



Chatham County Planning Board Agenda Notes

Date: August 2, 2011

Agenda Item: VI.

Attachment #: 1

☒ Subdivision

☐ Conditional Use Permit

☐ Rezoning Request

☐ Other:

Subject:	Request by Bill Mumford, Assistant Vice President NNP Briar Chapel, LLC on behalf of Woods Charter School Company for preliminary and final plat approval of the dedication of public right of way for a portion of Woodland Grove Lane located off SR-1528, Andrews Store Road, parcel #85360.
Action Requested:	See Recommendations
Attachments:	<ol style="list-style-type: none">1. Major Subdivision Application.2. Final plat titled "Woods Charter School, Subdivision, Right-of-Way Dedication and Easement Dedication Plat"

Introduction & Background

Zoning: Conditional Use District / Compact Community
Water System: Chatham County
Sewer System: Private Wastewater Treatment Plant
Subject to 100 year flood: No

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, 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. **Briar Chapel requests are reviewed based on the pre-2008 Subdivision Ordinance and the Compact Community Ordinance.**

Discussion & Analysis

This request is for the dedication of public right-of-way for a portion of Woodland Grove Lane, located off Andrews Store Road (SR-1528), which provides access to Woods Charter School. The roadway will be extended in the future to provide access to additional phases of the Briar Chapel Development. Since the request was not submitted as a separate preliminary review, this request is now submitted as a preliminary/final plat. Other agency approvals required for review and approval of a preliminary plat are listed below:

NCDOT	Final Plan Review	July 14, 2008
NCDOT	Commercial Driveway Permit	July 14, 2008
Chatham County	Soil Erosion and Sedimentation Control – Letter of Approval	July 24, 2007
Department of the Army Corps of Engineers	404 Stream Impact Permit	August 21, 2009
NCDENR-DWQ	401 Water Quality Certification	August 31, 2009
NCDENR Public Water Supply	Authorization to Construct	August 13, 2007
NCDENR- DWQ	Stormwater Management Plan	July 3, 2008

The permits listed above can be viewed at www.chathamnc.org/planning. Click on Zoning and Subdivision Cases, 2011, Briar Chapel on behalf of Woods Charter School.

The road name Woodland Grove Lane has been approved by the Chatham County Emergency Operations office for submittal to the Board of County Commissioners.

The request for dedication of right-of-way is being submitted with a request that the county accept a financial guarantee in the amount of \$54,863.20 (140% of the total cost of remaining improvements). This financial guarantee includes funds for the completion of the final lift of asphalt for this portion of the roadway, curb & gutter, striping, signage, sidewalk, seeding and final clean-up, etc. According to the engineer from the John R. McAdams Company, Gregory P. Sallee, PE, the roadway is 95.6% complete.

The approved Compact Communities Ordinance and the Briar Chapel Master Plan require a 100 foot wide viewshed buffer to be established along Andrews Store Road. The CCO defines a viewshed buffer as “Land that either obscures or significantly softens the external view of the compact community from public roadways that run along the boundary of the development.” The plat submitted for review shows a 50 foot wide viewshed buffer. The mylar copy of the final plat will show the 100 foot wide viewshed buffer. A perimeter buffer is required along the entire perimeter of the compact community where no public road exists. The width of the vegetative perimeter buffer adjacent to residential lots is 100 feet. The submitted plat shows the 100 foot wide perimeter buffer along the common boundary with the C. L. and Thomas Durham property.

Sight triangles, as required by NCDOT, have been established at the intersection of Woodland Grove Lane and Andrews Store Road and will be shown on the final mylar copy of the plat.

The submitted plat shows New Lot 2, consisting of 3.38 acres; Woods Charter School, however, may decide

to leave this area as part of the parent tract instead of creating it as a separate lot of record. Mary Phillips, Chatham County Tax Mapping, stated that either option is acceptable. The school will make a decision prior to submitting the mylar for signature.

Recommendation

The plat displays the necessary information and meets the requirements of the Subdivision Regulations with other agency approvals. The Planning Department recommends granting approval of the request for a financial guarantee, approval of the road name Woodland Grove Lane, and approval of the plat titled "Woods Charter School – Subdivision, Right-of-Way Dedication and Easement Dedication Plat" with the following condition:

1. The plat not be recorded until the county attorney has approved the form of the financial guarantee and contract.