

PLANNING & ZONING REVIEW NOTES

V. A.

SUBJECT: Request by Joe Grady, Jr., PLS, The John R. McAdams Company, Inc., on behalf of Five Star Group & Cameron Properties, Ltd, LLC for sketch, preliminary, and final approval of plat titled “**Briar Chapel – Map 24**”, consisting of one non-residential subdivision lot on 2.94 acres, located off S. R. 1532, Mann’s Chapel Road and Great Ridge Parkway, Baldwin Township.

ACTION REQUESTED: See Recommendation.

ATTACHMENTS: *The following may be viewed on the Planning Department website at www.chathamnc.org under Planning, Rezoning & Subdivision Cases, 2009*

1. Major subdivision application.
2. E-mail from Jeff Scouten addressing Section 6.4 C (3) of the Subdivision Regulations, (prior to December 1, 2008) items A -- E
3. Copy of plat titled “Briar Chapel – Map 24”, prepared by The John R. McAdams Company, Inc., dated December 10, 2008.

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:

Zoning: Conditional Use District / Compact Community
Water System: Chatham County
Sewer System: Private Wastewater Treatment Plant
Watershed District: WS-IV PA
Subject to 100 year flood: Subject property, no

The Briar Chapel Planned Residential Development, consist of 2,389 dwelling units on 1,589 acres, located off Hwy 15-501 N and Mann’s Chapel Road, SR-1532, and was 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.chathamnc.org, 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. To date, 315 lots have received final plat approval.

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS: This request is for sketch, preliminary, and final approval of one (1) non-residential subdivision lot on which the Briar Chapel Water Tank is situated. The request will be reviewed under the Subdivision Regulations prior to December 1, 2008. The lot is located adjacent to and south of Mann's Chapel Road, SR-1532. The lot will be accessed only off of Great Ridge Parkway, the entrance into Briar Chapel which is a proposed public roadway. NCDOT has reviewed the driveway location and found it acceptable. A driveway permit may be required in the future. The lot is being created to allow the lot and the water tank to be transferred from the current owner, Five Star Group & Cameron Properties, LTD, to NNP Briar Chapel, LLC. At a later date, the lot and tank will be transferred to Chatham County as required in the Resolution of Approval, under Item 14, (a) and (b). A copy of the Resolution may be viewed on the Chatham County web site at www.chathamnc.org, then click on Planning, Rezoning & Subdivision Cases, Miscellaneous Prior to 2005, Briar Chapel.

At this time prior to transfer of ownership to Chatham County, an easement will be provided to Chatham County by NNP Briar Chapel, LLC for access to the lot and the operation and maintenance of the tank. The county attorney is reviewing the easement language to assure that the County has legal rights for ingress and egress and legal rights to operate and maintain the water tank prior to transfer of ownership.

The Subdivision Regulations prior to December 1, 2008 state in part in Section 6.4 C (3) "Properties reserved or platted for commercial, institutional or industrial purposes shall be adequate in size to provide for the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes. Land subdivided for commercial, institutional or industrial use shall follow the major subdivision procedure with preliminary plat review by the Board of County Commissioners. Land shall not be platted for commercial, institutional or industrial purposes unless the subdivider can demonstrate the following to the Board of County Commissioners:

- A. A site arrangement that prevents undue interference with through traffic. (Each industrial subdivision or area shall utilize a single collector for all heavy traffic between the area and the general system of streets and roads. Minor industrial streets and individual industrial parcels shall be oriented at right angles with the collector and with adjacent railroads.)
- B. An integrated parking area.
- C. An insulation against any adverse effect on any present or future adjacent residences.
- D. A parcel size sufficient in area to allow future expansion.
- E. A plan that demonstrates that the first ½ inch of storm water runoff will be managed on site, if more than six (6) percent of the lot area is covered with impervious surfaces such as buildings, parking, and drives."

Jeff Scouten of NNP Briar Chapel, LLC addressed items a—e in Attachment # 2. An existing cemetery is shown located on the proposed lot. Per Mr. Scouten, the gravesite will be preserved and an access easement will be provided to the site via the all-weather access road leading to the tank. The easement will be provided in the deed of transfer.

Re: Briar Chapel – Map 24

RECOMMENDATION: The Planning Department recommends granting sketch, preliminary, and final approval of “Briar Chapel – Map 24”, consisting of one non-residential subdivision lot on 2.94 acres with the following condition:

1. The 100 foot wide perimeter buffer along the northern (Mann’s Chapel Road) and western property (Robert H. and Shirley Lindley) boundaries shall be shown on the mylar copy of the plat.