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Vote on a request to approve NNP Briar Chapel, LLC, for subdivision preliminary plat review and approval of Briar Chapel, Phase 16 South, consisting of 125 lots on 45.50 acres, located off SR-1528, Andrews Store Road, parcel #82829.

..ABSTRACT

Action Requested:

Request by Lee Bowman, Project Manager, on behalf of NNP Briar Chapel, LLC, for subdivision preliminary plat review and approval of Briar Chapel, Phase 16 South, consisting of 125 lots on 45.50 acres, located off SR-1528, Andrews Store Road, parcel #82829.

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 16 South

General Information: Compact Community approved in 2005 for 2,389 dwelling units on 1,589 acres, permit revised in 2012 and 2014 and the total dwelling units increased to 2,500.

Reviewed: Under pre-2008 Subdivision Regulations.

Discussion & Analysis:

Request: Preliminary plat approval of Briar Chapel, Phase 16 South consisting of 125 lots on 45.50 acres.

Roadways: The roads within Phase 16 South will be built to the NCDOT, public state maintained standards. The road plans for Phase 16 South have been reviewed and approved by NCDOT. A copy of the road plan permit, dated December 15, 2015, can be viewed on the Planning Department webpage at www.chathamnc.org/planning, Rezoning and Subdivision Cases, 2016. A commercial driveway permit is not required for Phase 16 South. No additional off-site parking is planned for this phase. Sidewalks will be provided.

Road Names: The following road names have been approved by the Emergency Operations Center as acceptable to submit for approval by the Board of Commissioners: Abercorn Circle, Middleton Place, Coventry Lane, Pulaski Trail, Boone Street.

Site Plan: Staff met with representatives of Briar Chapel in 2013 for a pre-submittal meeting to review the upcoming phases proposed for submittal (Phases 15 & 16). A copy of the 2013 proposed site plan has been provided by the applicant and can be viewed on the Planning Department webpage. The configuration of Phase 16 has been modified since the 2013 meeting due to constraints on the property.

Permits: Agency permits required for preliminary plat approval have been received. You may view a copy of the permits on the Planning Department webpage.

Stormwater: a stormwater pond to serve Phase 16 South is shown located within the common area. The Approval of Stormwater Plan for Phase 16, dated November 12,

2015, issued by NC Department of Environmental Quality can be viewed on the Planning Department webpage.

Retaining Walls: there are five (5) retaining walls being constructed in Phase 16 South. A preliminary plat for one (1) lot of 5.55 acres of common area within Phase 16 South received preliminary plat approval on August 17, 2015 in order allow construction of the five retaining walls within this common area. The developer plans to combine the final plat review and approval of the common area lot with the final plat review and approval of Phase 16 South.

Historical / Archaeological: Per the application submittal information, there are no cemeteries within Phase 16 South and there are no structures eligible for the National Register with the project area and no structures that are 50 years or older that are not eligible for the National Register.

Conditional Use Permit Stipulations: See attachment # 2 for an update on the status of meeting the Conditional Use Permit Conditions of Approval.

Water Features: There are streams with associated buffers and the required 10 foot no-build area in Phase 16 South that are located within the common area. There is a wetland shown on the site plan that extends beyond the stream vegetative buffer and the 10 foot no build area, but is still within the common area. In the Compact Communities Ordinance, Section 9.1, Riparian Buffers, wetlands are not listed as areas that shall be permanently protected. Per the engineer, no disturbance is planned in or near the wetland.

Technical Review Committee: The TRC met on January 13 to review the application for Phase 16 South. There was discussion regarding the interconnecting roadways from Phase 16 South to the US Steel property and that the road names will need to be the same. There was also discussion regarding the rip rap stone for the stormwater pond being located outside of the 10 foot no build area. The Fire Marshal stated his continued concerns regarding on-street parking and emergency vehicle access. There were no other concerns or questions.

The Planning Board met on February 2, 2016 to review the request. Lee Bowman, Project Manager, Chris Seamster, RLA, and Nick Robinson, Attorney, were present to represent the developer. After the staff report, the Planning Board discussed the request. The Board questioned the lack of any off-site parking and expressed concern regarding emergency vehicle access if on-street parking is allowed. There was also discussion about a utility easement crossing the stormwater pond easement. Chris Seamster explained that the utility easement was for a wastewater spray irrigation line. There was further discussion about long-term maintenance and repairs for the spray irrigation line and how it would impact the stormwater pond. The Board also discussed receiving paper copies of construction plans, i.e. erosion control and grading plans, versus reviewing the plans posted to the Planning Department webpage. After discussion, Jim Elza made a motion to approve the request as submitted with Gene Galin, seconding the motion.

Recommendation:

The Planning Department and the Planning Board by a vote of 9-1 recommends granting approval of the road names Abercorn Circle, Middleton Place, Coventry Lane,

Pulaski Trail, and Boone Street and recommends granting preliminary plat approval of Briar Chapel, Phase 16 South as submitted.