



# Chatham County Planning Board Agenda Notes

**Date: June 2, 2020**

**Agenda Item: VII-2**

**Attachment #: 2**

- Subdivision**
                 
  **Conditional Use Permit**
                 
  **Rezoning Request**  
                                 
  **Other:**

<b>Subject:</b>	A request by Tanya Matzen, Vice President, on behalf of NNP Briar Chapel, LLC for subdivision <b>Final Plat</b> review and approval of <b>Briar Chapel, Phase 12B</b> , consisting of 60 lots on 27.5 acres, located off Great Ridge Parkway, SR-1692, Baldwin Township, parcels # 80418 and 87088.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	1. Major Subdivision Application 2. Final Plat titled "Final Subdivision, Easement, Right-of-Way Dedication Plat of Briar Chapel Development Phase 12B for NNP-Briar Chapel, LLC" prepared by McKim & Creed

**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 12B consisting of 60 lots on 27.5 acres with a financial guarantee for the completion of required infrastructure. Phase 12B 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 March 13, 2020, has been provided by Chris Seamster, PLA, McKim & Creed, Inc. stating that the required infrastructure is 57% 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 12B is located off Great Ridge Parkway. There's one private alleyway (Twin Leaf Street), one public street (Copper Leaf Avenue) and 7 on-street parking spaces in Phase 12B.

Phase 12B has two common areas, Common Area #94 and #95. As shown on the plat, Common Area #94 has 1.209 acres and Common Area #95 has 15.048 acres. Common Area #94 has a common boundary with Richard and Margaret Wilson and Common Area #95 has a common boundary with Donald Medlin, Manns Chapel Development, LLC, David Leeper, and Chapel in the Pines Presbyterian Church Inc. There is a 100' perimeter buffer provided along Richard and Margaret Wilson (parcel 62256), Donald Medlin (parcel 62269), Manns Chapel Development, LLC (parcel 2533), David Leeper (parcel 2623), and Chapel in the Pines Presbyterian Church Inc. (parcel 87596).

Riparian buffer widths of 50 feet per side (100' total) measured from top of bank landward with a 10 feet no build zone both have been shown on the plat. There is one stormwater feature in Phase 12 B, 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 March 18, 2020 to review the request. Staff discussion included what is in the common areas, the utilities department approved the construction plans, initial water line construction is completed, and need to pass a bac-T test and a walk-thru w/ punch list must be completed. There were no other staff concerns.

**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 12B will have 60 single family detached homes on 27.5 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 12B 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 12B 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