plan

Consistent Inconsistent

Property Zoned Neighborhood Residential (NR) prior to adoption of Comprehensive Plan Future Land Use Maps which has area designated as Rural Preservation.

Comprehensive Transportation Plan

Consistent Inconsistent

Property abuts Sleepy Hollow Road (SR 1202) and internal road will be dedicated to public.

FINDINGS REGARDING ADDITIONAL REQUIREMENTS:

Yes No

Endangering the public health and safety?

In staff's opinion, application does not appear to endanger public health and safety.

Yes No

Injure the value of adjoining or abutting property.

In staff's opinion, application does not appear to injure the value of adjoining or abutting property.

EXCEED PUBLIC FACILITIES:

Yes No

Schools: Proposed development will generate 6 students (.67 per household X 9 lots). High School over capacity: **2018/2019 capacity: 570 Enrollment: 607 – Capacity does not include modular units for Camden Early College**

Yes No

Fire and rescue: Approved.

Yes No

Law Enforcement: Approved.

Staff recommends approval of Phase II Sleepy Hollow Estates based on current by right zoning with the following recommendations:

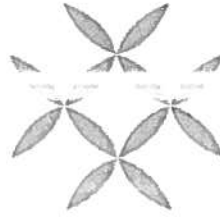
1. Construction drawings to reflect turning radius of cul-de-sacs be minimum 43.5' as requested by the Transportation Director of Camden County Schools.

BOARD OF COMMISSIONERS

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CLAYTON D. RIGGS
Vice Chairman

GARRY W. MEIGGS
RANDY KRAINIAK
ROSS MUNRO



Camden County
NEW ENERGY. NEW VISION.

KENNETH ROWMAN
County Manager

KAREN DAVIS
Clerk to the Board

JOHN S. MORRISON
County Attorney

February 15, 2019

Superintendent
Camden County Schools
Attn: Dr. Joe Ferrell
174 North NC 343
Camden, NC 27921

RE: Student Generation

Mr. Ferrell,

The following student generation rates for the following proposed major subdivisions seeking approval utilizing the formula of .67 students per single family lot (Primary = .29; Intermediate = .18; Middle = .07; and High School = .13):

<u>Subdivision Name</u>	<u>Lots proposed</u>	<u>Primary</u>	<u>Intermediate</u>	<u>Middle</u>	<u>High School</u>
Sleepy Hollow Estates	10	2.9	1.8	.7	1.3
North River Crossing	42	12.1	7.5	2.9	5.4

If you have any questions, please contact me at (252) 338-1919 ext 232.

Sincerely,


David Parks, CFM
Permit Officer

cc: file

Depending upon the type of proposal, a Zoning Permit or a Special Use Permit may be required. This form is the start of the application process.



**Land Use /
Development
Application**
(Zoning / Special Use)

OFFICIAL USE ONLY:	
UDO Number: <u>2019-02-18</u>	Zoning Dist.: <u>NR</u>
Date Filed: <u>2/22/19</u>	Flood Zone: <u>X/AE</u>
Amount Paid: <u>\$2,000</u>	Watershed (Y/N): <u>N</u>
Received By: <u>DP</u>	Taxes Pd(Y/N): <u>Y</u>

Contact Information

APPLICANT		PROPERTY OWNER	
Name:	<u>Daniel C. Cartwright</u>	Name:	<u>Daniel C. Cartwright</u>
Address:	<u>382 N. Gregory Road</u> <u>Shawboro, NC 27973</u>	Address:	<u>Same as applicant</u>
Telephone:	<u>(252) 202-6645</u> <u>countryscapesclay@hotmail.com</u>	Telephone:	<u></u>
Email:	<u>com</u>	Email:	<u></u>
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER:		<u>N/A</u>	

Property Information

Physical Street Address	<u>Not addressed.</u>
Location:	<u>Adjacent to 296 Sleepy Hollow Road</u>
Parcel ID Number(s):	<u>02-8935-01-28-8169</u>
Total Parcel(s) Acreage	<u>Approximately 14.5 acres</u>
Existing Land Use of Property	<u>Vacant land</u>

