



Chatham County Planning Board Agenda Notes

Date: July 1, 2014

Agenda Item: VIII. 1

Attachment #: 1-2

- Subdivision
 Conditional Use Permit
 Rezoning Request
 Other:

Subject:	Request by Wade Barber for subdivision final plat review and approval of Henderson Place at Fearington, consisting of 45 lots on 60.12 acres, located off S. R. 1835, South Langdon, Williams Township, parcel #'s 19333 and 88196.
Action Requested:	See Recommendation
Attachments:	<ol style="list-style-type: none"> 1. Major Subdivision Application. 2. Final plat titled "Henderson Place at Fearington", prepared by Van R. Finch, dated June 6, 2014.

Introduction & Background:	
Zoning:	R-1
Water Source:	Chatham County
Watershed District:	WSIV-Protected Area/Jordan Lake Watershed
Sewer Source:	Fearington WWTP
Within 100 year flood:	No
<p>The project is reviewed under the pre-2008 Subdivision Regulations and Watershed Ordinance. Henderson Place received sketch design approval from the Board of County Commissioners on July 16, 2007 for 48 lots with the two following conditions:</p> <ol style="list-style-type: none"> 1. The applicant shall prepare and environmental impact assessment and have it reviewed by the Environmental Review Board prior to preliminary plat submittal. 2. The applicant shall provide a 100 foot buffer along the common boundary with Bradford Place. <p>Condition # 1 was met. Based on the EIA, several changes were made to the development plan as listed on the preliminary plat notes dated October 7, 2008. Condition # 2 was met. The 1994 Watershed Protection Ordinance required a 50 foot wide water hazard area along the stream feature. The developer voluntarily added an additional 50 foot buffer for a total of 100 feet along the common boundary with Bradford Place, Lots 1 -- 8. The additional 50 feet is part of the lot, and is not deducted from the useable lot area, but is to be a no build area to remain natural and wooded for a total width of 100 feet.</p>	

Preliminary plat approval was granted on October 20, 2008 for 45 lots with the two following conditions:

1. Prior to any land disturbing activity, the Chatham County Historical Association be allowed to visit the site to document any evidence of historical nature.
2. The developer shall consult with NCDOT to determine the width and length of “public drainage easements” requested by NCDOT and label the balance of the drainage easement “private”.

Both conditions have been met.

The Permit Extension Act of 2009 extended the final plat submittal sunset date to January 1, 2015. The property is not part of the Fearington Planned Unit Development.

An on-site stream determination was conducted on the property prior to preliminary plat approval. A portion of the stream feature along the common boundary with Bradford Place was determined to be a perennial / intermittent stream and transitioned to an ephemeral feature along Lots 9 – 11. Because the project received sketch design approval in 2007 the ephemeral feature was not required to be buffered. The developer volunteered to provide a 100 foot wide ‘stream protection building setback’ along Lots 9 – 11. During the on-site review an intermittent water feature was found along the southernmost boundary that was not shown on the USGS Topo map. A 50 foot wide ‘stream protection building setback’ was added along the intermittent portion of this feature. The 50 foot buffer per side of the feature is allowed to be included in the useable lot area, but is to be a no build area. The developer has provided a 50 foot wide perimeter setback that does not allow structures and is to remain naturally wooded and will be regulated by the private covenants.

Discussion & Analysis:

The developer is requesting final plat approval for 45 lots to be served by county water and the Fearington WWTP. The final plat request includes a request for a financial guarantee for the completion of required infrastructure. Per the engineer, Alan Keith, Diehl & Phillips, P. A, the development is currently 40.4% complete. The developer has stated that an updated cost estimate letter will be provided prior to final plat review by the Board of Commissioners and that he expects to have additional work completed and will provide certification from the engineer at that time that the roadway is accessible to emergency vehicles.

The plat meets the requirement of the Subdivision Regulations.

Recommendation:

The Planning Department recommends granting final plat approval of “Henderson Place at

Fearrington” as submitted and recommends granting the request for a financial guarantee with the following conditions:

1. The plat not be recorded until the county attorney has approved the form of the financial guarantee and contract.
2. The plat not be recorded until the engineer has certified that the roadway is accessible to emergency vehicles and confirmation has been received from the fire marshal.