

## **..TITLE**

Vote on a request to approve Lee Bowman on behalf of NNP Briar Chapel, LLC for subdivision Final Plat review of "Final Subdivision, Easement and Right-of-Way Dedication Plat of Briar Chapel Development, Phase 15 North, consisting of 50 lots on 38.75 acres, located off Andrews Store Road, S. R. 1528, parcel #82828.

## **..ABSTRACT**

### **Action Requested:**

Request by NNP Briar Chapel for subdivision final plat review of "Final Subdivision, Easement and Right-of-Way Dedication Plat of Briar Chapel Development, Phase 15 North, consisting of 50 lots on 38.75 acres, located off Andrews Store Road, S. R. 1528, parcel #82828.

### **Introduction & Background:**

**Zoning:** Conditional Use District / Compact Community

**Water System:** Public, Chatham County

**Sewer System:** Private wastewater treatment plant

**Subject to 100 year flood:** No floodable area in Phase 15N

**General Information:** Compact Community approved in 2005 for 2,389 dwelling units on 1,589 acres, permit revised in 2012 and 2014.

**Reviewed:** Under pre-2008 Subdivision Regulations.

Phase 15 North received preliminary plat approval December 14, 2015 for 50 lots.

There were three (3) conditions of approval:

1. The developer shall provide staff with a copy of the revised NCDOT permit to meet the requirement of the pre-2008 Subdivision Regulations, Section 6.2 (c) (1), prior to commencement of construction. *This condition has been met.*
2. The cul-de-sacs shall have different names as required by the Emergency Operations Office and the names shall be shown on the final plat. *This condition has been met.*
3. The final plat shall show the correct cul-de-sac radius as required in Section 6.2 (c) (1) of the pre-2008 Subdivision Regulations as stated "The minimum cul-de-sac pavement radius for curb and gutter section and shoulder section is 40 feet. The minimum right-of-way radius for curb and gutter section and shoulder section is 55 feet. *This condition has been met.*

### **Discussion & Analysis:**

This request is for approval of the final subdivision, easement and right-of-way dedication plat for Briar Chapel Development Phase 15 North, consisting of 50 lots on 38.75 acres. Staff has received a cost estimate letter dated September 9, 2016 prepared by Chris Seamster, RLA stating that the required infrastructure is 45% complete as of the date of submittal and estimates that as of the Board of Commissioners meeting scheduled for November, 2016 the improvements will be 75% completed. An updated cost letter will be provided prior to final plat recordation. The form of the contract and the financial guarantee is required to be reviewed and

approved by the county attorney prior to final plat recordation. Staff has received a sealed letter from Grant M. Livengood, P. E, McKim and Creed stating that roadways in Phase 15 North are built to subgrade and are currently passable by emergency vehicles and as of the Board of Commissioners meeting the roads will be paved and will be able to accept emergency vehicles.

The Planning Board met on October 4, 2016 to review the request. Lee Bowman, Project Manager, Chris Seamster, RLA, and Garretson Browne, Construction Manager, were present to represent the developer, NNP Briar Chapel. Ms. Weakley asked what the stream classifications were for the two streams to the south and west of the phase and why the storm pond had a variable width easement. Mr. Seamster stated that one of the streams is perennial and one is intermittent; that the southern stream changed from a perennial to intermittent and that the riparian buffers are 100' from top of bank on perennials and 50' from top of bank on intermittent streams; that the storm pond easement was based on the shape of the pond and the pond wasn't linear which caused the easement to be variable.

Staff visited the site on 10/12/16 and the roadway was not graveled at that time. Staff recommends the engineer provide an updated, sealed letter prior to recordation of the final plat, verifying that the roadways have been graveled and are passable for emergency vehicles. Staff also recommends that the final plat state the buffer widths along the streams.

**Recommendation:**

The Planning Board by unanimous vote recommends granting final plat approval of "Final Subdivision, Easement and Right-of-Way Dedication Plat of Briar Chapel Development, Phase 15 North, as submitted.

The Planning Department also recommends the following:

1. The engineer provide an updated, sealed letter prior to recordation of the final plat, verifying that the roadways have been graveled and are passable for emergency vehicles.
2. The county attorney shall review and approve the form of the contract and financial guarantee prior to final plat recordation.
3. The riparian buffer widths shall be shown on the final plat.