



## Chatham County Planning Board Agenda Notes

**Date: March 5, 2024**

**Agenda Item: VI-1**

**Attachment #: 3**

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

<b>Subject:</b>	Request by Fitch Creation, Inc. for subdivision <b>Final Plat</b> review of <b>Ferrington Public Right-of-Way Dedication Section X “Millcroft”</b> , 1,425 feet in length, located off Weatherfield (SR-1819), parcel 18998 in Williams Township.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Major Subdivision Application</li> <li>2. Cost Letter from Diehl &amp; Phillips, P.A. dated February 9, 2024</li> <li>3. Final plat titled Ferrington – Public Right of Way Dedication Section X –, “Millcroft”, dated February 6, 2024, prepared by Van R. Finch – Land Survey, P. A.</li> </ol>

**Introduction & Background:**  
 Zoning District: Conditional Use Permit for a Planned Unit Development (PUD)  
 Watershed District: WSIV-PA  
 Water Source: Chatham County Public Water  
 Sewer: Private Wastewater Treatment Plant  
 Within 100-year flood: No

Ferrington was originally approved in 1976 as a Planned Unit Development with a master plan allowing mixed uses and has continued to develop over time. Ferrington has 1602 approved residential units, including Galloway Ridge. There are 1,516 lots with final plat approval. Ferrington PUD is reviewed under the pre-2008 Subdivision Regulations and 1994 Watershed Protection Ordinance. The project is exempt from the Chatham County Stormwater Ordinance but not exempt from the Jordan Lake Buffer requirements. The project is subject to the Chatham County Soil Erosion and Sedimentation Control Ordinance. In 2010, the Board of County Commissioners granted approval of a sketch design revision to a 1999 PUD plan which included all the remaining undeveloped land within the PUD and included Section X. In 2012, another sketch plan revision was approved for Section X. In 2016, the PUD was revised to add “Tyrell” street off Richmond, and to relocate six (6) lots. The 2016 revision did not add any additional lots.

The Planning Board has 2 meetings to make a recommendation on the final plat request.

**Discussion & Analysis:**

The request before the Board is for Final Plat approval of Fearington, Public Right-of-Way Dedication Section X, "Millcroft". Millcroft public right-of-way dedication received preliminary plat approval from the Board of Commissioners on June 21, 2022. The roadway (Millcroft) is proposed to be constructed as NCDOT public, state-maintained road. The final plat request is being submitted with a request for a performance guarantee for the completion of the required infrastructure. As of the submittal date, the engineer, Alan Keith, P.E., certified that the project was 98.67 % complete. An updated cost letter may be submitted prior to final plat recordation. Staff recommends that the request for a performance guarantee be granted.

Fearington is subject to the 1994 Watershed Protection Ordinance which requires a 50-foot riparian buffer along perennial and intermittent water features not within 2500 feet of rivers. Ephemeral features were not required to be buffered.

The Technical Review Committee met on February 14, 2024, to review the request. Watershed Protection Dept. asked if the PDEs were public or private and staff stated NCDOT requested the PDE to state "permanent" based on a conversation from several years ago. It was verified, the isolated wetland, was a voluntary buffer of 35'. There were no concerns from staff.



The vicinity of the R-O-W.

**How does this relate to the Comprehensive Plan:**

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. These properties are in an area of the county identified as villages on the Future Land Use and Conservation Plan Map. The description for villages includes retail, restaurants, services and offices, light industrial uses, residential with smaller lot size, public/open space, small parks, walking paths, and greenways. It should be noted that Plan Chatham is not intended to be used as a regulatory tool but is a policy document. When reviewing subdivision applications, the boards can use the plan as a tool to identify future regulatory changes.

**Recommendation:**

The Planning Department recommends granting approval of the request for a financial guarantee and recommends granting approval of the request for final plat approval of **Farrington Public Right-of-Way Dedication Section X "Millcroft"** as submitted with the following conditions:

1. The county attorney shall review and approve the contract and performance guarantee prior to final plat recordation.
2. Prior to final plat recordation the engineer shall certify to the county that there is all weather access for emergency vehicles and the certification must be approved by the Fire Marshal.