



Chatham County, NC

Legislation Text

File #: 17-2205, **Version:** 1

Vote on a request to approve Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Final Plat** review and approval of **Briar Chapel, Phase 10, Section 2**, consisting of 65 lots on 17.96 acres, located off SR-1528, Andrews Store Road, Baldwin Township, parcel #2714 and grant approval of the road name Brookline Drive

Action Requested:

Request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Final Plat** review and approval of **Briar Chapel, Phase 10, Section 2**, consisting of 65 lots on 17.96 acres, located off SR-1528, Andrews Store Road, Baldwin Township, parcel #2714.

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 10

General Information: Compact Community approved in 2005 for 2,389 dwelling units on 1,589 acres, permit revised in 2012 and 2014.

Reviewed: Under pre-2008 Subdivision Regulations.

Discussion & Analysis:

The request is for Final Plat approval of Briar Chapel, Phase 10, Section 2 consisting of 65 lots on 17.96 acres with a financial guarantee for the completion of required infrastructure. Phase 10 received preliminary plat review and approval by the Board of County Commissioners on 6/20/2016 for 99 lots. Phase 10, Section 1 received final plat approval on 1/17/2017 for 41 lots. Per the Section 2 final plat application seven (7) lots have been added to the Section 2 final plat. No change to the roadway or to the waterline was required to add the additional lots. Larry Bridges, Chatham County Utilities Director, stated in an e-mail that the availability fees had been paid for the additional lots. The preliminary plat fee for the 7 additional lots has been paid. Per the cost estimate letter, dated April 7, 2017 prepared by Chris Seamster, RLA, Section 2 is 76% complete. The cost letter will be updated prior to final plat recordation. Per the Subdivision Regulations, the county attorney is required to review and approved the form of the contract and financial guarantee. Prior to final plat recordation the engineer is required to certify to the county that there is all weather access for emergency vehicles and the certification must be approved by the Fire Marshal. Phase 10 is adjacent to properties owned by others.

A perimeter buffer of 100 feet is shown on the final plat. Per the Compact Communities Ordinance, the perimeter buffer shall be utilized to minimize the impacts of each compact community on adjacent

properties along the entire perimeter of the compact community. During the preliminary plat review, two adjoining property owners, Moore Family Partnership and XDS, Inc. requested access to their property from Phase 10. The Moore Family Partnership, 25 acres, is an undeveloped, landlocked property. The XDS, Inc. property, 34.498 acres, is a non-conforming, non-profit, rehabilitation facility, known as The Farm at Penny Lane that has frontage on a pre-1975 roadbed which limits future development potential plus a creek crossing is required to access the portion of XDS, Inc. property adjacent to Briar Chapel. The preliminary plat approval included a condition that the final plat include a dedication of public right-of-way to the common boundary line of Parcel #2817 and Parcel #2717 to provide future connectivity, as required by the Subdivision Regulations in Section 6.2, Rural Roads, B (3), and Condition # 12 as stated in the Briar Chapel 2014 Resolution Approving a Revision to a Conditional Use Permit Request. This condition has been met as shown on the final plat by providing public road right-of-way dedication to the common boundary line of parcel #'s 2817 and 2717. Briar Chapel will construct the public road to the inside edge of the perimeter buffer. The construction of the connecting roadway (through the perimeter buffer) will be the responsibility of the owners of parcel #'s 2817 and 2717. As stated during the preliminary plat review, if county water is considered available, the waterline may be required to be extended to serve any future development of the parcels and would be the responsibility of the owners of parcel #'s 2817 and 2717.

The alleyway name, Brookline Drive, shown on the final plat replaces the name Rye Grass Run Trail that was approved by the Board of Commissioners with the preliminary plat approval. Rye Grass Run Trail was used in Phase 10, Section 1. The Emergency Operation Office has approved the name Brookline Drive for submittal for approval with the final plat.

The Technical Review Committee met on April 12 to review the request. The TRC discussed the public road dedication of right-of-way to the adjoining property owners; addition of required stormwater language to the final plat; Carolina Ridge Road shown on the original final plat submittal not the correct road name; should be Cardinal Ridge Road; addition of new road name, Brookline Drive; need for Briar Chapel to submit all road names to Emergency Operations prior to preliminary plat review; confirmation from Public Works that water availability fees for additional lots had been paid. After the TRC meeting and prior to the Planning Board meeting, the final plat was revised to address the above items.

The Planning Board met on May 2, 2017 to review the request. Lee Bowman, Garretson Browne, with Briar Chapel, and Chris Seamster, RLA, McKim & Creed, and Nick Robinson, Attorney were present to represent Briar Chapel. The Board discussed the request and had the following concerns / questions:

-where were additional 7 lots added; product type; will the alleyways allow 2 way traffic or on-street parking; potential additional traffic on Woodland Grove if parcels #2817 and #2717 are further developed into residential lots; timing of final paving of Woodland Grove.

Lee Bowman, Project Manager addressed the questions and stated that the additional lots were added in the southwest portion of Section 2; that the product type will be cottage homes ranging in size from approximately 1400 sq ft to 2000 sq ft; that alleyways normally do not have two way traffic; on-street parking is not allowed in alleyways; and that the final overlay of pavement on Woodland Grove will be completed in the summer of 2017.

Recommendation:

The Planning Board by unanimous vote and the Planning Department recommend granting approval of the road name Brookline Drive and approval of the final plat titled "**Briar Chapel, Phase 10, Section 2**" 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.