



## Agenda Abstract

Department: Planning

Authorizing Signature: \_\_\_\_\_

Submitting Official: Jason Sullivan

Meeting Date:	April 16, 2012
Subject:	Request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for a revision to the existing sketch plan for Fearington – Section X, consisting of 226 lots on 123.8 acres, located off 15-501 N. and Weathersfield, East Camden, and Millcroft, Williams Township, parcel #18998.
Action Requested:	See Recommendations
Attachments: (List Individually)	<ol style="list-style-type: none"><li>1. Application Booklet titled “Request for Sketch Plan Revision, Fearington P. U. D., Section X”, dated February 10, 2012.</li><li>2. 1999 Conditions of Approval for a revisions to the PUD.</li><li>3. Status of 1999 Conditions of Approval.</li><li>4. GIS map of subject property.</li><li>5. E-mail from Dan LaMontagne, Environmental Quality Director, regarding stormwater</li><li>6. Sketch plan revision map titled “Request for Sketch Plan Revision, Fearington P. U. D., Section X”, prepared by Sears Design Group, P. A., dated February 10, 2012.</li></ol>

Introduction & Background:	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 and were developed within the guidelines of
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the Subdivision Regulation. Fearington has 226 dwellings left to build of the 1602 allowed.

The revised 1991 and 1999 PUD plans for the remaining undeveloped Fearington land which included Section X, proposed single family detached homes, townhomes, and clustered cottages. Section X was proposed as a neo-traditional plan similar to Camden Park. The 1999 approved revision request included four conditions of approval. See attachment # 2. Dan Sears, Sears Design Group, has addressed the status of the four conditions in attachment # 3.

In 2010 the Board of County Commissioners granted approval of a sketch design revision from the 1999 plan for Phases 1 & 2 (shown on current request as Phases A & B). The current request includes two (2) revisions to the 2010 approved sketch plan which will be discussed later in the agenda notes.

As discussed in the application booklet, Fearington Village has evolved over time, and has requested revisions to the master plan when needed and as market conditions have changed. Fearington Village has a normal growth of approximately 20 to 35 homes a year. The projected build-out of homes in Section X is approximately 15 years depending on market demands. This is to be considered information and not a development schedule.

Fearington Village PUD is reviewed under the pre-2008 Subdivision Regulation and the 1994 Watershed Protection Ordinance based on the previous approvals and the continued development of the overall project. Per Dan LaMontagne, Environmental Quality Director, the Fearington Village PUD is exempt from the Chatham County Stormwater Ordinance based on the existing approved, valid sketch design plan and the continued development of the project. See attachment # 5. The e-mail also states *"This project is not, however, exempt from the Jordan Lake Buffer requirements which include diffuse flow requirements under 15A NCAC 02B.0267. Because of the extended time frame proposed for this project, while the project is currently exempt from stormwater treatment requirements, there are no guarantees that future stormwater controls will not be required by changes to the State rules"*. The project is subject to the Soil Erosion and Sedimentation Control Ordinance.



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	<p>The application booklet and map for the current revision request can be found on the Planning Department website at <a href="http://www.chathamnc.org/planning">www.chathamnc.org/planning</a>, then click on Rezoning &amp; Subdivision Cases, 2012.</p> <p>Mr. R. B. Fitch, owner/developer, has met with the Executive Director of Galloway Ridge along with the Fearington Homeowners Association to explain the revision request and to answer any questions. Notices to adjoining property owners were mailed by staff on February 20, 2012.</p>
Discussion & Analysis:	<p>The property is located east of Galloway Ridge. A GIS map has been provided showing the subject property and the relationship to adjoining properties. See attachment # 4. The total approved dwelling count of 1602 units (includes Galloway Ridge) will not change with this request. There are 226 units remaining of the 1602 approved units. <u>Completion of Section X will complete the build-out of the Fearington PUD.</u> The lots will be served by the Chatham County water system and sewer service is provided by the private Fearington Waste Water Treatment Plant. Alan Keith, P. E, Diehl &amp; Phillips, P. A., has certified in a letter dated February 7, 2012, that the WWTP currently has existing constructed capacity to serve Section X, Phases 1 and 2 (10,250 gallons per day) and that the existing collection system has capacity to serve the entire Section X project. Per the letter, Fitch Creations, Inc. currently has an Authorization to Construct an expansion to the WWTP from NCDWQ to provide adequate treatment capacity for Section X as needed. Permits will be provided at the preliminary plat submittal.</p> <p>This request has been submitted as a revision to the existing sketch plan approved in 1991 and later modified in 1999 along with a revision to the 2010 sketch plan for Phases 1 &amp; 2 (A &amp; B). The 2010 sketch design approval of Phases 1 &amp; 2 included 12 lots in Phase 1 and 29 lots in Phase 2. The lot count for these two phases remains unchanged. The revision request for Phases 1 &amp; 2 include:</p> <ul style="list-style-type: none"><li>■ A roadway status change in Phase 2 from a private roadway to a public, state maintained roadway, reviewed and approved by NCDOT.</li><li>■ Based on the interpretation of Dan LaMontagne, Environmental Quality Director, that the revision to Section X</li></ul>

is not subject to the Chatham County Stormwater Ordinance, the developer is requesting that Phase 1 & 2 not be subject to the 2008 Stormwater Ordinance as was previously stated on the approved 2010 sketch plan note # 7.

