

..TITLE

Vote to approve a request by Craig Nursey, P.E on behalf of RBV 1525, LLC for a **six (6) month extension of First Plat to extend the current first plat expiration date for Flatiron Forest from August 24, 2023, to February 24, 2024, consisting of 29 lots**, located off Hamlets Chapel Road, SR-1525, parcel #2037 and 2014.

..ABSTRACT

Action Requested:

Vote to approve a request by Craig Nursey, P.E on behalf of RBV 1525, LLC for a **six (6) month extension of First Plat to extend the current first plat expiration date for Flatiron Forest from August 24, 2023, to February 24, 2024, consisting of 29 lots**, located off Hamlets Chapel Road, SR-1525, parcel #2037 and 2014.

Introduction & Background:

Zoning District: R-1

Water System: Public Water

Sewer System: Individual Septic System

Watershed District: WS-IV Protected Area and Jordan Lake watershed/riparian buffers

Road type: Public

Within the 100-year flood plain: n/a

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. Flatiron Forest received First Plat approval on August 24, 2022. 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 29 lots will expire on August 24, 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 24, 2023. The request before the Board is for a six-month extension of First Plat approval to extend the first plat expiration date from August 24, 2023, to February 24, 2024. WithersRavenel, representative for RBV 1525, 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 June 28, 2023, the first round of comments has

been issued by the various agencies and have submitted the second round of resubmittals to NCDEQ-PWS and NCDOT. Permit applications have been submitted to Chatham County Watershed Protection Dept., Chatham County Utility Dept., USACE, and NCDEQ-DWR. The first review with NCDOT took three months and the second review was two months. WithersRavenel is actively coordinating with NCDOT to clarify their comments and WithersRavenel anticipates resubmitting to NCDOT within days of receiving a response.

Permits are actively being pursued and a six-month extension is requested to allow additional time to obtain the required permits, in the unforeseen circumstance that permits are not received prior to the construction plan deadline on August 24, 2023. It is not anticipated for the permit approvals from the various agencies to take the entire six months request.

Planning Board Discussion:

The Planning Board reviewed this request during their August 1, 2023 meeting. The applicant was present and stated that NC DEQ permits have been received but they were still waiting for a NCDOT permit. It was asked by board members why they waited so long to submit for an extension request. The applicant stated that it was their hope to have all permits but ran into delays with regulatory agencies that they had not anticipated. The board asked why not ask for 12-months since the regulations allow. The applicant stated they were confident that they would receive the remaining permit within a few months.

How does this relate to the Comprehensive Plan: Provide equitable access to high-quality education, housing and community options for all.

Recommendation: The Planning Department does not make recommendations on extension requests as this is a policy decision for the Board of County Commissioners. The Planning Board voted unanimously to recommend approval of the six month extension request.