



Chatham County Planning Board Agenda Notes

Date: July 7, 2020

Agenda Item: VII-1

Attachment #: 3

- Subdivision
 Conditional Use Permit
 Rezoning Request
 Other:

Subject:	Request by Patrick Bradshaw for a twenty-four (24) month extension of preliminary plat to extend the current preliminary plat expiration date for The Legacy at Jordan Lake Subdivision Phase 3 from May 31, 2021 to May 31, 2023, consisting of 69 remaining lots , located off Big Woods Road, S. R. 1716, Williams Township, parcels #92463 and 89438.
Action Requested:	See Recommendation
Attachments:	<ol style="list-style-type: none"> 1. Major Subdivision Extension Application 2. Explanation of Extension Request 3. The Legacy Master Plan, prepared by CE Group

Introduction & Background:
Zoning District : R1 with Conditional Use Permit for a Planned Unit Development
Watershed District: WSIV-Protected & Jordan Lake Buffer Area
Water Source: public, Chatham County
Sewer Source: private, waste water treatment plant
Road type: private, paved
Within the 100 year flood plain: No floodable area in parcels 89438 and 92463

This subdivision is review under the Pre-2008 Subdivision Regulations. The Legacy at Jordan Lake received Sketch Plan approval on March 15, 2004 as a Planned Unit Development for a cluster development. Modifications were made to the plan in 2005 to add 50.6 acres and change the number of lots to 463. The project is approved for 463 acres on 626 acres with an amenity center. Phase One received final plat approval in December, 2005 for 105 lots. Phases Two and Three, consisting of 114 lots received preliminary / final plat approval in 2006. In 2011, the developer submitted a request to the Board of County Commissioners to relinquish the final plat approvals for Phases Two and Three (undeveloped); to recombine the 114 lots with the remaining undeveloped portion of the property into one parcel of land containing 402 acres; and to allow Phases Two and Three to revert to their approved preliminary plat status as of November 20, 2006. The BOC approved the request on November 7, 2011. The Resolution Accepting The Voluntary Relinquishment of Final Plat Approvals of The Legacy at Jordan Lake, Phase

Two and Three is recorded in Deed Book 1593, Page 272. The recorded recombination plat can be viewed at Plat Slide 2011, Pages 199 & 200 and at Plat Slide 2012, Page 10. The resolution stated that the recreation fees and the water availability fees previously paid by the developer would be retained by the county and credited toward any similar fees incurred by the developer in future submittals until December 31, 2015 or any later date required by an amendment to the Permit Extension Act. To date 334 lots have received final plat approval. The tennis courts, playground, clubhouse and pool have been completed. The clubhouse and pool opened to the residents on September 9, 2017. The current preliminary plan for the remaining 69 lots will expire on May 31, 2021 unless an extension request is approved by the Board of Commissioners. If the current preliminary plat expires, any future development of the property will be reviewed and approved under the current Subdivision Regulation.

Discussion & Analysis:

The previous deadline for submission of the final plat was December 31, 2020. That time was extended by the adoption of Senate Bill 704, adopted by the General Assembly and approved by the Governor in response to COVID-19 crisis, for five months to May 31, 2021. The request before the Board is for a twenty-four month extension of preliminary plat to extend the preliminary plat expiration date from May 31, 2021 to May 31, 2023. The developer, F-L Legacy Owner, LLC, has stated in the extension request letter, the reason for the extension request is based on lot sales to homebuilders and consumers, the sales have rapidly ground to a halt. To complete the infrastructure development necessary to finalize 69 lots, by May 2021 would impose a financial hardship. If the extension request is granted, it will give the developer a reasonable opportunity to weather the current difficulties and find a market for the remaining 69 lots.

Phase 3 preliminary plat was approved by Board of Commissioners on January 21, 2020. All required permits have been obtained and can be reviewed on Chatham County Planning page <https://www.chathamnc.org/government/departments-programs/planning/rezonings-subdivision-cases/2019-items/legacy-phase-3-preliminary-plat>

Recommendation:

The Planning Department is not making a recommendation on the request as this is a policy decision to be made by the Board of County Commissioners.