



# Chatham County, NC

## Legislation Text

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**File #:** 19-3329, **Version:** 1

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Vote on a request to approve by Garretson Browne, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Final Plat** review and approval of **Briar Chapel, Phase 12A**, consisting of 74 lots on 37.6 acres, located off Great Ridge Parkway, SR-1692, Baldwin Township, parcels #80420, 80418, 87088, & 88053.

### **Action Requested:**

A request to approve by Garretson Browne, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Final Plat** review and approval of **Briar Chapel, Phase 12A**, consisting of 74 lots on 37.6 acres, located off Great Ridge Parkway, SR-1692, Baldwin Township, parcels #80420, 80418, 87088, & 88053.

### **Introduction & Background:**

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

**Water System:** Public, Chatham County

**Sewer System:** Private wastewater treatment plant

**Subject to 100 year flood:** Floodable area in Phase 12A

**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 12A consisting of 74 lots on 37.6 acres with a financial guarantee for the completion of required infrastructure. Phase 12A received preliminary plat review and approval by the Board of County Commissioners on March 18, 2019 for 134 lots. The submittal includes a request for a financial guarantee for completion of the required infrastructure. Under the pre-2008 Subdivision Regulations, 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 October 11, 2019, has been provided by Chris Seamster, PLA, McKim & Creed, Inc. stating that the required infrastructure is 52% 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 roads. Phase

12A is located off Great Ridge Parkway. There's one private alleyway (Mills Gap Road), two public roads (Vandalia Ave and Chauncey Circle) and 27 on-street parking spaces in Phase 12A.

Phase 12A has one common area, Common Area #90. As shown on the plat, Common Area #90 has 22.813 acres. Common Area #90 has a common boundary with Richard and Margaret Wilson, Marvin Meacham, and Douglas Roberts. There is a 100' perimeter buffer provided along Richard and Margaret Wilson (parcel 62256) and Marvin Meacham (parcel 2190) properties and a 50' voluntary buffer provided along Douglas Roberts' property (parcel 2246).

Riparian buffer widths of 50 feet per side (100' total) and 100 feet per side (200' total) measured from top of bank landward have been shown on the plat. There is one stormwater feature in Phase 12 A, but a total of two in the phase. The 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 conditions were added to the preliminary plat approval for this phase -

1. "The final plat shall include the approximate location of the BMP using top of bank of existing feature (no pipes or risers); the BMP maintenance easement be labeled and shown as 'private' with a minimum of 10 feet clearance; and the location of the access to the stormwater easement from the public right-of-way."
2. "A note shall be placed on the final plat stating the maintenance responsibility of the stormwater features."

The BMP, access to the BMP and a note stating the maintenance responsibility of the stormwater feature is shown on final plat.

The Technical Review Committee met on October 16, 2019 to review the request. Staff discussed public right-of-way, mail kiosk location, floodplain, and road names. There were no other staff concerns.

### **Planning Board:**

The Planning Board reviewed the application during their November 5, 2019 meeting. Planning Board discussion included questions about the number of lots being presented were less than the preliminary approval, if there's a retaining wall near the stormwater pond, if the 100 year floodplain and wetland requires buffers since this project is a pre-'08, if the homes will have garages and driveways, and sewage issues and if the issues have been addressed. Mr. Nick Robinson and Mr. Chris Seamster were present and addressed the questions asked of the board. Seventy - four lots are proposed for Phase 12A and the remaining sixty lots will be presented later. Mr. Seamster explained the retaining wall is up against the stormwater pond and not in the 100 year floodplain. The 100 year floodplain and wetlands don't require buffers because it's reviewed under the pre-'08 rules. The homes in Phase 12A will have garages, driveways, and there are 27 additional parking spaces

within the phase. Mr. Robinson stated the sewage issues were isolated and have been resolved.

**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 12A will have 74 single family detached homes on 37.6 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 12A has public roadways connecting to the balance of Briar Chapel.

**Recommendation:**

The Planning Department and Planning Board unanimously recommends granting final plat approval of **“Final Subdivision, Easement, and Right-of-Way Dedication Plat of Briar Chapel Development Phase 12A 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.