Request

Project Name:	<u>Phase II Sleepy Hollow Estate major subdivision – 10 lots</u>		
Proposed Use of Property:	<u>Residential</u>		
Deed Book / Page Number and/or Plat Cabinet / Slide Number:	<u>DB 355 – PG 356</u>		
Total square footage of land disturbance activity:	<u>Approximately 14 acres</u>		
Total lot coverage:	<u></u>	Total vehicular use area:	<u></u>
Existing gross floor area:	<u>N/A</u>	Proposed gross floor area:	<u>N/A</u>

Community Meeting

Date Meeting Held:	<u>2/19/2019</u>	Meeting Location:	<u>Upstairs Courtroom</u>
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Purpose of the Special Use Permit and Project Narrative (*attach separate sheet if needed*):

N/A

The applicant shall provide a response to each of the following (*attach separate sheet if needed*). Staff shall prepare specific findings of fact based on the evidence submitted. Said findings shall be submitted to Board of Commissioners for their consideration.

A. The use will not endanger the public health or safety.

N/A

B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

N/A

C. The use will be in conformity with the Land Use Plan or other officially adopted plan(s).

N/A

D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

N/A

I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.



Property Owner(s)/Applicant*

2-19-2019

Date

***Note:** Forms must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants, a signature is required for each.

ALBEMARLE REGIONAL HEALTH SERVICES

275088

Applicant:

CARTWRIGHT, DANIEL CLAY
382 N. GREGORY ROAD
CAMDEN, NC 27921

Owner:

CARTWRIGHT, DANIEL CLAY
382 N. GREGORY ROAD
CAMDEN, NC 27921

Site Location:

Lot 5

BETWEEN 312 AND 296 SLEEPY HOLLOW RD
CAMDEN, NC 27921

GPD: 360 LTAR: 0.400 Classification: PS w/Fill

If unsuitable, the site may be reclassified to provisionally suitable with the following modification(s):

- * Fill Area 95 ft. by 50 ft. with 13 in. of Sand

To obtain an Authorization to Construct:

- * Submit a plat or scale drawing of the lot, showing location and dimensions of all property lines, proposed structures and driveways
- * Pay permit fee of \$225

Comments:

Fill house pad higher than finished septic tank grade

EHS: _____
Carver, Kevin

Date: 02/27/2019

THIS APPROVAL WILL BECOME VOID AFTER 12 MONTHS AND A NEW APPLICATION WILL BE NECESSARY.

Bertie (252) 794-5303 Camden (252) 338-4460 Chowan (252) 482-1199 Currituck (252) 232-6603
Gates (252) 357-1380 Pasquotank (252) 338-4490 Perquimans (252) 426-2100

Date:

From: Technical Review Staff Camden Co. School Transportation Dept.
(Organization)

To: Camden County Planning Department

RE: Preliminary Plat Sleepy Hollow Estates – 10 lots

The following are _____ input for Phase II Sleepy Hollow Estates (10 lots) major residential subdivision:

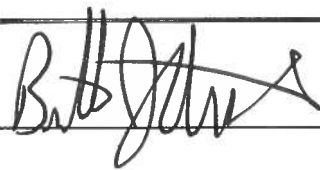
_____ Approved as is.

_____ Reviewed with no comments.

Approved with the following comments/recommendations:

See attached Memo Request

_____ Disapproved with the following comments: (Provide factual evidence for denial)

Name: Britton Overton Signature: 

Address
174 Hwy 343 North
Camden, N.C. 27921-7549
Telephone (252) 335-0831
Fax (252) 331-2300
ccsnc.org



Board Members
Christian A. Overton, *Chair*
Jason A. Banks, DDS, *Vice Chair*
Sissy Aydtlett
Kevin P. Heath
Chris Purcell

CAMDEN COUNTY BOARD OF EDUCATION

Dr. Joe Ferrell, *Superintendent*

To: Dan Porter, Planning Director
From: Britton Overton, Director of Transportation *BJO*
Date: March 5, 2019
Re: School Bus Turning Radius in Subdivision Cul-de-sac
Technical Review Committee Meeting; Sleepy Hollow Estates
CC: David Parks, Camden Planning Department

