

## **..TITLE**

A request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Final Plat approval of Briar Chapel, Phase 15 South, Section 2**, consisting of 39 lots on 6.112 acres located off Boulder Point Drive, parcel #82828.

## **..ABSTRACT**

### **Action Requested:**

Vote on a request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Final Plat approval of Briar Chapel, Phase 15 South, Section 2**, Consisting of 39 lots on 6.112 acres located off Boulder Point Drive, 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:** No special flood hazard area in Phase 15 South, Section 2

**General Information:** Compact Community approved in 2005 for 2,389 dwelling units and commercial uses on 1,589 acres, permit revised in 2012, 2014, & 2017. Current number of dwelling units allowed based on the 2017 CUP amendment is 2,650.

**Reviewed:** Briar Chapel is reviewed under the pre-2008 Subdivision Regulations. The Board has 60 days to make a recommendation on the request.

### **Discussion & Analysis:**

The request before the Board is for final plat approval of 39 residential lots on 6.112 acres. The preliminary plat for Briar Chapel, Phase 15 South consisting of 141 lots was approved by the Board of Commissioners on July 17, 2017. Final plat for Phase 15 South, Section 1 was approved for 104 lots on December 18, 2017, two additional lots were included in the approval. 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. The final plat is submitted with a request for a financial guarantee for completion of the necessary infrastructure. Per the cost letter submitted by Chris Seamster, PLA, dated March 19, 2018 the improvements are 77% complete. An updated cost letter may be submitted prior to final plat approval if additional work has been completed. Staff recommends granting approval of the request for a financial guarantee.

The Technical Review Committee met on March 14, 2018 to review the request. Staff discussion included perimeter buffer waiver, stream buffer labeling, turnaround for emergency vehicles, and residential parking.

There are six on-street parking spaces located within the public right-of-way of Birch Hollow Road, which will be maintained by NCDOT. A temporary turnaround for emergency vehicles has been provided at the end of Birch Hollow Road near the pump station. North Chatham Fire Department has reviewed and approved the temporary turnaround.

**Perimeter Buffer:** Briar Chapel submitted a Compact Community Ordinance Waiver Request on March 23, 2017 for a 100% reduction a 100 foot perimeter buffer adjacent to parcel #2832 for a distance of 496 feet. Briar Chapel owns parcel #2832, which is a 20 acre tract and is outside the footprint of the Compact Community. The parcel is zoned R-1. The waiver request was to accommodate a road stub-out to parcel #2832, and to allow additional lots, and a sewer pump station to be placed in the area. The waiver request was approved by the Board of County Commissioners on May 15, 2017.

**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 15 South, Section 2 will have 39 single family detached homes and 10.788 acres of open space. 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 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 15 South, Section 2 has public roadways connecting to the balance of Briar Chapel.

**Planning Board Discussion:**

Planning Board met April 3, 2018 to review the request. The discussion included the perimeter buffer and road stub-out to parcel #2832. The stub-out connects to parcel 2832 which is not part of Briar Chapel and not within the Compact Community District. Per Nick Robinson, Attorney-at-Law representing Newland Communities, parcel #2832 will be developed in the future in accordance with the Subdivision Regulations and there will be another entrance through this parcel to Briar Chapel. A Board member asked, if the 100' perimeter buffer will extend along the western property boundary of the Thomas property when parcel #2832 is developed in the future and Mr. Robinson stated no. Mr. Robinson also pointed out that there will be a temporary turnaround near the pump station and that North Chatham Fire Department had reviewed and approved the turnaround.

There were general questions about the common area.

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**Recommendation:**

The Planning Department and Planning Board by unanimous vote recommends granting the request for a financial guarantee and granting final plat approval of “**Briar Chapel Development Phase 15 South, Section 2**” with the following condition:

1. The final plat not be recorded until the county attorney has reviewed and approved the form of the financial guarantee.
2. The final plat not be recorded until staff has received certification from the engineer that the roadway is accessible to emergency vehicles.
3. The final plat shall show the continuous 100' Viewshed Buffer on Common Area #83.