



Chatham County Planning Board Agenda Notes

Date: June 6, 2023

Agenda Item: VI-3

Attachment #: 3

- Subdivision**

 Special Use Permit

 Rezoning Request

 Other:

Subject:	Request by Craig Nursey on behalf of Swain Land & Timber, LLC for a twelve (12) month extension of First Plat to extend the current first plat expiration date for McBane Park Subdivision from August 16, 2023 to August 16, 2024, consisting of 149 lots , located off Old Graham Road, S. R. 1520, parcel #85448.
Action Requested:	See Recommendation
Attachments:	<ol style="list-style-type: none"> 1. Major Subdivision Extension Application 2. Explanation of Extension Request 3. Plat Map

Introduction & Background:
Zoning District: R-1
Water System: Public Water (Aqua)
Sewer System: Public Wastewater (Aqua)
Watershed District: WS-IV Protected Area and Jordan Lake watershed/riparian buffers
Road type: Public
Within the 100-year flood plain: Floodable area on parcel 85448

This subdivision is reviewed under the current Subdivision Regulations. The subdivision process is a four (4) step process: Concept Plan, First Plat, Construction Plan, and Final Plat. McBane Park received First Plat approval on August 16, 2021. Section 5.2 C (6) "Approval of a First Plat shall be valid for a period of twelve (12) months following the date of approval by the Board of Commissioner. Approval shall remain valid provided the Construction Plan application is submitted during the time period. A one-year extension may be granted if the application demonstrates that delays beyond their control are responsible for the lapse and have the extension submitted and reviewed following the process outlined in Section 5.2(D) (4) prior to the expiration of approval."
The first plat approval for 149 lots will expire on August 16, 2023, unless the Board of Commissioners approves an extension request. If the first plat expires, any future

development of the property will be reviewed and approved under the current Subdivision Regulation.

Discussion & Analysis:

The deadline for submission of the construction plan is August 16, 2023. The request before the Board is for a twelve-month extension of First Plat approval to extend the first plat expiration date from August 16, 2023, to August 16, 2024. WithersRavenel, representative for Swain Land & Timber, LLC, has stated in the extension request letter, the reason for the extension request is based on permits needed from various agencies. The applicant expresses in the letter dated May 22, 2023, the first round of comments has been issued by the various agencies and the second resubmittals to Chatham County Watershed Protection Department, NCDOT, and Aqua has been submitted. The first review with NCDOT took nearly 3 months and staff turnover with Aqua has delayed reviews. Once approvals by Aqua for water and sewer permits are received they can then be submitted to the NC Department of Environmental Quality and the approximate turnaround time is 6-8 weeks. There's an uncertainty of the timeframe with the various agencies due to the status of various agencies' staff turnovers and delayed reviews.

Permits are actively being pursued and a twelve month extension is requested to allow additional time to obtain the required permits in the unforeseen circumstance that permits are not received prior to construction plan deadline on August 16, 2023. It is not anticipated for the permit approvals to take the entire twelve months request.

Recommendation:

The Planning Department does not make recommendations on extension requests as this is a policy decision for the Board of County Commissioners.