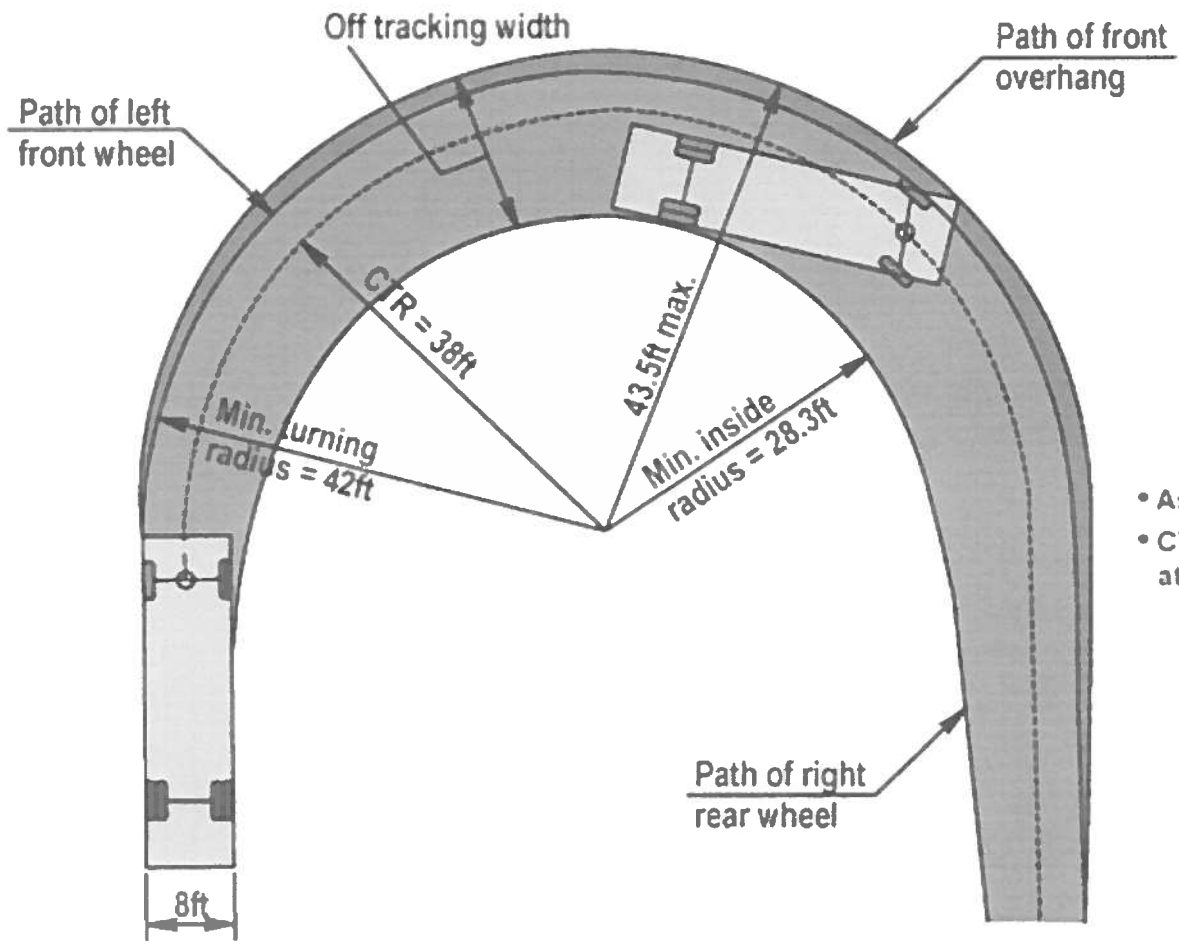
Camden County School Transportation Department requests that any subdivision created in Camden county have a minimum of 43.5' cul-de-sac radius.

The NC Department of Transportation requires a minimum cul-de-sac radius for non-curb and gutter pavement sections of 35' as per the *2010 Subdivision Roads Minimum Construction Standards*. AASHTO turning templates (attached) recommend a minimum turning radius of 42' plus an additional 1.5' to keep the rear overhand from wiping out a mailbox.

This information and support have been provided by our local state department in reference to the requested 43.5' radius.

MISSION STATEMENT

The Camden County Public Schools, in partnership with home and community, will educate all to be productive citizens in an ever-changing global society.



