



# Chatham County, NC

## Legislation Details (With Text)

**File #:** 24-5344 **Version:** 1

**Type:** Resolution **Status:** Passed

**File created:** 5/31/2024 **In control:** Planning

**On agenda:** 6/17/2024 **Final action:** 6/17/2024

**Title:** Vote to approve a request by RGH Landscape Architecture, PLLC on behalf of Fitch Creations, Inc. for subdivision Sketch Plan Revision and Preliminary review Fearington P.U.D. Section X, Area "F" Currituck, consisting of 6 lots on 3.419 acres, located off Millcroft (SR-1817), parcel 18998 in Williams Township

### Sponsors:

**Indexes:** Comp Plan Goal 10: Foster a healthy community., Comp Plan Goal 4: Diversify the tax base and generate more high-quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce out-commuting.

### Code sections:

**Attachments:** 1. More information from the Planning department website

Date	Ver.	Action By	Action	Result
6/17/2024	1	Board of Commissioners		

Vote to approve a request by RGH Landscape Architecture, PLLC on behalf of Fitch Creations, Inc. for subdivision Sketch Plan Revision and Preliminary review Fearington P.U.D. Section X, Area "F" Currituck, consisting of 6 lots on 3.419 acres, located off Millcroft (SR-1817), parcel 18998 in Williams Township

### Introduction & Background:

Zoning: Conditional Use Permit for Planned Unit Development (PUD)

Water: Public water Chatham County

Sewer: Private Wastewater Treatment Plant

Watershed District: WSIV-PA

Within 100-year flood: No

Fearington PUD was originally approved in 1976 as a Planned Unit Development with a master plan allowing for mixed uses and has continued to develop over time. Fearington PUD is reviewed under the pre-2008 Subdivision Regulations and the 1994 Watershed Ordinance.

Fearington has 1,602 approved residential units including Galloway Ridge with final plat approval on 1,516 lots to date. Fearington is exempt from the Chatham County Stormwater Ordinance but is not exempt from the Jordan Lake Buffer requirements. The project is subject to the Chatham County Soil Erosion and Sedimentation Control Ordinance. In 2010, the Board of County Commissioners granted approval of a sketch design revision to a 1999 PUD plan which included all the remaining undeveloped land within the PUD and included Section X. In 2012 another sketch plan revision was approved for Section X. In 2016, the PUD was revised to add "Tyrell" street off Richmond, and to relocate six (6) lots. The 2016 revision did not add any additional lots.

**Discussion & Analysis:** The request before the Board is for sketch plan revision and preliminary plat review and approval of Section X, Area "F" Currituck, consisting of 6 lots on 3.419. Six lots are proposed with an average of over a half an acre. The previous 12 lots design may be viewed online.

**Water:** County water is available and will be utilized. The Water Main Extension Permit and the Authorization

to Construct, dated February 25, 2022 issued by NC Department of Environmental Quality (NCDEQ), Division of Water Resources have been provided.

Sewer: Sewer service is provided by the Fearington private wastewater treatment plant. Alan Keith, P.E., Diehl & Phillips, P. A. provided a letter dated October 31, 2023, stated, "The Fearington WWTP currently has capacity to serve Section X, Area "F" at Fearington (1,250 gallons per day)." The Wastewater Collection System Extension Permit, issued by the NCDEQ, Division of Water Resources, dated October 4, 2023, has been provided.

Roadways: The main roadway, Millcroft, had final plat approval on March 5, 2024.

Road Names: The road name Millcroft has been approved by the Chatham County Emergency Operations Office as acceptable to submit for approval by the Board of County Commissioners.

Stormwater: Fearington is not subject to the Chatham County Stormwater Ordinance.

Water Features: Fearington is subject to the 1994 Watershed Ordinance which requires a 50-foot stream buffer along perennial and intermittent waters not within 2500 feet of rivers. The project provides an additional 10' voluntary stream buffer with the 50' stream buffer north of the project. The stream to the east of the project has a 30' voluntary stream buffer.

Soil Erosion and Sedimentation Control: An approval letter for revised plans dated March 25, 2024, by Mr. Justin Hasenfus, Watershed Protection Erosion Control Program Manager with Chatham County stated the soil erosion and sedimentation control plans are accepted.

Open Space: There is .304 acres of open space located between lots 4714 and 4716.

Technical Review Committee: The TRC reviewed the request on April 17, 2024. Mr. Robb Harrison and Alan Keith attended. Mr. Harrison stated the sketch plan needed to be changed since the original design was with a cul-de-sac and if they had gone with the cul-de-sac design no trees would be left. Discussion included road names are approved per Emergency Operations. NCDOT asked that there be adequate site distance for each driveway. Chatham County Historical Association asked to look for artifacts as the project moves forward. No other staff concerns.

Site: Red arrow shows approximate location of the proposed 6 lots.

Planning Board Discussion: The Planning Board reviewed the request during their regular meeting on May 7, 2024, and had following discussion:

- What is the reason for the Sketch Plan revision? Mr. Greg Fitch stated to reduce the number of lots originally planned for the area and to save the matured trees.
- What is the benefit for the developer to keep more trees verses creating more lots for the project? Mr. Fitch stated they reviewed the area with more detail and realized the topography and the protected water features would create tight lots and those type lots are no longer their goal.

The Board recommended approval of the request by unanimous vote.

How does this relate to the Comprehensive Plan: Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. These properties are in an area of the county identified as villages (Land Use Strategy 5.2) on the Future Land Use and Conservation Plan Map. The description for villages includes retail, restaurants, services and offices, light industrial uses, residential with smaller lot size, public/open space, small parks, walking paths, and greenways. It should be noted that Plan Chatham is not intended to be used as a regulatory tool but is a policy document. When reviewing subdivision applications, the boards can use the plan as a tool to identify future regulatory changes.

Budgetary Impact: N/A

Recommendation/Motion: The Planning Board recommended by unanimous vote to approve the Sketch Plan revision and approval of Preliminary Plat as submitted with the following conditions:

1. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
2. Prior to final plat recordation the engineer shall certify to the county that there is all weather access for emergency vehicles and the certification must be approved by the Fire Marshal.