



# Chatham County, NC

## Legislation Details (With Text)

**File #:** 23-4978      **Version:** 1

**Type:** Agenda Item      **Status:** Passed

**File created:** 10/4/2023      **In control:** Planning

**On agenda:** 10/16/2023      **Final action:** 10/16/2023

**Title:** Vote to approve a request by Warren Mitchell, P.E. on behalf of Griffith Capital, LLC for subdivision Modification and Road Name review and approval of Pyewacket, consisting of 92 lots on 128.39 acres, located off Jones Ferry Road (SR-1942), parcel 90267 in Baldwin Township.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. More information from the Planning department website

Date	Ver.	Action By	Action	Result
10/16/2023	1	Board of Commissioners	approved	Pass

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### Action Requested:

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### Introduction & Background:

- Zoning District: R-1
- Water System: Community Well
- Sewer System: On-Site and Community Off-Site
- Watershed District: WS-IV-PA
- Road type: Public
- Within the 100-year flood plain: Floodable area on parcel

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. Pyewacket received First Plat approval on January 18, 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 phase subdivision must submit Construction Plans within two (2) years of the approval for First Plat."

Phase 1 final plat approval for 32 lots will expire on December 31, 2023, unless the Board of Commissioners approves an extension/modification request.

**Discussion & Analysis:**

The development schedule, set by the developer, was approved by the Board of Commissioners on January 18, 2022. Phase 1 construction plan for Pyewacket subdivision was approved for 32 lots on July 12, 2023. The request before the Board is for a modification to the development schedule for Phase 1 only. Per the regulations, a phased subdivision must submit for a construction plan approval within two years from the Board of Commissioners first plat approval. After the construction plan approval, the project follows the approved development schedule that is set by the developer. The development schedule approved on January 18, 2022, stated, construction plan submittal for Phase 1: 27 lots within 2 years of first plat approval and the final plat submittal of phase one by December 31, 2023. Per Mr. Warren Mitchell, P.E. letter dated August 10, 2023, states he misunderstood the connection between the First Plat, Construction Plan process, and Final Plat approval. Mr. Mitchell stated, "Since Pyewacket has over 50 lots, then a development schedule must be approved. On my approved development schedule, I stated that the completion date for phase 1 would be December 2023. This date should have been December 2024. With a July 2023 construction plan approval that gives very little time to construct the roads and submit phase 1 by December 31, 2023. The request is to revise the development schedule for Phase 1 to December 31, 2024, instead of December 31, 2023.

**Road Names:**

The road name Wolf Creek Trail has been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval.

**Planning Board:**

The Planning Board reviewed the request during their October 3, 2023 and Mr. Warren Mitchell was present. The proposal was on the Planning Board Consent Agenda and there was no objection to the proposal.

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

**Recommendation:**

The Planning Board voted unanimously to recommend approval of the extension request. The Planning Department and Planning Board unanimously recommends granting approval of the road name Wolf Creek Trail.