- Assumed steering angle is 31.7°
- CTR = Center line turning radius at front axle

Date: 3/14/18

From: Technical Review Staff Lasquetek/Camden EMS
(Organization)

To: Camden County Planning Department

RE: Preliminary Plat Sleepy Hollow Estates – 10 lots

The following are Lasquetek/Camden EMS input for Phase II Sleepy Hollow Estates (10 lots) major residential subdivision:

Approved as is.

Reviewed with no comments.

Approved with the following comments/recommendations:

Disapproved with the following comments: (Provide factual evidence for denial)

Name: Jerry Newell

Signature: Jerry Newell

Date: 3/5/19

From: Technical Review Staff Sheriff's Office
(Organization)

To: Camden County Planning Department

RE: Preliminary Plat Sleepy Hollow Estates – 10 lots

The following are _____ input for Phase II Sleepy Hollow Estates (10 lots) major residential subdivision:

Approved as is.

Reviewed with no comments.

Approved with the following comments/recommendations:

Disapproved with the following comments: (Provide factual evidence for denial)

Name: Rodney Meeds Signature: [Handwritten Signature]

Date: 2-15-19

From: Technical Review Staff Central Communications
(Organization)

To: Camden County Planning Department

RE: Preliminary Plat Sleepy Hollow Estates – 10 lots

The following are _____ input for Phase II Sleepy Hollow Estates (10 lots) major residential subdivision:

_____ Approved as is.

Reviewed with no comments.

_____ Approved with the following comments/recommendations:

_____ Disapproved with the following comments: (Provide factual evidence for denial)

Name: Kylie Felton Signature: Kylie Felton

Date: 3/4/19

From: Technical Review Staff South Camden Fire Dept.
(Organization)

To: Camden County Planning Department

RE: Preliminary Plat Sleepy Hollow Estates – 10 lots

The following are SCFA input for Phase II Sleepy Hollow Estates (10 lots) major residential subdivision:

Approved as is.

Reviewed with no comments.

Approved with the following comments/recommendations:

Disapproved with the following comments: (Provide factual evidence for denial)

Name: Kirk Jennings Signature: Kirk Jennings

Date: 3/6/19

From: Technical Review Staff Soil & Water
(Organization)

To: Camden County Planning Department

RE: Preliminary Plat Sleepy Hollow Estates – 10 lots

The following are Soil & Water input for Phase II Sleepy Hollow Estates (10 lots) major residential subdivision:

Approved as is.

Reviewed with no comments.

Approved with the following comments/recommendations:

Disapproved with the following comments: (Provide factual evidence for denial)

Name: Brian R. Lanner Signature: B. Lanner

Date: 3/6/19

From: Technical Review Staff SCW+SD
(Organization)

To: Camden County Planning Department

RE: Preliminary Plat Sleepy Hollow Estates – 10 lots

The following are SCW+SD input for Phase II Sleepy Hollow Estates (10 lots) major residential subdivision:

Approved as is.

Reviewed with no comments.

Approved with the following comments/recommendations:

Disapproved with the following comments: (Provide factual evidence for denial)

Name: David Credle Signature: David Credle



1805 West City Drive
Unit E
Elizabeth City, NC 27909

P 252.621.5030
F 252.562.6974
www.timmons.com

February 20, 2019

Mr. Dan Porter, Planning Director
Camden County
117 North NC 343
Camden, NC 27921

RE: Neighborhood Meeting Summary
Preliminary Plat for Sleepy Hollow Estates, Phase 2
Timmons Project No. 42874

Dear Mr. Porter:

Please accept this letter as the required summary of the Neighborhood Meeting for Sleepy Hollow Estates, Phase 2. The neighborhood meeting was held in the upstairs courtroom of the Historic Camden County Courthouse at 6:00 pm on Tuesday, February 19, 2019. The meeting was conducted by Kim Hamby of Timmons Group and Mr. Clay Cartwright.

