



# Chatham County, NC

## Legislation Details (With Text)

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

**File created:** 4/28/2017      **In control:** Planning

**On agenda:** 5/15/2017      **Final action:** 5/15/2017

**Title:** Vote on a request to approve Fitch Creations, Inc. for the Preliminary Plat review and approval of Fearington P. U. D., Section X, Area "C" - Richmond, consisting of 21 lots on 17.8 acres, located off Hwy 15-501 North/East Camden, SR-1813/Millcroft, SR-1817/ parcel #18998.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. More Information from Planning Department Website

| Date      | Ver. | Action By              | Action   | Result |
|-----------|------|------------------------|----------|--------|
| 5/15/2017 | 1    | Board of Commissioners | approved | Pass   |

Vote on a request to approve Fitch Creations, Inc. for the Preliminary Plat review and approval of Fearington P. U. D., Section X, Area "C" - Richmond, consisting of 21 lots on 17.8 acres, located off Hwy 15-501 North/East Camden, SR-1813/Millcroft, SR-1817/ parcel #18998.

### Action Requested:

A request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for subdivision Preliminary Plat review and approval of Fearington P. U. D., Section X, Area "C" - Richmond, consisting of 21 lots on 17.8 acres, located off Hwy 15-501 North/East Camden, SR-1813/Millcroft, SR-1817/ parcel #18998.

### Introduction & Background:

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

**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 1602 approved residential units (includes Galloway Ridge) with 185 lots/units remaining to be developed. 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.

Area A, Millcreek, consisting of 29 lots and Area B, Burke Place, consisting of 12 lots in Section X have received final plat approval. The Planning Board has two (2) meetings to make a recommendation.

**Discussion & Analysis:**

The request before the Board is for preliminary plat review and approval of Section X, Area "C" - Richmond, consisting of 21 lots on 17.8 acres. As stated above, a new street, Tyrell, was added to Area C in 2016. Another change to the original lot layout was the deletion of (8) single-family clustered homes in order to have three (3) larger, single family home sites. The cluster homes would have been located on area now shown as Lots 4401, 4403, 4405 The change from clustered homes to single family did not require a change to the roadway layout or the utility plan.

**Water:** County water is available and will be utilized. The Water Main Extension Permit and the Authorization to Construct, dated January 30, 2017 issued by North Carolina Water Resources have been provided.

**Sewer:** Sewer service is provided by the Fearington private WWTP. Alan Keith, P.E., Diehl & Phillips, P. A. has provided a letter stating that the WWTP has sufficient capacity to serve Section X, Area C. Mr. Diehl's letter also states that "Fitch Creations, Inc. has Authorization to Construct an expansion to the wastewater treatment plan from the North Carolina Division of Environmental Quality". The Wastewater Collections System Extension Permit, issued by the North Carolina Water Resources, dated October 28, 2016 has been provided.

The applicant has also provided a buffer authorization from Dan LaMontagne, P. E. Chatham County Watershed Administrator, dated January 25, 2017 for impact to Zone 1 & Zone 2 for construction of a private 20-ft wide sanitary sewer line associated with the development of Section X, Areas C and D of the Fearington Subdivision. The impacts are only valid for impacts associated with the proposed 20-ft wide sanitary sewer, drainage & access easement as depicted on the plans.

Zone 1 consist of the first 30 feet landward measured from the particular surface water body.

Zone 2 begins at the outer edge of Zone One and extends landward the distance required for the combined width of Zone 1 and Zone 2 to equal the riparian buffer width specified for the particular surface water feature. For example, Zone 2 for intermittent streams shall be 20 feet and Zone 2 for a perennial stream shall be 70 feet.

**Roadways:** The streets, Richmond and Tyrell, are proposed to be public, state maintained roads. The Road Plan Approval for Section X, Area C, dated February 24, 2017 issued by NCDOT has been provided.

**Road Names:** The road names Richmond and Tyrell have been approved by the Chatham County Emergency Operations Office as acceptable to submit for approval by the Board of County Commissioners.

The permits listed above can be viewed on the Planning Department webpage at

[www.chathamnc.org/planning](http://www.chathamnc.org/planning) <<http://www.chathamnc.org/planning>> Rezoning & Subdivision Cases, 2017.

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

**Water Features:** Fearington is subject to the 1994 Watershed Ordinance which required a 50 foot riparian buffer along perennial and intermittent waters not within 2500 feet of rivers. Ephemeral features were not required to be buffered, The developer has provided an additional 50 foot buffer along Bush Creek, a perennial feature, for a total of 100 feet and has provided a voluntary 30 foot per side riparian buffer along an ephemeral feature running along Lots 4603, 4600, 4602, 4604, and 4606. There is also an intermittent stream with a 50 foot per side riparian buffer plus a 10 foot no-build area. The property lines for lots adjacent to the streams go to the center of the water feature.

**Open Space:** There is an open space area between Lots 4703 & 4407. A portion of the ephemeral channel is located in the open space. The open space area will be transferred to a homeowners association. Area 'C' is adjacent to private property owned by T. H. Lingerfeldt and to Henderson Place, an adjacent subdivision. A fifty foot wide perimeter buffer is shown on the preliminary plat. Lots adjacent to the perimeter buffer will each own a portion of the buffer. Per Mr. Sears, the perimeter buffer is a no-build area; however, per a note on the plat, a trail system can be placed in the perimeter buffer along with utilities and storm water control devices, additional ornamental and evergreen trees can be placed; and invasive species of vegetation can be removed. The restrictions placed on the perimeter buffer are private and not required by Chatham County. Per Mr. Sears, the developer of Fearington normally does not grade in those areas but it is allowed. An existing trail easement extends from the Burke Place cul-de-sac, through Area 'C', to Henderson Place.

**Technical Review Committee:** The TRC reviewed the request on March 15<sup>th</sup>. There were no issues of concern.

The developer has provided five (5) sets of full construction plans which are available in the Planning Department if you would like a copy for review.

The Planning Board met on April 4<sup>th</sup> to review the request. Dan Sears, Sears Design Group, P. A. and Alan Keith, P. E., Diehl and Phillips were present to represent the developer. There was one question from the Board regarding how run-off from the roadways was managed. Per Mr. Keith, Fearington has incorporated some low impact development techniques on lots and strives for diffuse flow on release points near required buffers.

**Recommendation:**

The Planning Board by unanimous vote and Planning Department recommends granting approval of the road names Richmond and Tyrell and approval of Preliminary Plat as submitted.