

PLANNING & ZONING REVIEW NOTES

III. B. 1.

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**SUBJECT:** Request by Kevin Hamak, RLA, The John R. McAdams Co., Inc. on behalf of NNP Briar Chapel LLC for subdivision preliminary approval of **“Briar Chapel, Phase IV, Pods A, B, C, and D (Including Phase 3 ROW)”**, consisting of 323 lots on 152 acres, located off U. S. Hwy 15-501, Baldwin Township.

**ATTACHMENTS:**

1. Major subdivision application.
2. ArcView Map
3. Start and completion projections, Phases 1 through 4
4. Map – Briar Chapel Stream Buffers
5. Map – Construction Phases
6. Comments from Kevin Hamak, Project Manager, Land Planning, John R. McAdams Company, Inc., regarding zoning conditions.
7. Comments from Kevin Hamak, Project Manager, Land Planning, John R. McAdams Company, Inc., regarding private roads.
8. E-mail from Kevin Hamak, dated 9/25/06, regarding stormwater permits
9. Preliminary map titled “Briar Chapel, Phase 4”, prepared by The John R. McAdams Company, Inc., dated September 11, 2006

**INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:**

*See major subdivision application and preliminary map for background information.*

This request is a portion of the Briar Chapel Planned Residential Development, consisting of 2,389 dwelling units on 1,589 acres, located off Hwy 15-501 N and Mann’s Chapel Road, SR-1532, approved by the Chatham County Board of Commissioners on February 15, 2005. A copy of “An Ordinance Amending the Zoning Ordinance of Chatham County” and “A Resolution Approving An Application For A Conditional Use Permit For A Request By Mitch Barron On Behalf Of Newland Communities for Briar Chapel Planned Residential Development” may be viewed on the Chatham County web site at [www.co.chatham.nc.us](http://www.co.chatham.nc.us) , then click on Planning, Rezoning & Subdivision Cases, Miscellaneous Prior to 2005, Briar Chapel. A copy of the Compact Community Ordinance can also be found on the Planning Department web page.

*Re: Briar Chapel*

**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS:** The developer is requesting preliminary subdivision approval of Briar Chapel, Phase IV, Pods A, B, C, and D including Phase 3 roadway. Roadways are proposed to be public except for four (4) private roads, Tobacco Farm Way, Endor Drive, Grovewood Lane, and Sunnyside Court. Section 12.2, Streets and Other Specifications, of the CCO states “All streets shall be public and constructed to North Carolina Department of Transportation (NCDOT) standards. Upon completion, the streets shall be offered for dedication to the NCDOT for maintenance. In exceptional circumstances, a very limited number of private roads may be allowed as dead-end minor residential streets for lengths not more than one thousand (1,000) feet in order to address topographic characteristics of a site.” Kevin Hamak, Project Manager, John R. McAdams Company, Inc., has stated in attachment # 7, the justification for allowing the private roads. Alleyways shown on the plat are to be private. Maintenance of the private roads and the alleyways are to be by the homeowners association.

Agency reviews have been received as follows:

Permits received pertaining to Briar Chapel, Phase IV, Pods, A, B, C, and D:

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**Phase 1**

<b>NCDWQ</b>	Wastewater Treatment And Reclaimed Water Utilization System	April 29, 2005
	(For the construction and operation of subject wastewater treatment and reclaimed water utilization system. Phase 1, Non-Discharge Permit.	
<b>NCDENR</b>	Approval to Construct Briar Chapel Reclamation Facility-Central Pond Dam (Dam Safety Permit, Phase 1)	July 29, 2005
<b>NCDENR</b>	Erosion Control Permit (Phase 1)	Sept. 15, 2005
<b>NCDENR</b>	Erosion Control Permit (Phase 1, Alternate 1)	October 26, 2005
<b>NCDENR</b>	Erosion Control Permit (Phase 1, Borrow Pit)	Nov 28, 2005
<b>CC Env Health Erosion Control</b>	Erosion Control Permit (Phase 1, Stockpile Area 3) 2 acres approved	January 26, 2006
<b>NCDENR</b>	Authorization to Construct Briar Chapel S/D, Ph 1 Water System Management Plan	Nov 22, 2005
<b>NCDOT</b>	Commercial Driveway Permit Entrance onto SR-1526 (Andrews Store Rd) Temporary Driveway Permit – Phase 1	Aug 30, 2005

*Re: Briar Chapel*

<b>NCDOT</b>	Encroachment Agreement- Phase 1 (4800 LF of 12" DIP Water Line and appurtenances/ stub outs on SR-1526)	Oct. 13, 2005
<b>NCDOT</b>	Encroachment Agreement – Phase 1 (12" DIP Water Line Tap on SR-1526)	Sept 8, 2005
<b>NCDOT</b>	Road Plan Approval (developer labeled this as Phase 1 (2) 36" culvert approval)	March 27, 2006

