



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
8-18-08

PART A

Subject: Request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for subdivision preliminary plat approval of “**Millcroft Cluster No. 5**”, consisting of 6 lots on 5.29 acres, located off Millcroft, S. R. #1817, Williams Township.

Action Requested: See Recommendations.

- Attachments:**
1. Major subdivision application.
 2. Copy of original sketch design plan.
 3. E-mail from Tom Bender, dated July 16, 2008
 4. Letter dated June 12, 2008 from Alan R. Keith, P. E., regarding water / sewer capacity.
 5. Letter from R. B. Fitch and Wade Barber, Jr., dated July 24, 2008. (See Henderson Place packet)
 6. Preliminary map titled “Millcroft Cluster No. 5”, prepared by Deilh & Phillips, P. A., dated July 10, 2008.

Submitted By:

Keith Megginson, Planning Director

Date

County Manager Review:

Charlie Horne, County Manager

Date

This abstract requires review by:

County Attorney

Date Reviewed

Finance Officer

Date Reviewed

Budget Officer

Date Reviewed

PART B

Introduction / Background / Previous Board Actions: The subject property is part of the approved Planned Unit Development for the Village of Fearington which includes 1602 dwelling units on approximately 925 acres. The property is located in a WSIV-Protected Area watershed district and is subject to the 1994 Watershed Protection Ordinance. Creeks and streams located on the subject property require a 50 foot wide water hazard setback / vegetative stream buffer measured from the top of the bank landward. The property is not within a portion of the 100 year flood plain.

Millcroft Cluster Homes, Fearington Section XV, consisting of 35 lots on approximately 15 acres received sketch design approval by the Board of County Commissioners on April 19, 2004. Preliminary plat approval was received on October 17, 2005. Final approvals have been received to date as follows:

Close One – 9 lots – Approved February 20, 2006
Close Two-- 3 lots—Approved October 17, 2005
Close Three and Four – 14 lots – Approved June 19, 2006

Issues for Further Discussion and Analysis: The developer is requesting preliminary approval of Cluster No. 5. The houses will be single family ownership. The original sketch plan called for six (6) closes. See attachment # 2 for configuration of cul-de-sacs and lots. The remaining two closes (#five # six) were to consist of eleven lots on two cul-de-sacs. With this submittal, the developer has chosen to eliminate one cul-de-sac with the remaining one to serve 6 lots. Five (5) lots have been eliminated allowing the developer to reduce the amount of impervious surface area. Lot lines go to the edge of the stream. Each property owner will own a portion of the stream. The configuration of the cul-de-sac has changed slightly from the original sketch design, see attachment # 2. Staff has reviewed the change and thinks it meets the intent of the sketch design plan. The radius of the cul-de-sac is shown as 50 feet versus the standard 55 feet for the turn-around for private roads as required in the Subdivision Regulations. Tom Bender, Chatham County Fire Marshall has consulted with North Chatham Fire Chief, Mark Riggsbee, and they have advised that this is acceptable in this instance. See attachment # 3. Millcroft is a portion of the Fearington Planned Unit Development. Section 8.3 (C) of the Subdivision Regulations states in part “General subdivision road standards set out or referenced in these regulations may be waived for Planned Unit Developments provided that the intent of these regulations is not negated or lessened.”

Other agencies approvals have been received as follows:

NCDENR	* Authorization to Construct Water System	July 15, 2008
NCDWQ	*Wastewater Collection System Extension	April 23, 2008
NCDOT	* *Commercial Driveway Review Letter	June 24, 2008
NCDOT	Minimum Standard Construction Letter	July 21, 2008
CHATHAM COUNTY	Erosion Control Letter of Approval	June 25, 2008

* See attachment # 4 for letter from Alan R. Keith, P. E., Diehl & Phillips, P. A. regarding water and sewer capacity.

** This portion of Millcroft is currently in the process of being added to the NCDOT state system for maintenance. In a letter dated July 21, 2008 Justin Bullock, NCDOT, informed the applicant that the road was constructed to NCDOT standards. On 8/5/08 he informed Planning Department staff that he had received the last encroachment agreement needed to add this portion of Millcroft to the state system. Per the letter dated June 24, 2008, the proposed driveway is in a proper location and will meet all NCDOT requirements once it is constructed according to the submitted plans. Once the petition for maintenance process has been completed, the commercial driveway permit will be issued.

The above permits may be viewed on the Planning Department web site at www.chathamnc.org, then click on Departments and Programs, Planning, Rezoning and Subdivision Cases, 2008, Millcroft Cluster No. 5, preliminary.

The Chatham County Emergency Operations Office has approved the road name “Woodleigh Close”.

There are two streams shown on the preliminary plat. Both have 50 foot wide water hazard / vegetative stream buffers measured from the top of the bank landward along with an additional 10 foot building setback for a total of 60 feet. Under the 1994 Watershed Protection Ordinance, Section 304 (C) 2 requires “Buildings and other features that require grading and construction shall be set back at least ten (10) feet from the edge of the buffer.”

County water is available and will be utilized. Sewer service is provided by the Ferrington Wastewater Treatment Plant.

Recommendation: *The plat displays the necessary information and meets the requirements of the Subdivision Regulations with the approvals of other agencies.* The Planning Department and Planning Board (by unanimous vote of 9-0) recommend granting approval of the road name “Woodleigh Close” and preliminary approval of Millcroft Cluster, No. 5 as submitted.