



# Chatham County, NC

## Legislation Details (With Text)

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**File created:** 6/30/2017      **In control:** Planning

**On agenda:** 7/17/2017      **Final action:** 7/17/2017

**Title:** Vote on a request to approve Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for subdivision Sketch Plan Revision of Fearington - Section X, Areas "D" - "M", consisting of 126 remaining lots on 123 acres, located off US 15-501 N, Weathersfield/SR-1807, Millcroft/ SR-1817, and E. Camden/SR-1813, Williams Township, parcel #18998.

**Sponsors:**

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
7/17/2017	1	Board of Commissioners	approved	Pass

Vote on a request to approve Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for subdivision Sketch Plan Revision of Fearington - Section X, Areas "D" - "M", consisting of 126 remaining lots on 123 acres, located off US 15-501 N, Weathersfield/SR-1807, Millcroft/ SR-1817, and E. Camden/SR-1813, Williams Township, parcel #18998.

**Action Requested:**

Request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for subdivision Sketch Plan Revision of Fearington - Section X, Areas "D" - "M", consisting of 126 remaining lots on 123 acres, located off US 15-501 N, Weathersfield/SR-1807, Millcroft/ SR-1817, and E. Camden/SR-1813, Williams Township, parcel #18998.

**Introduction & Background:**

**Zoning:** R-1 with a Conditional Use Permit for a Planned Unit Development

**Watershed District:** WSIV-PA

**Water Source:** Public, Chatham County

**Sewer:** private WWTP

**Floodable Area:** None in Section X

Fearington Village was approved in 1976 as a Planned Unit Development with a master plan allowing mixed uses such as a Village Center for commercial uses, 1333 dwellings units (including detached single family homes and attached townhomes), open space and utilities. The master plan has been modified over the years to meet market demands, plus additional land was added to the PUD in 1981 and 1991. In 1999 Galloway Ridge, a continuing care community, was approved. Fearington Village now includes approximately 956 acres and 1602 dwelling units (including the Galloway Ridge units). Two sections of Fearington, Fearington Woods, approved in 1989, and Whitaker Ridge, approved in 2003, are not part of the PUD. There are 126 lots remaining to be final

platted of the 1602 originally allowed.

The 1999 approved revision request included four conditions of approval. See attachment # 3. The conditions have been addressed as follows per the 2012 revised sketch design approval:

1. The building height will not to exceed 57 feet.
2. Access for county water has been/will be provided in an easement to the adjoining property owners of Lingerfeldt, Riggsbee, and Barber.
3. Public road access has been provided to Barber lands (Henderson Place Subdivision)
4. Private road access has been granted to Riggsbee. It is for emergency access only and not for public or private street connection that would allow traffic from development of those properties to Fearington Village streets. Private road access as stated was provided to the Riggsbee property during approval of Phase 1 of Galloway Ridge. Utility and private road access will be provided to the Lingerfeldt property as shown on the 2012, and 2017 revised sketch plans.

In 2012 the Board of County Commissioners granted approval of a sketch design revision which is shown on Attachment # 6, Sheet No. SD1. The application in 2012 stated there were 226 lots remaining of the overall 1602 lots that would be platted in Section X. It has since been determined by Sears Design Group, that the remaining lot count of 226, as stated in the 2012 Revision Application Booklet, was incorrect and that there were actually 200 remaining lots at that time. In 2013 and 2015, Section A, Burke Place, consisting of 12 single family lots; Section B, Millcreek consisting of 29 single family lots; and Section K, Rutherford Place consisting of 12 townhome lots have received final plat approval. To date there are 147 lots remaining to be final platted. Of the remaining 147 lots, 21 lots in Area C - Richmond, received preliminary plat approval on May 15, 2017. The request revision for Areas "D " - "M" consist of 126 lots. The chart shown on Sheet SD2, attachment # 7, gives a breakdown on lots in Areas A - M.

Fearington Village is reviewed under the pre-2008 Subdivision Regulations and the 1994 Watershed Protection Ordinance based on previous approvals and on requirements of continued development of the overall project.

#### **Discussion & Analysis:**

The request before the Board is to revise the lot and road layout to accommodate changing market conditions and different dwelling types in Section X than were previously proposed. See attachment # 6, sheet SD1, for the existing approved lot and road layout and Attachment # 7, sheet SD2, for the proposed modifications. Fearington Village has evolved over time, and the developer has requested revisions to the master plan as market conditions have changed. See attachment # 2, Request for Sketch Plan Revision, dated May 12, 2017. No additional lots are being added with this revision request.

