

PLANNING & ZONING REVIEW NOTES

VII. B.

SUBJECT: Request by Nicolas P. Robinson, Attorney-at-Law for a three (3) year extension of the development schedule for **Phase 1B of The Bluffs Subdivision** extending the final plat deadline from December 31, 2009 to December 31, 2012.

ACTION REQUESTED: See recommendation.

ATTACHMENTS: The following is included in this packet and may be viewed on the Planning Department website at www.chathamnc.org/planning Rezoning and Subdivision Applications, 2009.

1. Request letter dated March 12, 2009 from Nicholas P. Robinson, Attorney-at-Law.
2. Map showing Phase 1B of The Bluffs Subdivision

INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS: The subject property is located in a portion of Chatham County zoned R-5 which requires a 3 acre minimum / 5 acre average lot size.

May 15, 2006: The Board of County Commissioners approved sketch design for “The Bluffs”, consisting of 112 lots on 597 acres along with a development schedule.

November 20, 2006: Preliminary plat approval of “The Bluffs, Phase 1”, consisting of 36 lots on 180 acres along with a modification of the existing development schedule as follows:

	<u>Submit Preliminary Plat</u>	<u>Complete Infrastructure</u>	<u>Submit Final Plat</u>
Phase 1: (35 lots)	2/28/07 (unchanged)	10/31/09	12/31/09
Phase 2: (47 lots)	10/31/09	10/31/11	12/31/11
Phase 3: (30 lots)	10/31/11	10/31/13	12/31/13

June 18, 2007: Approval to add two (2) additional lots to “The Bluffs” bringing the total number of lots to 114.

November 19, 2007: Final plat approval of “The Bluffs, Phase 1A”, consisting of 12 lots (a portion of the preliminary plat approval granted on 11/20/06).

September 30, 2008: A new map was recorded taking Phase 1A out of The Bluffs, changing the name from “The Bluffs, Phase 1A” to “The Estates at Laurel Ridge, Phase 2A”; renumbering the lots to be consecutive with the lot numbers for “The Estates at Laurel Ridge”; and changing the road from private to public. Staff received the NCDOT permit for the roadway change.

Re: Phase 1B of The Bluffs Subdivision

ISSUES FOR FURTHER DISCUSSION AND ANALYSIS: The final plat submittal deadline for Phase 1B of The Bluffs is December 31, 2009. Nicolas Robinson, Attorney, is requesting, on behalf of the developer, a three (3) year extension of the development schedule for Phase 1B of The Bluffs Subdivision extending the final plat deadline from December 31, 2009 to December 31, 2012. The reason(s) for this extension request are as previously stated in the revision request for The Estates at Laurel Ridge, Ph 1B. Mr. Robinson states in his request letter, attachment 1, that the reason for the requested extension is due to “issues related to the timeliness of installation of certain wastewater treatment facilities by third party developers.” The sanitary sewerage system for the project will be handled by low pressure sewers and the effluent will be treated at the Chapel Ridge Wastewater Treatment Plant. According to the project engineer, the plant currently has the capacity to handle the remaining lots in The Bluffs, Phase 1B, and there is sufficient certified spray field capacity within the Chapel Ridge complex to spray the treated effluent to be generated by those lots. The developer has advised, however, that negotiations continue between this developer, the developer of The Parks at Meadowview and Aqua (the public wastewater utility that owns the wastewater treatment plant) regarding the timing of the construction of the balance of the spray facilities needed to service the entire Chapel Ridge complex of neighborhoods. Acceptance of the Laurel Ridge pump station and collection system by Aqua appears to have been delayed until that resolution is reached. The developer’s extension request is based on the uncertainty as to the timing of resolutions of those issues. The developer is asking for the extension now because work would need to begin immediately on The Bluffs, Phase 1B lots if the December 31, 2009 development schedule is to be met.

The request for a three (3) year extension of the development schedule for The Bluffs Phase 1B extending the final plat deadline from December 31, 2009 to December 31, 2012 seems reasonable, given the third party delays.

RECOMMENDATION: The Planning Department recommends granting a three-year extension of the development schedule to allow the final plat submittal deadline for The Bluffs, Phase 1B to be extended from December 31, 2009 to December 31, 2012.