



# Chatham County, NC

## Legislation Details (With Text)

**File #:** 24-5224 **Version:** 1

**Type:** Agenda Item **Status:** Passed

**File created:** 3/28/2024 **In control:** Planning

**On agenda:** 4/15/2024 **Final action:** 4/15/2024

**Title:** Vote to approve a request by Fitch Creation, Inc. for subdivision Final Plat review of Fearrington Public Right-of-Way Dedication Section X "Millcroft", 1,425 feet in length, located off Weatherfield (SR -1819), parcel 18998 in Williams Township.

### Sponsors:

**Indexes:** Comp Plan Goal 3: Promote a compact growth pattern by developing in and near existing towns, communities, and in designated, well planned, walkable, mixed use centers.

### Code sections:

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

Date	Ver.	Action By	Action	Result
4/15/2024	1	Board of Commissioners	approved	Pass

Vote to approve a request by Fitch Creation, Inc. for subdivision **Final Plat** review of **Fearrington Public Right-of-Way Dedication Section X "Millcroft"**, 1,425 feet in length, located off Weatherfield (SR-1819), parcel 18998 in Williams Township.

### Introduction & Background:

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

Watershed District: WSIV-PA

Water Source: Chatham County Public Water

Sewer: Private Wastewater Treatment Plant

Within 100-year flood: No

Fearrington was originally approved in 1976 as a Planned Unit Development with a master plan allowing mixed uses and has continued to develop over time. Fearrington has 1602 approved residential units, including Galloway Ridge. There are 1,516 lots with final plat approval. Fearrington PUD is reviewed under the pre-2008 Subdivision Regulations and 1994 Watershed Protection Ordinance. The project is exempt from the Chatham County Stormwater Ordinance but 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 Final Plat approval of Fearrington, Public Right-of-Way Dedication Section X, "Millcroft". Millcroft public right-of-way dedication received preliminary plat approval from the Board of Commissioners on June 21, 2022. The roadway (Millcroft) is proposed to be constructed as NCDOT public, state-maintained road. The final plat request is being submitted with a request for a performance guarantee for the completion of the required infrastructure. As of the submittal date, the engineer, Alan Keith, P.E., certified that the project was 98.67 % complete. An updated cost letter may be submitted prior to final plat recordation. Staff recommends that the request for a performance guarantee be granted.

Fearrington is subject to the 1994 Watershed Protection Ordinance which requires a 50-foot riparian buffer along perennial and intermittent water features not within 2500 feet of rivers. Ephemeral features were not required to be buffered.

The Technical Review Committee met on February 14, 2024, to review the request. Watershed Protection Dept. asked if the PDEs were public or private and staff stated NCDOT requested the PDE to state “permanent” based on a conversation from several years ago. It was verified, the isolated wetland, was a voluntary buffer of 35’. There were no concerns from staff.



The vicinity of the R-O-W.

#### Planning Board Discussion:

This item was on the March 5<sup>th</sup>, 2024 Planning Board consent agenda and recommended for approval.

#### 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 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 Department and Planning Board unanimously recommends granting approval of the request for a financial guarantee and recommends granting approval of the request for final plat approval of **Fearrington Public Right-of-Way Dedication Section X “Millcroft”** 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.