



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
8-17-09

PART A

Subject:

Request by John R. McAdams Co., LLC on behalf of Newland Communities for subdivision final plat approval of “**Briar Chapel, Phase 4, Section 3**” to revise existing lots 5 and 6 of plat titled Briar Chapel – Phase 3 and Phase 4, Section 1 and Lots 309 – 315 of plat titled Briar Chapel – Phase 4, Section 3 into new lot #'s 6 and 358 – 377.

Action Requested: See Recommendations.

Attachments:

The following are included in this packet and may be viewed on the Planning Department website at www.chathamnc.org under Planning, Rezoning & Subdivision Cases, 2009.

1. Major Subdivision Application.
2. Letter dated July 6, 2009 from Michael Sanchez, P. E., John R. McAdams Co., Inc. to Keith Megginson, Planning Director.
3. Summary of Permit Impact.
4. Final plat titled “Briar Chapel, Phase 4, Section 3”, prepared by The John R. McAdams Company, Inc, dated 07/01/09.

Submitted By:

Keith Megginson, Planning Director

Date

County Manager Review:

Charlie Horne, County Manager

Date

This abstract requires review by:

☒ **County Attorney**

Date Reviewed

☐ **Finance Officer**

Date Reviewed

☐ **Budget Officer**

Date Reviewed

PART B

Re: Briar Chapel

Introduction / Background / Previous Board Actions:

Zoning:	Conditional Use District / Compact Community
Water System:	Chatham County
Sewer System:	Private Wastewater Treatment Plant
Subject to 100 year flood:	Not this section

This request is a portion of the Briar Chapel Compact Community, 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 website 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.

This request is a recombination of previously approved and recorded lots as shown in the following plats:

Briar Chapel – Phase 3 and Phase 4, Section 1, consisting of 66 lots, recorded in Plat Slide 2007-430

Briar Chapel – Phase 4, Section 3, consisting of 129 lots, recorded in Plat Slide 2007-519

Issues for Further Discussion and Analysis:

The developer's request is to replat nine (9) existing lots (Lots 5 & 6 and 309 – 315) and create 21 lots. This replatting / recombination of existing lots designed for single family detached use will then allow the lots to be utilized as townhouse lots and single family detached units. The approved number of lots within the Briar Chapel Planned Residential Development, 2,389, will not be increased by this replatting. The developer has paid a subdivision submittal fee for the additional lots and will pay the required Recreation Exaction Fee if the request is approved by the Board of County Commissioners. None of the subject lots are designated as affordable housing lots; however, Lot #'s 278 – 283 and Lot 289 of Plat Slide 2007-519 were designated as affordable housing lots and are located in Phase 4, Section 3.

All required agency permits for the construction of infrastructure for the above listed phases were received during preliminary plat review. Those permits included NCDOT, Chatham County Erosion Control, Chatham County Public Works, NC DENR, and USACOE. Attachment # 3, Summary of Permit Impact, prepared by Mike Sanchez, P. E., states that "each respective agency has either indicated their acceptance of this proposed change or is not affected by this change." The application materials posted on the Planning Department website include the correspondence from the respective agencies.

Re: Briar Chapel

Issues for Further Discussion and Analysis – cont.

Bill Mumford with Newland Communities explained the request to the Planning Board. He stated that the need for this revision of lots was to accommodate requests for more townhouse type lots (12) and smaller lots for single family detached units (9) and if the request was approved a builder was ready to begin construction. Mr. Mumford stated that the lots would be accessed off the alleyway, Warbler Circle, and no access would be allowed off Great Ridge Parkway. Grey Styers, attorney, also addressed the Board on behalf of Briar Chapel.

Discussion by the Planning Board followed with some of the members stating that they appreciate the clustering of homes and that they think that Briar Chapel is a good example of a compact community.

The Planning Department thinks the request is reasonable and the information submitted meets the requirements of the Subdivision Regulations.

Recommendation: The Planning Department and Planning Board [by unanimous vote] recommend granting the request for subdivision final plat approval of “Briar Chapel, Phase 4, Section 3”, Existing Lots 5 & 6 and 309-315 into new Lot 6 and Lots 358-377.