

..TITLE

Vote on a request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Preliminary Plat for Briar Chapel, Phase 16 North**, consisting of 56 lots on 23.92 acres located off Middleton Place, parcels #2177, #82828 and #1184.

..ABSTRACT

Action Requested:

Vote on a request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC for subdivision **Preliminary Plat for Briar Chapel, Phase 16 North**, consisting of 56 lots on 23.92 acres located off Middleton Place, parcels #2177, #82828 and #1184.

Introduction & Background:

Zoning: Conditional Use District / Compact Community

Water System: Public, Chatham County

Sewer System: Private wastewater treatment plant

Subject to 100 year flood: Zone X and Zone AE

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

Reviewed: Briar Chapel is reviewed under pre-2008 Subdivision Regulations. In October of 2017, Briar Chapel submitted a waiver request to the Board of County Commissioners to allow a roadway stream crossing between Phase 16 South and Phase 16 North in accordance with impacts previously approved by the U. S. Army Corps of Engineers and NCDENR. Per Nick Robinson, Attorney, the crossing would allow continuity between Phase 16 South and Phase 16 North. Both phases are age 55+ housing neighborhoods. The BOC referred the waiver request to the Chatham County Environmental Review Advisory Committee (ERAC) for review and recommendation. ERAC unanimously recommended granting the requested waiver on December 14, 2017. The Board of Commissioners approved the waiver request on January 16, 2018. See attachment #3.

Discussion & Analysis:

The request before the Board is for subdivision preliminary plat review and approval for Briar Chapel Phase 16 North consisting of 56 lots on 23.92 acres. Approval of the Phase 16 North preliminary plat with the stream crossing will affect the road and lot layout in the adjacent US Steel development. Attachment #4 shows the original road and lot layout as approved by the BOC in 2014. Attachment #5 shows the proposed changes to US Steel based on approval of Phase 16 North. Attachment # 6 shows the original road layout in blue and the proposed road layout in red. There are no US Steel lots included in this application. The preliminary plat shows six (6) lots in US Steel (greyed out) that will front on Middleton Place that will be included in a future submittal.

See the cover letter dated June 28, 2018 prepared by Chris Seamster, PLA, McKim and Creed, attachment # 2. Approval of Phase 16 N as proposed will change the configuration of US Steel as shown on Attachment # 5. The reconfigured road layout will then be incorporated into the Construction Plan submittal for US Steel.

Roadways: Roadways are proposed to be built to the NCDOT standard for public, state maintained roads. There are no private alleyways and no additional parking proposed for this section.

Road Names: The following road names have been approved by the Emergency Management Office as acceptable for submittal to the Board of Commissioners for approval: Middleton Place and Clifridge Court. Middleton Place is an extension of an existing road within Phase 16 South.

Permits: The applicant has submitted the approved agency permits as required for a preliminary plat request which include NC Department of Transportation, Chatham County Erosion Control, US Army Corps of Engineers, NC Department of Environmental Quality Division of Water Quality, and Chatham County Public Works. The permits can be viewed on the Planning Department webpage at www.chathamnc.org/planning, Rezoning & Subdivision Cases, 2018. A copy of the Stormwater Permit/Plan issued by NC Division of Water Resources, dated March 21, 2018 has been submitted to Chatham County Environmental Quality Department as required by the Compact Community Ordinance, Section 8.

Historical: Based on the August 2006 report by ESI there are no cemeteries or structures within Phase 16 North project area.

Technical Review Committee: The TRC met on June 20, 2018 to review the request.

County staff Planning, Environmental Quality, Fire Marshal, GIS, Emergency Management Office, and Central Permitting were present.

Chris Seamster was present to represent the developer. Discussion included any additional parking, when US Steel will be submitting the Construction Plan application, and stormwater pond. The Fire Marshal continues to have concerns regarding emergency vehicle access and on-street parking.

Planning Board Discussion

This item was reviewed during the July 10, 2018 Planning Board meeting and discussion included whether Watershed Protection Department had reviewed and approved the stormwater plan; concern about the stream crossing because the master plan didn't show one in this area; questions about the buffer width around a wetland;

and questions about the construction of the stream crossing and long term impacts. Staff explained that the Watershed Protection Department attended the TRC meeting and did not have any issues with the preliminary plat. Additionally, the Watershed Protection Department provided a written approval dated April 30, 2018. The applicant explained that a waiver for the stream crossing was reviewed by the Environmental Review Advisory Committee and approved by the Board of Commissioners. The applicant also explained the steps taken for a stream crossing that could include installation of a coffer dam and temporary pumping of the water. There was discussion that the origin of the stream begins at a wetland and whether the buffer should be a uniform buffer. Mr. Seamster commented that the buffer varies due to the different regulations that apply to US Steel versus Briar Chapel based on the original approval dates of the projects and the riparian buffer standards that apply. He also committed that they will make the buffer uniform at the project boundary.

The Planning Board by a vote of 8-1 recommended granting approval of the request.

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 16 North will have 56 single family detached homes on 23.92 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 16 North has public roadways connecting to the balance of Briar Chapel.

Recommendation: The Planning Department and Planning Board, by a vote of 8-1, recommends approval of the road names Middleton Place and Clifridge Court and recommends granting approval of the preliminary plat titled **Briar Chapel, BC Phase 16 North** as submitted.

1. The final plat shall show a uniform buffer adjacent to the wetland located between the US Steel property and Briar Chapel.