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Request by Mark P. Ashness, P. E., CE Group, for a two year extension of the final plat submittal sunset date for the Legacy at Jordan Lake to extend the sunset date from December 31, 2015 to December 31, 2017.

..ABSTRACT

Action Requested:

Request by Mark P. Ashness, P. E., CE Group, for a two year extension of the final plat submittal sunset date for the Legacy at Jordan Lake to extend the sunset date from December 31, 2015 to December 31, 2017.

Introduction & Background:

The Legacy at Jordan Lake was approved in 2004 as a Conditional Use Permit for a cluster development. The development is approved for 463 lots on 626 acres. Phase 1 received final plat approval in 2005 for 105 lots and Phase 2 received final plat approval in 2014 for 54 lots. Phase 3 has preliminary plat approval and Phases 4, 5, and 6 have sketch design approval. The development has private roadways, county water, and a sewer treatment plant. The development was reviewed and approved under the pre-2008 Subdivision Regulations. The final plat submittal sunset date for the 304 remaining lots is December 31, 2015.

Discussion & Analysis:

The developer is requesting a two (2) year extension of the final plat submittal deadline for The Legacy at Jordan Lake, Phases 3, 4, 5 & 6 to extend the deadline from December 31, 2015 to December 31, 2017. Construction activity has resumed in the development with Meritage Homes developing and building in Phases 1 and 2. There are currently 159 lots in Phases 1 and 2 that have final plat approval.

Per Mark Ashness, P. E., the WWTP for The Legacy is fully complete and has the capacity to serve all phases; spray fields will be added to support each phase as they are built; and the sewer collection permit for both Phases 2 & 3 was a combined permit and is active with no expiration. The engineer also certified that the Authorization to Construct for water line installation is a combined approval for both Phases 2 and 3 and is active with a partial certification complete for Phase 2. The Authorization to Construct permit for Phases 2 & 3 has an expiration date of 9/12/15; however, per the engineer, phased projects generally do not expire when a portion of the approved plans (Phase 2) is already certified. If required, the permit will be renewed prior to water line installation in Phase 3. The original erosion control permit for Phases 2 & 3 was issued by the state. Per Rachael Thorn, Chatham County Erosion Control Officer, Phase 3 is currently stabilized and no erosion control permit is required until land disturbing activity is to begin. As stated previously, Phase 3 has preliminary plat approval which allows construction of the infrastructure to commence. To date, no land disturbing activity has begun. A new erosion control permit for Phase 3 will be required by Chatham County

prior to any land disturbing activity. The stormwater plan has been previously approved by Chatham County. Staff recommends that any permit associated with the Phase 3 preliminary plat approval, that requires renewal or reissuance, be provided to staff prior to any land disturbing activity. Phases 4, 5, and 6 (with sketch design approval) will provide the required permits when the phase is presented for preliminary plat approval.

The request for a two year extension of the final plat submittal sunset date for the Legacy at Jordan Lake to extend the sunset date from December 31, 2015 to December 31, 2017 seems reasonable. The request was reviewed by staff at the February 12, 2014 Technical Review Committee meeting. Staff had no concerns with the request. The Planning Board reviewed the request at their March 4th meeting. The Board had no concerns regarding the request, but, did have some general questions regarding the project that were addressed by Mark Ashness, P. E. The Planning Department did not make a recommendation on the request as this is a policy decision to be made by the Board of County Commissioners.

Recommendation:

The Planning Board, by unanimous vote, made the recommendation to grant the two year extension of the final plat. If the request for an extension is approved, the Planning Department recommends that the developer provide staff with copies of any new or renewed permits.