



# Chatham County, NC

## Legislation Details (With Text)

**File #:** 22-4314 **Version:** 1

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

**File created:** 5/23/2022 **In control:** Planning

**On agenda:** 6/21/2022 **Final action:** 6/21/2022

**Title:** Vote on a request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. to approve subdivision Sketch Plan Revision review and approval of Fearrington P. U. D., Section X,- Granville R.O.W., located off SR-1813 East Camden, SR-1817 Millcroft, and SR-1807 Weathersfield parcel #18998.

### 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 on the Planning Department website

Date	Ver.	Action By	Action	Result
6/21/2022	1	Board of Commissioners	approved	Pass

Vote on a request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. to approve subdivision Sketch Plan Revision review and approval of **Fearrington P. U. D., Section X,- Granville R.O.W.**, located off SR-1813 East Camden, SR-1817 Millcroft, and SR-1807 Weathersfield parcel #18998.

### Action Requested:

Vote on a request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. to approve subdivision Sketch Plan Revision review and approval of **Fearrington P. U. D., Section X,- Granville R.O.W.**, located off SR-1813 East Camden, SR-1817 Millcroft, and SR-1807 Weathersfield parcel #18998.

### 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

Fearrington 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. Fearrington PUD is reviewed under the pre-2008 Subdivision Regulations and the 1994 Watershed Ordinance.

Fearrington has 1602 approved residential units (includes Galloway Ridge) with final plat approval on 1,516 lots. Fearrington 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 review and approval of Section X, Granville R.O.W., the emergency access and utilities extensions, and required easement to Riggsbee’s property. An existing 20-foot-wide easement south of Fearington P.U.D. is proposed to be increased to a 50-foot-wide state-maintained road, to allow a future street extension to property recently acquired by Fitch Creations’, and to allow emergency access and a utility extension easement to Riggsbee’s property if requested.

**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. has provided a letter dated March 30, 2022, stating, “The Fearington WWTP currently has capacity to serve Section X, Area “M” and Millcroft Realignment at Fearington (1,250 gallons per day).” The Wastewater Collection System Extension Permit, issued by the NCDEQ, Division of Water Resources, dated March 4, 2022, has been provided.

**Roadways:** The proposed future street, Granville, will be constructed up to parcel 95264 a property owned by Fitch Creations, Inc and an ingress/egress easement will be provided to parcel 64428 a property owned by Mary W. and Lunday A. Riggsbee. Granville is proposed to be a 50-foot-wide state-maintain road.

**Road Names:** The road name Granville 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 riparian buffer along perennial and intermittent waters not within 2500 feet of rivers.

**Soil Erosion and Sedimentation Control:** An approval letter dated March 16, 2022, by Mr. Justin Hasenfus, Watershed Protection Specialist with Chatham County stated the soil erosion and sedimentation control plans are accepted.

**Technical Review Committee:** The TRC reviewed the request on April 13, 2019. Discussion included how many submittals for the application, if the utility plan had been submitted, and to add the lot setback to the final plat. Other county staff were present and there were no issues noted.

### **Planning Board Discussion:**

Planning Board met virtually May 3, 2022, and Mr. Dan Sears was present on behalf of the developer. Board items that were discussed during the meeting included:

- Does the Riggsbee parcel extend to Mt. Gilead Church Road?
- Can additional lots be created on the Riggsbee property with the 20' wide easement?

Staff explained parcel 64428 (Riggsbee property) is landlocked, but the Riggsbee's own additional properties that may be accessed off Mt. Gilead Church Road. The 20' wide easement is an approved condition from 1999. Staff stated to create a minor size lot, the easement to the Riggsbee property would need to be a minimum of 30' wide.

The Planning Board recommended approval of the proposal unanimously.

### **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 (Strategy 3.2). 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.

### **Recommendation:**

The Planning Staff and Planning Board unanimously recommends granting approval of the road name Granville and approval of Sketch Plan revision 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.