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**Phase 2**

<b>NCDENR</b>	Erosion Control Permit Phase 2	Oct 26, 2005
<b>CC Env Health Erosion Control</b>	Erosion Control Permit Phase 2 (24 acres)	Feb 9, 2006
<b>NCDENR</b>	Authorization to Construct Phase 2- Water Line	Feb 20, 2006
<b>NCDOT</b>	Encroachment Agreement 12' DIP Water Line Tap on US 15-501 – Phase 2	Oct. 25, 2005
<b>NCDOT</b>	Commercial Driveway Permit Entrance onto SR-1634	Oct. 27, 2005
<b>NCDOT</b>	Road Plan Approval Phase 2	Mar 10, 2006

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<b>The John R. McAdams Co., Inc.</b>	Certification letter for 6 water quality ponds	Sept 11, 2006
<b>NCDENR</b>	Storm Water Management Plan Phase 1	Aug 7, 2006
<b>NCDENR</b>	Storm Water Management Plan Phase 1, Part 2	Aug 21, 2006
<b>NCDENR</b>	Storm Water Management Plan Phase 1, Part 3	Aug 29, 2006

See attachment # 8, dated 9/25/06 regarding Storm Water Management Plan permits.

*Re: Briar Chapel*

<b>NCDWQ</b>	401 Water Quality Certification All Phases	May 9, 2006
<b>NCDOT</b>	Road Plan Phase 3 – Contingent upon comments From Hydraulics Unit.	Sept 7, 2006

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**Phase 4**

<b>NCDOT</b>	Road Plan Phase 4 – Contingent upon comments From Hydraulics Unit	Sept 7, 2006
<b>CC Env Health Erosion Control</b>	Erosion Control Permit Phases 3 & 4 (114 acres)	Mar 27, 2006
<b>NCDENR</b>	Authorization to Construct Water lines / Phases 3 & 4	Aus 22, 2006
<b>NCDENR</b>	Wastewater Collection System Ext. Subdivision A & B / Phases 3 & 4 Gravity Sewer & Lift Stations	Mar 2, 2006
<b>NCDENR</b>	Wastewater Collection System Ext. Modification Subdivision A & B / Phases 3 & 4	April 3, 2006
<b>NCDWQ</b>	Pressure Sewer Extension Phase 3 & 4	July 28, 2006

The Chatham County Emergency Operations Office has approved the road names Briar Chapel Parkway, Great Ridge Parkway, Serenity Hill Circle, Kimbolton Place, Tobacco Farm Way, Dark Forest Drive, Bennett Ridge Road, Saxapahaw Run, Saxapahaw Bend, Hill Creek Boulevard, Harlow Bend, Tabardry Mill Port, Granite Hill Pike, Turtle Point Bend, Bennett Mountain Trace, along with alleyway names as shown on the preliminary map. See preliminary map for alleyway names.

The zoning approval for Briar Chapel included 28 conditions of approval. Attachment # 6, from Kevin Hamak, John R. McAdams Co, Inc., states how each of the conditions will be addressed either at this time or at a later date during other phases.

Attachment # 4, Briar Chapel Stream Buffers, provides required stream buffer information as specified in Section 9: Buffers of the Compact Community Ordinance. The Phase IV map shows the various streams within this phase that require buffering. Staff has received a map for the file indicating the drainage area for the various streams. A note will be placed on the final plat stating that the trail system will meet the requirements of the CCO regarding distances from edge of the stream and other requirements.

*Re: Briar Chapel*

Items to be changed or added to the final plat are as follows:

- \*Site data on the final plat shall include information regarding length of public and private roads.
- \*A note shall be placed on the final plat stating that the alleyways are private.
- \*A note shall be placed on the final plat stating the maintenance responsibility of the private roads and alleyways and define maintenance responsibility of the public roads until taken over for maintenance by NCDOT.
- \*Cul-de-sac radius shall be as required by the Chatham County Subdivision Regulations, Section 6.2 C (1) and 6.2 D (3) (h).
- \*A note shall be placed on the final plat indicating the number of lots and lot numbers within each Pod.
- \*Lots must be numbered consecutively throughout each Pod or Phase and the entire development.
- \*Flood elevations along Polkberry Creek shall be shown on the final plat.
- \*Note regarding Dedication of Buffer as required in Section 9.2, Perimeter Buffer.
- \*Note stating that the trail system will meet the requirements of the CCO regarding distances from edge of the stream and other requirements.

**RECOMMENDATION:** The Planning Department recommends granting approval of the road names listed above and alleyway names shown on the preliminary plat and granting preliminary approval of “Briar Chapel, Phase IV, Pods A, B, C, and D (Including Phase 3 ROW)” with the following condition:

1. The final plat shall include the changes and/or items as specified above.