



## Agenda Abstract

Department: Planning

Submitting Official: Jason Sullivan

Meeting Date 6-21-10

Authorizing Signature: \_\_\_\_\_

<b>Subject:</b>	Request by Bill Mumford, Project Manager on behalf of NNP Briar Chapel, LLC for preliminary plat approval of <b>“Briar Chapel – Phase 4, Kimbolton Place, Lots 465 and 466”</b> , consisting of 2 lots on .44 acres, located off US Hwy 15-501 N, Baldwin Township.
<b>Action Requested:</b>	See Recommendation
<b>Attachments (List Individually):</b>	<ol style="list-style-type: none"> <li>1. Major Subdivision Application</li> <li>2. Update of Conditions of Approval.</li> <li>3. Summary of Permit Impact .</li> <li>4. Start and Completion Projections</li> <li>5. Preliminary plat titled “Briar Chapel, Phase 4, Kimbolton Place, Lots 465 &amp; 466”, prepared by The John R. McAdams Company, Inc., dated May 7, 2010.</li> </ol>

### **Introduction & Background**

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/planning](http://www.chathamnc.org/planning), then click on 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.

The 2005 Master Plan / Sketch design included these two lots; however, the Phase IV preliminary approval of 323 lots on October 16, 2006 did not include Lots 465 and 466. These two lots are now being brought for preliminary plat approval. The request is reviewed under the Subdivision Regulations prior to January 1, 2008.

### Discussion & Analysis

The developer is requesting preliminary plat approval of Kimbolton Place, Lots 465 & 466 with approval of other agencies as required by the Subdivision Regulations. The other agency reviews and approvals are as follows:

NCDOT	Road Plan Approval Phase 4	September 7, 2006
Chatham County Erosion Control	Erosion Control Plan Letter of Approval Phases 3 & 4	March 27, 2006
NCDENR	401 Water Quality Certification Modification	August 31, 2009
Department of the Army Corps of Engineers	404 Stream Crossing Permit Modification	August 21, 2009
Chatham County Public Works	Water Plan Approval Briar Chapel Ph 3 & 4	March 7, 2006
NCDENR	Authorization to Construct Briar Chapel, Phases 3 & 4	August 22, 2006
NCDENR/DWQ	Wastewater Collection System Extension / Modification	May 3, 2010
NCDENR	Stormwater Management Plan Modification	April 26, 2010

Attachment #3 is a summary of the above listed permits. The permits can be viewed on the Planning Department website at [www.chathamnc.org/planning](http://www.chathamnc.org/planning), Briar Chapel, Phase 4, Kimbolton Place, Lots 465 – 466

Access to Lots 465 and 466 is provided by Kimbolton Place, an existing 40' public right-of-way and utilities have previously been installed to serve other phases of the development. This road name has been previously approved by the Board of County Commissioners.

There are 28 conditions of zoning approval. An update of the conditions has been provided by Jonathan S. Butters, PE, The John R. McAdams Company, Inc. stating how the conditions are being met or will be met in future phases. Neither of these lots are Affordable House Lots. The developer has also provided a Start and Completion Projection. Per John Butters, PE, there are no historical structures / cemeteries located within Phase 4.

Bill Mumford addressed the Planning Board with a brief update on the status of issues/violations Briar Chapel had with the Army Corps of Engineers and NCDWQ. He stated that all of the violations had been rectified and that Briar Chapel had received letters from both agencies stating the same. The Planning Board thanked him for the update.

**Recommendation**

The plat displays the necessary information and meets the requirements of the Subdivision Regulations with other agency approvals. The Planning Department and Planning Board (by unanimous vote) recommend granting preliminary plat approval of Briar Chapel, Phase 4, Kimbolton Place, Lots 465 – 466 as submitted.