



## Chatham County Planning Board Agenda Notes

**Date: January 8, 2019**

**Agenda Item: VII-1**

**Attachment #: 7**

- Subdivision**
                 
  **Conditional Use Permit**
                 
  **Rezoning Request**  
                                 
  **Other:**

<b>Subject:</b>	Request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for <b>Revised Sketch Plan</b> approval of the existing residential portion of the approved preliminary plan for ' <b>Area D</b> ', consisting of 36 lots on 22.3 acres, located off SR-1813/East Camden, SR-1817/Millcroft, SR-1812/Weathersfield parcel #18998.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Major Subdivision Application and submittal information for sketch revision</li> <li>2. Cover letter dated December 14, 2018 prepared by Dan Sears, ASLA, Sears Design Group, P.A.</li> <li>3. Submittal letter dated December 14, 2018 prepared by Dan Sears, ASLA, Sears Design Group, P.A</li> <li>4. Overall P.U.D. (Sheet D1)</li> <li>5. Sketch Plan Revision titled "Farrington P.U.D., Section X, Area D" dated December 14, 2018, prepared by Sears Design Group, P.A. (Sheet D2)</li> <li>6. Updated 2018 Wetland Plats viewed on County's webpage <a href="https://www.chathamnc.org/home/showdocument?id=42502">https://www.chathamnc.org/home/showdocument?id=42502</a></li> <li>7. Conditions of approval</li> </ol>

**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  
 Farrington 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. Ferrington Village now includes approximately 956 acres and 1602 dwelling units (including the Galloway Ridge units). Two sections of Ferrington, Ferrington 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 # 7. 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 Ferrington Village streets. Utility and private road access will be provided to the Lingerfeldt property as part of Section X, Area D.

Ferrington Village is reviewed under the pre-2008 Subdivision Regulations and the 1994 Watershed Protection Ordinance (including legislatively mandated Jordan Buffer Rule provisions) as based on previous approvals and on requirements of continued development of the overall project. The Planning Board has two (2) meetings to review the request. There are 126 lots remaining in Section X. No additional lots are being added with this revision request.

**Discussion & Analysis:**

The request before the Board is to revise the dwelling unit types and lot layout in Section X, Area D. See attachment # 4, sheet D1, for the existing approved lot and road layout. This existing plan received preliminary plat approval by the Board of Commissioners on September 24, 2018. The preliminary plat approval included 16 residential lots in Area D and public, state maintained roadways Millcroft and West Camden which intersected Weathersfield, SR-1007. The preliminary plat approval also included a roundabout. Attachment # 5, sheet D2, shows the requested sketch design revisions. The revision request is for the interior lot layout only. The lots will be accessed by three separate state maintained roadways with cul-de-sacs as shown on the revised sketch plan. The revision does not include the proposed roadway, Millcroft, West Camden, or the roundabout.

In discussion with Dan Sears, Sears Design Group, P. A., it is staff's understanding that it is the developer's intent to move forward with the construction of portions of Millcroft

(shown in red on sheet D2 marked as Street Project Phase One and Street Project Phase Two) based on the existing approved preliminary plat. Per Mr. Sears, the developer plans to revise the roadway to eliminate the roundabout and replace with a T-intersection at some point in the future. It is also staff's understanding that the applicant plans to submit a request for a revision to the existing approved preliminary plat to eliminate the 16 lots previously approved, but retain the roadway approval and that the request will be submitted as one request with the preliminary plat approval request for Phase 1 consisting of 15 lots as shown on sheet D2. Staff recommends that the revision to the existing preliminary plat and the request for the preliminary plat approval for Phase 1 be separate submittals. Staff recommends that the existing preliminary plat approval be revised to remove the 16 residential lots and to request either a revision to the roadway to change the roundabout to a T-intersection or to eliminate that section of the roadway at this time and have the preliminary plat approval be for the portions of the roadway that will be constructed in conjunction with Area D and to provide either new or updated permits as required from other agencies, i.e. NCDOT, Chatham County Utilities, & Chatham County Watershed Protection.

**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, 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 Fearington until buildout, and as required to comply with NC DEQ rules."

**Stream Buffers:** Fearington 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 a 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. Area D has no stream features or wetlands. In June 2018 the Corp of Engineers revisited Section X and provided updated wetland delineation, copies of the delineation provided by the applicant in the submittal packets are the 2011 plats not the

2018 updated delineation. The updated delineation may be viewed on the county's webpage <https://www.chathamnc.org/home/showdocument?id=42502>.

**Stormwater:** Fearrington 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 and buffer authorizations if necessary. The project is subject to the Chatham County Soil Erosion and Sedimentation Control Ordinance. See information provided by applicant in the submittal letter dated December 14, 2018.

**Roadways:** The 36 lots are proposed to be accessed by three (3) public, state maintained roads.

**TRC:** The Technical Review Committee met on 12/19/18 to review the project. Larry Bridges, Public Works Director stated the project will need to be resubmitted to Public Works, as this will be processed as a new project. Rachael Thorn, Watershed Protection Director stated Jordan Lake Buffer Rules apply to this project. Other departments were present including Emergency Management, Planning, Central Permitting, Environmental Health, and GIS.

**Recommendation:**

The Planning Department recommends granting approval of the request for **Sketch Plan Revision of Fearrington – Section X, Areas “D”** as submitted with the following condition:

1. Construction of Millcroft not commence until a revision has been approved by the Board of Commissioners to the preliminary plat approved on September 24, 2018 to eliminate the 16 residential lots and to request either a revision to the roadway to change the roundabout to a T-intersection or to eliminate that section of the roadway at this time and have the preliminary plat approval be for the portions of the roadway that will be constructed in conjunction with Area D and to provide either new or updated permits as required from other agencies, i.e. NCDOT, Chatham County Utilities, & Chatham County Watershed Protection.