



# Chatham County, NC

## Legislation Details (With Text)

**File #:** 19-3108      **Version:** 1

**Type:** Agenda Item      **Status:** Passed

**File created:** 5/30/2019      **In control:** Planning

**On agenda:** 6/17/2019      **Final action:** 6/17/2019

**Title:** Vote on a request to approve a request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision Final Plat approval of Briar Chapel, Phase 16 North, consisting of 56 lots on 32.818 acres located off Middleton Place, parcels 82829, 1184, and 2177.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. More information from the Planning Department website

Date	Ver.	Action By	Action	Result
6/17/2019	1	Board of Commissioners	approved	Pass

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**Action Requested:**

Vote on a request to approve a request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision Final Plat approval of Briar Chapel, Phase 16 North, consisting of 56 lots on 32.818 acres located off Middleton Place, parcels 82829, 1184, and 2177.

**Introduction & Background:**

Zoning: Conditional Use District / Compact Community, Water System: Public, Chatham County, Sewer System: Private wastewater treatment plant. Subject to 100 year flood: No floodable area in Phase 16. General Information: Compact Community approved in 2005 for 2,389 dwelling units on 1,589 acres, permit revised in 2012, 2014 and 2017. Current number of dwelling units allowed based on the 2017 CUP amendment is 2650.

Reviewed: Under pre-2008 Subdivision Regulations. Current number of dwelling units allowed based on the 2017 CUP amendment is 2650.

**Discussion & Analysis:**

The request is for Final Plat approval of Briar Chapel, Phase 16 North consisting of 56 lots on 32.818 acres with a financial guarantee for the completion of required infrastructure. Phase 16 North received preliminary plat review and approval by the Board of County Commissioners on August 20, 2018 for 56 lots. The submittal includes a request for a financial guarantee for completion of the required infrastructure. Under the pre-2008 Subdivision Regulation, a project must have a minimum of 40% of the infrastructure completed prior to submittal of a final plat and the roads must be accessible to emergency vehicles. A cost estimate letter, dated April 12, 2019, has been provided by Chris Seamster, PLA, McKim & Creed, Inc. stating that the required infrastructure is 41% complete.

The cost letter may be updated prior to plat recordation if additional work has been completed. Staff recommends granting the request for a financial guarantee. Staff also recommends that the final plat not be recorded until the engineer has certified that the roadway providing access to the parcels are accessible to emergency vehicles and recommends that the final plat not be recorded until the county attorney has reviewed and approved the form of the contract and financial guarantee.

Per the approved preliminary plat, roadways are proposed to be public and state maintained. There are no private alleyways and no additional parking in Phase 16 North. Middleton Place is an extension of an existing road within Phase 16 South. A small portion of Middleton Place will extend into US Steel and six (6) lots in US Steel are proposed to front on Middleton Place. Phase 16 North has two common areas, Common Area #86 and Common Area #87. As shown on the plat, Common Area #86 has 20.619 acres and Common Area #87 has .930 acres. Common Area #86 has a common boundary with Persimmon Hill Subdivision and Twin Lakes Golf Course. Common Area #87 has common boundary with US Steel.

Riparian buffer widths of 50 feet per side, measured from top of bank landward, have been shown on the plat. There are two stormwater features in Phase 16 North. Final plat information includes the approximate BMP location using top of bank of the existing features and has been reviewed and approved by Watershed Protection staff. The required stormwater note regarding the Operations and Maintenance Agreement and the maintenance responsibility of the stormwater features is included on the final plat.

The following condition was added to the preliminary plat approval for this phase - "The final plat shall show a uniform buffer adjacent to the wetland located between the US Steel property and Briar Chapel." A uniform buffer is shown on the final plat between the US Steel/Briar Chapel boundary and the Middleton Place right-of-way.

The Technical Review Committee met on April 17, 2019 to review the request. Staff discussed private and/or public drainage easements, visit to the cemetery on parcel 1184, and if there's connectivity of the streams. There was no representative present for the TRC meeting, but Chris Seamster provided additional information via email. Per Mr. Seamster's email dated April 23, 2019 public drainage easements are marked correctly and based on the delineation the streams aren't connected. Bev Wiggins with Chatham County Historical Association plans to visit parcel 1184 to record the cemetery within the next few weeks.

### **Planning Board Discussion -**

The Planning Board met on May 7, 2019 to review the request. Chris Seamster, P.E. and Lee Bowman, Senior Project Manager, were present to answer questions. Comments and questions from the Board included the location of a cemetery on parcel 1184 and a continuous 50' buffer on disconnected streams. Board members wanted the disconnected streams on the plat to be shown as connected streams with buffers. Mr. Bowman and Mr. Seamster agreed to connect the disconnected streams and buffers on the final plat.

### **How does this relate to the Comprehensive Plan:**

The subject property is located in an area designated as Compact Residential which allows a mix of detached and attached residential units complemented by a variety of open spaces. Phase 16 North will have 56 single family detached homes on 23.92 acres. Compact Residential allows community

centers, amenities, recreational uses, schools and churches. Briar Chapel development has various amenities including parks, walking trails, club house and pool, along with public schools either within the development or on adjacent properties. Compact Residential areas are to be connected by a system of local and collector streets. Phase 16 North has public roadways connecting to the balance of Briar Chapel.

**Recommendation:**

The Planning Department and Planning Board (by 8-1 vote) recommend granting final plat approval of “Final Subdivision, Easement, and Right-of-Way Dedication Plat of Briar Chapel Development Phase 16 North for NNP Briar Chapel, LLC” with the following conditions:

1. Prior to final plat recordation the county attorney shall approve the form of the contract and financial guarantee.
2. Prior to final plat recordation the engineer shall certify to the county that there is all weather access for emergency vehicles and the certification must be approved by the Fire Marshal.
3. The final plat shall add a continuous buffer between two disconnected sections of a stream.