

PLANNING & ZONING REVIEW NOTES

III. D. 1.

SUBJECT: Request by Joe Grady, Jr., PLS, The John R. McAdams Co., on behalf of NNP Briar Chapel, LLC for subdivision final approval of “**Briar Chapel – Phase 3 and 4 and Great Ridge Parkway Right-of-Way Dedication**”, consisting of 67 lots on 58 acres, located off S.R.1532, Mann’s Chapel Road, Baldwin Township.

ATTACHMENTS:

1. Major subdivision application.
2. Final plat titled “Briar Chapel – Phase 3 and Phase 4, Section 1”, prepared by The John R. McAdams Company, Inc., dated April 4, 2007.

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See major subdivision application and final 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, 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.

On October 16, 2006, the Board of County Commissioners approved a subdivision preliminary request for “Briar Chapel, Phase IV, Pods A, B, C. and D (Including Phase 3 ROW), consisting of 323 lots on 152 acres. A copy of these notes can be found on the Planning Department web site. This current request is a portion of that preliminary approval. Great Ridge Parkway was not a portion of the previous preliminary request. If the Board has acted favorably on the preliminary request for Great Ridge Parkway, this final request may proceed.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS: The developer is requesting final plat approval of 67 lots to be accessed by Great Ridge Parkway, a public state maintained road, with a financial guarantee for the completion of the public roadway and county water lines. Staff has received documentation from John T. Michael, P.E., with The John R. McAdams Company, Inc. certifying that the cost of improvements to date exceed the required 40% of the total cost of construction for this section. Section 3.1B. (1) of the Subdivision Regulations states that, “the County may waive the requirement that the applicant complete all required improvements...when the public health and/or safety will not be endangered...” The roadways serving these lots have been graded and graveled so the lots are accessible to emergency vehicles. County water is available to the subdivision so water for fire service is not an issue in

*Re: "Briar Chapel – Phase 3 and 4 and Great Ridge Parkway
Right-of-Way Dedication"*

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consideration of whether the public health/safety will not be endangered. It is the staff opinion that this development qualifies for acceptance of a financial guarantee. The interim county attorney is in the process of reviewing the form and amount of the financial guarantee.

Lots will be served by the Briar Chapel Wastewater Treatment Plant. Permits for the construction of the WWTP were received during the preliminary review of Phase.

The changes to the final plat as recommended at preliminary review have been completed. Lots 52 & 53 are designated as affordable lots.

RECOMMENDATION: The Planning Department recommends granting final plat approval of "Briar Chapel – Phase 3 and 4 and Great Ridge Parkway Right-of-Way Dedication" with the following condition:

1. The plat not be recorded until the interim county attorney has approved the financial guarantee.