



# Chatham County, NC

## Legislation Details (With Text)

**File #:** 17-2253      **Version:** 1

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

**File created:** 6/30/2017      **In control:** Planning

**On agenda:** 7/17/2017      **Final action:** 7/17/2017

**Title:** Vote on a request to approve Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision Preliminary Plat review and approval of Briar Chapel, Phase 15 South, consisting of 141 lots on 44.23 acres, located off Andrews Store Road, SR-1528 and Boulder Point Drive, Baldwin Township, parcel #82828.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. More Information from Planning Department Website

Date	Ver.	Action By	Action	Result
7/17/2017	1	Board of Commissioners	approved	Pass

Vote on a request to approve Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision Preliminary Plat review and approval of Briar Chapel, Phase 15 South, consisting of 141 lots on 44.23 acres, located off Andrews Store Road, SR-1528 and Boulder Point Drive, Baldwin Township, parcel #82828.

**Action Requested:**

Request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision Preliminary Plat review and approval of Briar Chapel, Phase 15 South, consisting of 141 lots on 44.23 acres, located off Andrews Store Road, SR-1528 and Boulder Point Drive, Baldwin Township, parcel #82828.

**Introduction & Background:**

**Zoning:** Conditional Use District / Compact Community

**Water System:** Public, Chatham County

**Sewer System:** Private wastewater treatment plant

**Subject to 100 year flood:** Zone X and Zone AE

**General Information:** Compact Community approved in 2005 for 2,389 dwelling units on 1,589 acres, permit revised in 2012 and 2014. Current number of lots allowed based on the 2014 CUP amendment is 2500.

**Reviewed:** Under pre-2008 Subdivision Regulations

On May 15, 2017 the Board of County Commissioners approved a Waiver Request for a 100% reduction of the 100 feet perimeter buffer adjacent to parcel #2832.

**Discussion & Analysis:**

The request before the Board is for subdivision preliminary plat review for Briar Chapel, Phase 15 South, consisting of 141 lots on 44.23 acres. NNP Briar Chapel submitted a Waiver Request for a 100% reduction of the 100 foot perimeter buffer adjacent to parcel #2832, which is a 20 acre tract also owned by NNP Briar Chapel. Parcel #2832 is not within the boundaries of the conditional use permit. There was discussion at the Board of Commissioners meeting regarding the location of a proposed pump station adjacent to parcel #66186. Newland Communities representatives agreed to move the pump station further away from the boundary of parcel #66186 at the request of an adjoining property owner. Landscaping will also be installed once grading is completed and construction of the infrastructure is complete per a plan submitted with the waiver request. The overall site plan, attachment # 3, includes the 100 foot perimeter reduction and shows the proposed pump station located 75 feet from the boundary of parcel #66186.

**Roadways:** Roadways are proposed to be built to the NCDOT standard for public, state maintained roads. There will also be private alleyways. The Construction Plans show 12 off-site parking spaces within Phase 15 South. An emergency vehicle turn-around has been provided at the end of the stub street adjacent to parcel #2832. Per Chris Seamster, RLA McKim & Creed, the turn-around is 70' long and 20' wide with a 28' radii and meets the minimum required by the State Fire Code. The Chatham County Fire Marshal and North Chatham Fire Department have been provided a copy of attachment # 3.

**Road Names:** The following road names have been approved by the Emergency Management Office as acceptable for submittal to the Board of Commissioners for approval: Chapel Lawn Avenue, Birch Hollow Road, Bluffwood Avenue, Logbridge Road, Pineland Street, Crowfoot Court, Star Grass Trail, Grouse Trail, Tottenham Street, Trelauny Drive, and Trappers Run.

**Permits:** The applicant has submitted the approved agency permits as required for a preliminary plat request which include NCDOT, Chatham County Erosion Control, USACOE, NCDEQ DWQ, and Chatham County Public Works. The permits can be viewed on the Planning Department webpage at [www.chathamnc.org/planning](http://www.chathamnc.org/planning) <<http://www.chathamnc.org/planning>> Rezoning & Subdivision Cases, 2017. A copy of the Stormwater Permit/Plan issued by NCDWR, dated March 10, 2017 has been submitted to Chatham County Environmental Quality Department as required by the Compact Community Ordinance, Section 8.

**Technical Review Committee:** The TRC met on May 17, 2017 to review the request. Chief John Strowd, North Chatham Fire Department was present at the TRC meeting along with county staff from Planning, Environmental Quality, Fire Marshal, Public Works and Central Permitting. Lee Bowman, Chris Seamster, and Garretson Browne were present to represent the developer. Discussion included providing a temporary turn-around at the end of the stub road, location of pump station, submittal of Stormwater Plans to Chatham County Environmental Quality, overflow parking, on-street parking, and emergency vehicle access. The Fire Marshal and Chief Strowd of the North Chatham Fire Department continue to have concerns regarding emergency vehicle access and on-street parking. The developer has provided two additional copies of the complete Construction Plans to the Planning Department for Board member review.

The Planning Board met on June 6, 2017 to review the request. Lee Bowman, Project Manager, Garretson Browne, Construction Manager, and Chris Seamster, RLA, McKim & Creed were present to represent the developer. The Planning Board discussed the request and had the following concerns/questions:

Emergency vehicle access; additional off-site parking; location of retaining walls; location of wetlands; ownership and maintenance of common areas; and public roadway extension to parcel

#2832.

Mr. Bowman and Mr. Seamster addressed the questions and stated that Briar Chapel representatives had met with Chief John Strowd, North Chatham Fire Department, Tom Bender, Fire Marshal, and Planning staff to discuss the emergency vehicle access and on-street parking concerns; that the discussion is on-going; that an emergency vehicle turn-around, 20' wide and 70' feet long, was being provided at the end of the stub street adjacent to parcel #2832; that 12 off-site parking spaces were included in Phase 15 South for residents and guests; that retaining wall locations are shown on the construction plans; that all wetlands are located within the riparian buffers along the streams within the common areas; that the common areas will be deeded to and maintained by the homeowners association; and that at the time the public roadway is extended to Andrews Store Road through parcel #2832, that the major subdivision requirements will have to be followed.

Mr. Rusty Nipper, adjacent parcel owner, parcel #64673, stated he had a concern regarding water quality of the streams located on his property due to construction of Briar Chapel property. Mr. Bowman stated that the 100 foot wide perimeter buffer along Mr. Nipper's property was not being reduced and would remain undisturbed. It was noted that the location of the stream is completely on Mr. Nipper's property.

**Recommendation:**

The Planning Board (by unanimous vote - 9 members present) and the Planning Department recommend approval of the road names Chapel Lawn Avenue, Birch Hollow Road, Bluffwood Avenue, Logbridge Road, Pineland Street, Crowfoot Court, Star Grass Trail, Grouse Trail, Tottenham Street, Trelauny Drive, and Trappers Run and approval of the preliminary plat titled Briar Chapel, Phase 15 South as submitted.