

..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 1, consisting of 104 lots on 28.94 acres, located off Andrews Store Road, SR-1528 and 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 1, consisting of 104 lots on 28.94 acres, located off Andrews Store Road, SR-1528 and Boulder Point Drive, parcel #82828

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 15 South, Section 1

General Information: Compact Community approved in 2005 for 2,389 dwelling units on 1,589 acres, permit revised in 2012, 2014, 2017. Based on the 2017 CUP revision, 2650 dwelling units are allowed in a Compact Community.

Reviewed: Under pre-2008 Subdivision Regulations.

The Planning Board has two (2) meetings to review and made a recommendation on the request.

Discussion & Analysis:

This request is for final plat approval of Briar Chapel, Phase 15 South, Section 1 consisting of 104 lots on 28.94 acres. Two lots were added to the Section 1 final plat near the intersection of Logbridge Road and Bluffwood Avenue in an area previously designated as open space.

This is a portion of the Phase 15 South preliminary plat approved July 17, 2017 for 141 lots. The submittal includes a request for a financial guarantee for completion of the required infrastructure. Per the pre-2008 Subdivision Regulations, when a minimum of 40% of the infrastructure has been completed and when the public health and/or safety will not be endangered, the County may waive the requirement that the applicant complete all required improvements prior to the signing of the subdivision plat, and that as an alternative, the applicant can post an adequate security at the time of application for final subdivision approval. Per Chris Seamster, RLA, McKim & Creed, the Phase 15 South, Section 1 infrastructure is 40.1% complete. The cost letter will be updated prior to recordation of the final plat. The county attorney is required to review and approve the form of the contract and financial guarantee. The Subdivision Regulations also states that the public health and/or safety will not be endangered. At a minimum, the roads in Phase 15 South, Section 1 will need to have sufficient gravel prior to final plat recordation. The engineer will provide a letter to staff prior to recordation of the final plat certifying that the roadways are accessible to emergency vehicles and the Fire Marshal will review and approve the road certification

letter. Staff recommends granting the request for a financial guarantee and recommends a road certification letter be submitted and approved prior to final plat recordation.

Per the approved preliminary plat, roadways are proposed to be public, state maintained roads and private alleyways. Twelve (12) off-site parking spaces are being provided with Phase 15 South. Six (6) overflow parking spaces are being provided in Section 1 along Pineland Street within the state road right-of-way and will be maintained by NCDOT once the roadways are accepted for maintenance.

As shown on the final plat, there is a stream located within Common Area 81. Riparian buffer widths ranging from 50 feet per side to 100 feet per side, measured from top of bank landward, have been shown on the plat.

There are two stormwater features in Phase 15, Section 1. Final plat information includes the approximate BMP location using top of bank of the existing features and has been reviewed and approved by Environmental Quality 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 Technical Review Committee met on October 18 to review the request. Chris Seamster was present to represent the developer. Staff discussion included stormwater information and width of riparian buffers required to be shown on the final plat; labeling the off-site parking spaces; and engineer's certification of emergency vehicle access.

The Planning Board met on November 7, 2017 to review the request. Lee Bowman, Project Manager, Chris Seamster, RLA, McKim & Creed, and Nick Robinson, Attorney-at-Law were present to represent the developer. Comments/questions from the Board included:

--why does the stream width vary from perennial to intermittent then perennial. Per Mr. Seamster, on-site stream evaluation was completed by the US Army Corps of Engineers and the buffer widths meet the requirements based on the riparian buffer review,

--could the private wastewater line crossing the stream be relocated or installed using a bore under the stream? Per Mr. Seamster, the crossing is a 60 to 75 foot long aerial crossing and due to issues relating to the pump station elevation cannot be relocated or installed using a bore under the stream,

--request that the final plat show the 30 foot wide voluntary wetland buffer along all wetlands. Per Mr. Robinson, the developer will add the 30 foot wide voluntary wetland buffer, but reminds the Board that wetlands were not required to be buffered at the time the project was originally approved and this is a voluntary buffer provided by the developer.

Recommendation:

The Planning Board, by a vote of 8-0 and the Planning Department recommend granting final plat approval of Final Subdivision, Easement and Right-of-Way Dedication Plat of Briar Chapel Development Phase 15 South, Section 1 for NNP Briar Chapel, LLC” with the following conditions:

1. Prior to final plat recordation, the county attorney shall review and approve the contract and financial guarantee.
2. Prior to final plat recordation the engineer shall provide certification that the roadways are accessible to emergency vehicles to protect the public health and safety.
3. Location of a 30 foot wide voluntary wetland buffer along all wetlands be shown on the final plat.