

**..Title**

Vote to approve a request by Warren Mitchell, P.E. on behalf of Vickers Bennett Group, LLC for twelve (12) month extension of First Plat to extend the current first plat expiration date from November 15, 2024 to November 15, 2025 and development schedule, consisting of 183 lots located off US 15-501 N, Vickers Rd, SR-1719, and Jack Bennett Rd SR-1717 parcels #18847, 18848, 60719, 18636, 60653, 79965, 89281, 89395, 80493, 69057, 89206, 18857, 87996, 89272, 18856, 87093, 93157, 79288, 93156, 93155, 93154,85875, and 18914

**..Abstract**

Introduction & Background:

Zoning District: Conditional District Compact Community

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: No floodable

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. Vickers Village received First Plat approval on November 15, 2021. Section 5.2 C (6) "Approval of a First Plat shall be valid for a period of two (2) years 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 phase of phased subdivision must submit Construction Plans within three (3) years of approval of First Plat."

The first plat approval for up to 203 lots will expire on November 15, 2024, 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.

The Board of Commissioner's approved a one-year extension on September 18, 2023, prior to the Subdivision Regulation amendment that extended phased subdivision approval from 2-years to 3-years.

Discussion & Analysis:

The deadline for submission of the construction plan is November 15, 2024. The request before the Board is for a twelve-month extension of First Plat approval to extend the first plat expiration date from November 15, 2024, to November 15, 2025. To request approval to extend Final Plat phases 1-3 to the following.

Previous Approved Development Schedule	Proposed Development Schedule
Phase 1 Final Plat 66 lots by 12/31/2024	Phase 1 Final Plat 74 lots by 12/31/2026
Phase 2 Final Plat 115 lots by 12/31/2026	Phase 2 Final Plat 115 lots by 12/31/2027
Phase 3 Commercial Lot by 12/31/2027	Phase 3 Commercial Lot by 12/31/2028

Mr. Antonio McBroom and Warren Mitchell, Developers for Vickers Bennett Group, LLC, has stated in the extension request letter the efforts to find a development partner have been hampered/delayed by the increase in the interest rates that started in 2022. It took nearly 3 years to receive wastewater system approval, the system was approved April 30, 2024. It has taken extra time to find a builder who is familiar with on-site sewer treatment and spray irrigation. Lastly, due to labor force shortages, it has taken longer to complete all permitting efforts.

**Planning Board Discussion:**

The Planning Board met on August 6, 2024. Mr. Nick Robinson and Warren Mitchell were present. Mr. Robinson stated Vickers Village will be the first compact community in Chatham County to have affordable housing within the project instead of payment in lieu. A lot of work has gone into this project, and they are very close to completing all the required permits to make the construction plans. It was a huge hurdle in the permitting process for the wastewater treatment plant and two more permits are expected soon. A full year is not expected but we rather be safe. Mr. Robinson asked the board to respectfully recommend the extension for approval.

The board discussion included:

- When did the Board of Commissioners adopt the change in the regulations from 2 years to 3 years for the construction plan? Staff stated the later portion of 2023. The board stated they want to be consistent with the current rules and the request is not unreasonable due to circumstances beyond their control.
- Has there been any significant change in the subdivision regulations since the original approval? Staff stated no changes.
- This project has excellent road access and is the first project to have affordable housing on site. Phase one of the project has beautiful natural area that will remain untouched and another parcel of land that is about 11-acres will remain in natural state.

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: N/A

Recommendation/Motion:

The Planning Board by unanimous vote (6-0) recommends approval of the extension request.

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