

**..TITLE**

Request by Fitch Creations, Inc. for subdivision final plat approval of *Rutherford Close at Fearington, Section X, Area K*, consisting of 12 lots on 3.3 acres, located off SR-1813, East Camden, Williams Township, Parcel Number 18998.

**..ABSTRACT****Action Requested:**

Request by Fitch Creations, Inc. for subdivision final plat approval of *Rutherford Close at Fearington, Section X, Area K*, consisting of 12 lots on 3.3 acres, located off SR-1813, East Camden, Williams Township, Parcel Number 18998.

**Introduction & Background:**

**Zoning:** Conditional Use Permit for a Planned Unit Development

**Water source:** Chatham County

**Watershed District:** WSIV-Protected Area / Jordan Lake Buffer Area

**Septic:** Private WWTP

**Within 100 yr flood plain:** No

On March 6, 2012, the Board of County Commissioners approved a revision to the existing sketch plan for Fearington – Section X, consisting of 226 lots on 123.8 acres. Fearington PUD is reviewed under the pre-2008 Subdivision Regulations and the 1994 Watershed Protection Ordinance. The project is subject to the Soil Erosion and Sedimentation Control Ordinance; however, the 2008 Stormwater Ordinance does not apply to the project since Fearington Village, Section X had an existing sketch plan prior to adoption of the Stormwater Ordinance. The completion of the 226 lots in Section X will complete the build-out of the existing Fearington PUD for a maximum number of 1602 lots.

Preliminary plat approval for 12 townhouse lots, Area K, was approved by the Board of County Commissioners on June 18, 2013. Area K is accessed by a private roadway.

**Discussion & Analysis:**

The request is for final plat approval of “Rutherford Close” at Fearington, Section X – Area K, with a financial guarantee for completion of erosion control measures. Under the pre-2008 Subdivision Regulations, a developer may request a final plat approval with a financial guarantee for completion of the remaining work once a minimum of 40% of the required infrastructure has been completed and the public health and safety is not endangered. Alan R. Keith, P. E., Diehl & Phillips, P. A. has certified to the county that the work is over 95% complete for Area K and the remaining costs are for erosion control measures, sediment basin conversion, bollards (emergency access) and

striping. The county attorney will review and approve the form of the financial guarantee prior to final plat recordation.

The plat meets the requirements of the Subdivision Regulations for a final plat review.

The Planning Board met on October 1, 2013 to review the final plat request. There was a question from the Board regarding the emergency vehicle access. Alan Keith. P. E, explained that the construction plans for Area K, Rutherford Close, include an emergency vehicle access onto East Camden at the end of the street, near Bladen. The emergency access includes a culvert and a 'reinforced lawn' to create a driveway turn out, is more than twenty feet wide and consists of compacted subgrade, 6" CABC stone base, and will be covered in 4" of topsoil and grassed. Bollards will be placed to preclude normal vehicle traffic, but, a center collapsible bollard will allow for emergency vehicle access. The design has been discussed with and approved by North Chatham Fire Department.

**Recommendation:**

The Planning Board and Planning Department (by unanimous vote – 8 members present) recommends granting final plat approval of *Rutherford Close at Fearington, Section X, Area K*, and approval of the request for a financial guarantee with the following condition:

1. The plat not be recorded until the county attorney has approved the form of the financial guarantee and the contract.