I introduced myself and passed around a sign-up sheet, comment sheets, and reduced size copies of the preliminary plat to all attendees. I told the neighbors in attendance that they could use the comment sheets provided to either present written comments to me or they can submit them directly to the Camden County planning department prior to the March 20th planning board meeting. I then explained to the group that they had been invited to this meeting so we could provide them with an overview of the project, give them an opportunity to voice their concerns, and to offer them an understanding of the process that starts with this meeting and then goes to the technical review committee, the planning board and the Board of Commissioners. Next, I presented the attendees with an overview of the proposed 10-lot subdivision stating that lots will be a minimum of 40,000 sf, they will have individual septic systems and county water, and that the design will be in conformity with the Camden County Stormwater Design Manual. I further explained that the drainage pattern proposed is preliminary and could change based on the results of the analysis or if the perimeter ditch is identified as a protected stream by NCDEQ 401 Water Quality Section.

Discussion began and there were several items of concern noted:

- *Neighbors asked if the old pond would be replaced and if the sediment basin constructed in the area of the pond would remain. Mr. Forbes and Mr. & Mrs. Hamilton are specifically concerned as they are the only neighbors in attendance that own property downstream of the site.*
I explained that the sediment basin would be filled upon the completion of the project and that the stormwater storage that was provided by the old "pond" would be replaced with the flat sided property line swales and roadside ditches that would be constructed. This would be tested through the drainage model and the drainage plan will be adjusted accordingly to ensure that runoff was not increased.
- *One neighbor asked if it was true that only a 2" rainfall was studied.*
I explained that the design storm that would be studied is the 10-yr, 24-hour storm that is approximately 5-3/4" in our area.

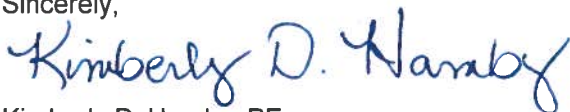
- *Mr. Forbes is also concerned about debris from construction being blown onto his property.*
I explained that we unfortunately will not have any control over the individual home builders after the subdivision is completed and lots are sold. His best option for those types of issues would be communication with the contractors and the building inspector. While I did not state this at the meeting, the landscaping required to be installed in the agricultural buffer should help trap any wind-blown debris from individual lots. During construction of the development, silt fence along the edge of the construction should help.
- *Mr. Hamilton asked if there was anything that could be done about a pipe that is downstream of his home near the intersection of Sleepy Hollow Road and Sawyer's Creek Road.*
I indicated that we had not looked at the condition of that pipe since it is downstream of our study limits but that we can look and if it is in poor condition or blocked that NCDOT may be able to help.
- *There was some discussion about the drainage patterns prior to development of the 4-lot minor subdivision.*
I explained my decision process and how I looked at the drainage areas based on a topographic survey. The area of some contention was based on a small ditch that ran along the north side of the field path and crossed under the path with a small culvert pipe so it could drain south. The neighbors did not think there was a pipe, but I explained that it was located in the topographic survey. I have now reviewed this area in historic aerial photography available on Google Earth. This imagery does indicate that the ditch along the path and the pipe were installed somewhere between March 2013 and April 2016. It was likely installed by the person who was farming the land before Mr. Cartwright purchased the land in April 2017.
- *Mr. Pippen is very concerned with the use of a bulb cul-de-sac in the roadway. He feels that the county regulations require that the road should stop at the cul-de-sac and he thinks the design is an effort to bypass the county's rules.*
I stated that the cul-de-sac is positioned to provide a turn around location for emergency services at the 1000' cul-de-sac limit. The road extends beyond the cul-de-sac only to meet the county's requirement to provide interconnectivity to the adjacent tract to provide an access point if someone wants to develop the adjacent tract in the future. The project could have just as many lots if we had terminated the road at the cul-de-sac.
- *Mr. Pippen asked why an agricultural buffer is not being shown along the northern property line where Mr. Cartwright is transferring land to the neighbors to extend each of their parcels.*
The land is not currently being farmed and does not qualify as a bona-fide farming operation. It is being added to parcels that are residential lots. I did further explain that, while there will not be a dedicated buffer on that line, I do anticipate an increased rear setback along that line to accommodate a drainage easement. The rear setback on those lots (6-10) will likely be 30' instead of the 10' minimum required by ordinance.
- *Mr. Pippen then wanted to know why there was a buffer shown adjacent to the church property on the south side of the development.*
I indicated that I did not understand that buffer; however, it had been shown in a preliminary layout from approximately 3 years ago when I was not involved. And, since it had no negative impact on the design, I had not questioned the reasoning.
- *Mr. Pippen asked why a right-of-way or easement was not being provided to the land that is being transferred to him and his neighbors. All of the neighbors agreed that the path has existed in that location for many years – dating back into the 1950's.*
I agreed that the path has been there for many years as it did serve as access to the farm that was purchased by Mr. Cartwright but that they did not need access to the land they were obtaining from the farm side because it is all contiguous with their individual lots. I also explained that, to the best of my knowledge, there had never been an easement over that path and that the existence of an easement or requirement for one should have been discovered during the extensive legal research that has been performed during the dispute over the land that is being transferred to them.