Staff recommends that the requested revisions to Phases 1 and 2 be approved.

During review of the sketch design revision in 2010 for Phases 1 & 2, the developer volunteered to provide an additional 50 feet of vegetative buffer width along Bush Creek, a perennial stream, making the buffer 100 feet measured from the bank of the stream, landward. This remains unchanged. (The 1994 Watershed Ordinance requires a 50 foot wide vegetative buffer along perennial streams not within 2500 feet of a river).

Major streets serving the lots will be public, state maintained roadways. Streets serving the individual lots sections D, E, F, and G, etc. will be private, paved roadways. See the sketch design map. Sears Design Group has provided a table on the sketch plan showing roadway information regarding width of right-of-ways and travelways on the sketch plan. The travelway widths for the public and private roads are proposed to range from 18 to 20 feet. Tom Bender, Chatham County Fire Marshal and North Chatham Fire Chief, John Strowd have reviewed the widths for the main roads and found them adequate for emergency vehicle access (with no on-street parking). Mr. Bender stated that the private roadways serving the denser areas, D, E, F, and G, etc. will have to be reviewed at a future date when more detail on the roads can be provided. Staff recommends that the developer meet with the Fire Marshal regarding the private roads prior to beginning the permitting process for preliminary plat submittal.

A table has been provided on the sketch plan showing the land use breakdown. Based on the plan as shown, 48.8% of the total acreage, 123.79 acres, will be open space (not including any road right-of-ways). The developer has provided a buffer and a trail easement along Millcroft with a trail easement also extending along East Camden, and Weathersfield and within the project area. A 50 foot wide perimeter buffer has been provided along the common boundary with adjacent property owners, i.e. Riggsbee and Lingerfeldt. A 40 foot wide buffer is shown on the subject property



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along the common line with Galloway Ridge and there is a 10 foot buffer on the Galloway property making a total buffer width of 50 feet. Per Dan Sears, these perimeter buffers are a building setback and Fearington normally does not grade in those areas, but it is allowed.

Chris Hopper, Environmental Quality Inspector, has field verified the streams shown on the sketch plan that were identified by a private consultant, S & EC. A 50 foot wide buffer per side is provided along the intermittent and perennial water features as required under the 1994 Watershed Protection Ordinance, except along Bush Creek which will have a 100 foot wide buffer as stated above. A 10 foot no-build area is also shown as required. Although wetlands are not required to be buffered under the 1994 Watershed rules, a 25 foot wide buffer will be provided around all wetlands. Ephemeral water features are not required to be buffered.

Dan Sears contacted the Chatham County Historical Association on February 1, 2012 and provided them a copy of the sketch plan. Mr. Sears stated that there were no historical structures to his knowledge on the subject property. Bev Wiggins with the Historical Association, stated that although there may not be structures or cemeteries, the Association is also interested in documenting any evidence of prior historical use and asked that she be notified in the future if anything is discovered as development of the site progresses.

The Planning Board discussed the request. There were several adjacent property owners present from Galloway Ridge and Millcroft. Issues of concern expressed by the Galloway residents were the close proximity of units in Phase L to the building setback line between the two projects, specifically Units 1 & 2 and lack of landscaping along the berm. Per Dan Sears, it is the responsibility of Galloway Ridge to landscape the berm. Issues of concern expressed by the Millcroft residents included potential erosion control problems on their lots due to construction of Section X, adequate buffering along Millcroft road to soften the view, how much of the pasture would be remaining, and sequence of development. Two of the Planning Board members expressed concern about there only being two entrances in and out for the entire development, and whether or not a traffic light should now be placed at the intersection of Weathersfield and 15-501 N.



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	As stated previously, staff, recommends that the developer meet with the Fire Marshal regarding the private roads prior to obtaining permits for preliminary plat submittal.
Budgetary Impact:	None
Recommendation:	The plat meets the requirements of the Subdivision Regulations for sketch design review. The Planning Department and Planning Board (by a vote of 9-1) recommend granting sketch design revision to Farrington, Section X as shown on map dated 2/24/12 as requested.