**Water:** public, Chatham County water is available and will be utilized.

**Sewer:** Section X is served by the private Fearington WWTP. Alan Keith, P. E., Diehl & Phillips, P. A, has certified in a letter dated 5/23/17 that "The Fearington WWTP currently has existing constructed capacity to serve some future areas in Section X, in addition to the currently constructed Area A, Area B, and Area K.....The existing collection system has capacity to serve the entire Section X project.....Fitch Creations, Inc. currently has Authorization to Construct an expansion to the wastewater treatment plant from the North Carolina Department of Environmental Quality. Fitch Creations will expand the Fearington WWTP as needed to provide adequate treatment capacity for

Ferrington until buildout, and as required to comply with NC DEQ rules.” See attachment #4 to view the certification letter.

**Stream Buffers:** Ferrington Village is subject to the 1994 Watershed Protection Ordinance. In 2010, the developer hired a private consultant, S & EC to conduct an on-site stream determination. The features were confirmed by the Corps of Engineers and by Chatham County in 2010. Ephemeral features and wetlands were not required to be buffered under the 1994 Watershed Ordinance. The developer, however, volunteered to provide a 25 foot wide undisturbed buffer around all wetlands and has stated in the 2017 revision application that buffers will be provided around well-defined ephemeral features. (A 30 foot wide volunteer buffer was placed along an ephemeral feature in Area C) Section X contains stream features and wetlands and all features are located within common area.

**Stormwater:** Ferrington Village is exempt from the Chatham County Stormwater Ordinance based on the existing approved valid sketch design plan. The project is not exempt from the Jordan Lake Buffer requirements which include diffuse flow requirements under 15A NCAC 02B.0267. The project is subject to the Chatham County Soil Erosion and Sedimentation Control Ordinance.

**Roadways:** Access roads are proposed to be public, state maintained roads with some private alleys. Dan Sears has met with Chief Page with the North Chatham Fire Department to discuss emergency vehicle access. Based on that discussion, Mr. Sears has provided information shown as attachment #5 along with a typical road cross-section. The travel ways are proposed to be 20’ to 22’ wide, unobstructed, with no on street parking; and vertical clearance will be maintained to a 14 foot overhead clearance. Some off-street, overflow parking will be provided, per Mr. Sears. Cul-de-sac turning radii will meet the required 40’ pavement and 55’ right-of-way. A road plan approval from NCDOT for public roads will be submitted with the preliminary plat submittals. Mr. Sears has stated that Fitch Creations will continue working with North Chatham Fire Department to insure proper emergency vehicle access.

**TRC:** The Technical Review Committee met on 5/17/17 to review the project. Chief John Strowd, North Chatham Fire Department, was present along with Larry Bridges, Utilities Director; and other departments including Environmental Quality, Emergency Management, Planning, Central Permitting, etc. Staff discussed emergency vehicle access; on street parking, water availability and road names.

The Planning Board met on June 6, 2017 to review the request. Alan Keith, P. E., Dan Sears, Sears Design Group, and Van Finch, surveyor were present to answer questions. Questions from the Planning Board included: whether the pasture area would remain; water quality concerns regarding livestock on site and access to water features; buffers proposed on streams and wetlands; is The Knolls part of Ferrington village; expansion to WWTP; property is within JLBA.

Mr. Sears and Mr. Keith addressed the questions stating that the pasture areas as labeled on the revised sketch plan would remain; that when the new street, West Camden, was constructed, there would be fencing outside the state road right-of-way creating fenced pasture areas with gates to allow the farmers to move the cattle from one pasture to another; that the existing wetland shown within the pasture was a constructed wetland for watering the livestock; that riparian buffers were established based on the 1994 Watershed Ordinance plus the developer had provided additional voluntary buffers around wetlands and along ephemeral features; that buffer widths ranged from 25 feet around wetlands; 30 feet along ephemeral features, and 50 feet along intermittent and perennial features, except 100 feet along Bush Creek; that The Knolls is part of Ferrington Village; that there is a 50 foot riparian buffer along Bush Creek on The Knolls side and a 100 foot riparian buffer (50 feet

voluntary) along Bush Creek in Section X, that the WWTP currently does not operate at its current capacity; that Fitch Creations has a permit to expand the WWTP to 500,000 gpd in the future if needed; and that the revised plan has less attached housing and more single family homes.

**Recommendation:**

The Planning Board (by unanimous vote - 9 members present) and the Planning Department recommend granting approval of the request for Sketch Plan Revision of Fearrington - Section X, Areas "D" - "M" as submitted.