- *He then stated that it was the intent of all the neighbors to lease the land they were obtaining to a farmer and that the farmer would need access.*
I again stated that they all have direct access to that land as it is to become part of their existing parcels. Additionally, since it is a small area of land, it is very likely that a farmer interested in farming that land would be the same person farming the adjacent land and they could access it from the adjacent farm.
- *The neighbors did not like the placement of the mail boxes and bus stop. They suggested that the mailboxes be placed in front of one of the new lots instead of being in the street right-of-way near the entrance. They were also concerned that people whose children would be using the bus stop would not have a place to park when taking their children to the bus stop.*
I explained that we try to place the mailboxes in a location that will be convenient to all homeowners and where it would not be directly in front of anyone's home. The central mailboxes will be constructed in accordance with NCDOT regulations for placement within the street right-of-way and should accommodate two cars. I admitted that I have no clear direction on the placement of the bus stop and placed it as proposed assuming the bus would not enter the subdivision and felt that this would allow the children to be close to where they would be picked up at the end of the road. Mr. Porter then spoke up and indicated that we would need to seek guidance from the school system's transportation department for recommendations on placement of the bus stop and that the transportation department may not want one installed.
- *It was asked if a sidewalk had to be provided to the mailbox.*
I stated that we would investigate to see if this is a building code requirement as it is not currently required by the County's ordinance.
- *We discussed that the existing 6" waterline is on the opposite side of Sleepy Hollow Road and that the nearest hydrant is located just north of the 4 lots that were developed under the minor subdivision process.*
- *One neighbor asked how large the homes would be.*
Mr. Cartwright indicated that covenants would require a minimum square footage of 1500 sf.

A copy of the sign-in sheet, written comments from Mr. Hamilton, and the reduced copy of the plan that was provided to the neighbors are attached.

If you have any questions or need additional information, please do not hesitate to contact me at 252.621.5029 or kim.hamby@timmons.com.

Sincerely,



Kimberly D. Hamby, PE
Sr. Project Manager
Timmons Group

Cc: Mr. Daniel Clay Cartwright
File

Attachments



TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS.

Timmons Group Sign-In Sheet
Camden County Community Meeting
Sleepy Hollow Estates Phase 2
February 19, 2019
6: 00PM

Name (Printed)	Phone Number	Email	Address
Aaron Phippen	252-207-9390	acpippen14@hotmail.com	262 Sleepy Hollow Rd.
Livia Phippen	252-207-3294	liupip1@hotmail.com	" " " "
Brad Hamilton	252-331-5851	bradandSarah@rocketmail.com	334 Sleepy Hollow Rd
Sarah Hamilton	"	"	"
JOE FORBES	³⁵² 355-5093		244 SAWYER CREEK RD
Wanda Daniels	252-339-6041		272 Sleepy Hollow Rd.
Miles Gregory	³³⁵ -1474		266 Sleepy Hollow Rd.
Also in Attendance:			
Kim Hamby - Timmons			
Clay Cartwright - Developer			
Dan Porter - Camden Co.			



TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS.

Camden County Community Meeting

Sleepy Hollow Estates Phase 2

February 19, 2019

Name: Brad Hamilton

Email: _____

Phone Number: 252 331 5851

Address: 334 Sleepy Hollow Rd Camden NC 27921

Please write any questions, comments or concerns that you may have:

I am concerned about drainage off of the site
because any increase in runoff ends up in our house.

I also don't understand a culdesac in the middle
of the road.

-Thank you for taking the time to come today!