

BRIAR CHAPEL
CONDITIONAL USE PERMIT AMENDMENT
APPLICATION

MARCH 28, 2017

(for the May 15, 2017 public hearing cycle and replacing the
March 3, 2017 Application)

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BRIAR CHAPEL CONDITIONAL USE PERMIT AMENDMENT

MARCH 2017

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TAB A

Explanation of Requested Amendment (2017)

General Overview

NNP-Briar Chapel, LLC (“Applicant”) hereby files its application for certain limited amendments to its existing Conditional Use Permit, as amended in June of 2012 and in November of 2014 (the “CUP”). The amendment seeks the following changes to the CUP:

1. Certain updates and changes to the approved Master Plan as listed and shown behind TAB D. The changes to the Master Plan include (a) revision to the civic site located at the corner of Andrews Store Road and Parker Herndon Road so as to allow development of the property for a potential Chatham County Elementary School site; (b) revision of the perimeter buffer along the shared boundary with Chapel of the Pines Church from 100’ to 50’ at the Church’s request; (c) revision of the perimeter buffer along the short boundary with the Duke Energy power line right of way where it adjoins Lot 4 of SD-North; (d) revision of the perimeter buffer along Phase 15-S from 100’ to 75’ to avoid encroachment by retaining wall; and (e) revision of the color key table on the Revised Master Plan 2017 to reflect adjustment to residential densities in particular locations.
2. Increasing the allowed number of residential units to add 150 units (increase from 2,500 to 2,650). This request is based on the complementary concepts of (a) increasing density where infrastructure such as water, sewer, public parks, education centers and roadway networks already exist and (b) avoiding suburban sprawl.
3. Amend the project table of uses to allow up to 350 total multi-family residential units as an allowed use within the SD-East, SD-North and SD-West districts (200 such units are already approved). Right now the CUP allows the flexibility to have up to 200 multi-family dwelling units within SD-N, SD-W and/or SD-E areas. By this amendment, NNP Briar Chapel, LLC seeks to increase that number by 150 (total of 350 multi-family units within SD-E, SD-W and SD-N). Update table of densities and allowed types on Master Plan 2017 so as to reflect land planning goals for balance of project, including (a) possible additional density in the Great Ridge Parkway North section and (b) reserving the possibility of a small amount of interior commercial (if feasible) on Sites 1, 2 and/or 3 in the center of the project.
4. Update the language of the CUP to reflect these changes and acknowledge any requirements satisfied since the 2014 amendment.

5. Update responses to the CCO as necessitated by the proposed project changes and to acknowledge amendments to the CCO.

These requested changes do not impact residential plats in process, impact only the remaining undeveloped or unsold portions of the Briar Chapel project and have no direct impacts on conveyed homes or lots (residential, commercial or civic).

Specific Explanation of Rationale for Increase of Allowed Residential Units

The request to increase the number of allowed residential units by 150 in the Special Districts (North, West and East) reflects a specific response to market forces. Diversifying the types of residential housing available is recognized as a pressing need in Chatham County. For some time in Chatham County, multi-family residential options have been scarce, in part because our ordinances do not readily allow for high density residential uses outside the context of a planned unit development. It is also due in part to a lack of complementary mixed-use, retail and commercial offerings in proximity to potential multi-family sites.

As Applicant has pro-actively marketed the Briar Chapel commercial parcels along Highway 15-501, it has become clear that, in order for a multi-family option to be feasible, Applicant needs to be approved for up to 350 multi-family residential units within the commercial properties along US 15-501. The evidence will show that, increasingly, there is pressure and market desire to accommodate some residential uses among and within the commercial districts. In order to facilitate this truly mixed-use approach that is encouraged by the Compact Communities Ordinance, Applicant seeks approval of up to 350 multi-family units within the Special Districts.

The CUP currently allows for 200 multi-family units within SD-N, SD-E and SD-W, but this number falls short of the needed scope. Ongoing marketing and negotiations have demonstrated that in order to be financially viable, the number of multi-family units within the Special Districts needs to be approximately 350. Addition of multi-family units should be places where infrastructure such as water, sewer, public parks, education centers and roadway networks already exist, reducing suburban sprawl.

Applicant is working very hard to attract not just any commercial uses but the right kind of commercial endeavors and businesses. Changes in the commercial/retail world demand more of a "live-work-shop-learn" environment. This combination will generate the highest quality commercial user.

TAB B

Application Form for Revision of CUP 2017 (signed)



Chatham County Planning Department
Po Box 54
Pittsboro, NC 27312
(Ph) 919-542-8204 (Fax) 919-542-2698
www.chathamnc.org/planning

APPLICATION ACCEPTANCE POLICY

CUP NEW AND AMENDMENTS

Chatham County understands that clear expectations make the application and development review processes easier for both applicants and staff. The policies outlined below will enable Planning Department staff to move the process along in a way that ensures that each application receives the attention it deserves. Staff desires to complete review of projects in an accurate and timely manner. Due to the preparation, reviews, and public hearing schedules, working with incomplete materials detracts from the timely review of applications.

1. Applications are to be reviewed for completeness by staff prior to being officially accepted for review. Applications that are dropped off or mailed in cannot be accepted without prior approval from the Zoning Administrator.
2. Checklists for each type of request are provided with each application package. If the application does not contain all required items on the checklist, it will be considered incomplete and shall not be accepted. **PLEASE REVIEW SECTION 17 FOR CONDITIONAL USE PERMITS IN ITS ENTIRETY TO MAKE SURE ALL AREAS FOR SUBMISSION ARE COVERED. **CUPs are required to have the same site plan information submitted****
3. Upon determination by staff that an application is complete, with digital copy as well, it will be officially accepted by the Planning Department by accepting payment and issuing receipt. Staff will not hold materials for incomplete applications or any monies associated with the submittal of an application. Application fees must be paid at the time an application is submitted for acceptance. Sufficiency reviews will be conducted over the following 15 days. Once staff has advised, 16 complete sets of the application packet will be required.
4. In order to allow time to process fees, applications will not be accepted after 4:00 pm each day.
5. For your convenience, applicants may schedule an appointment with staff to review the application package before the official submission.

The Planning Department staff looks forward to working with you during the application process. If you have questions or need further assistance, please call 919-542-8204.

CONDITIONAL USE PERMIT

APPLICATION FOR NEW CUP OR A REVISION TO AN EXISTING CUP

Chatham County
Planning Department

P. O. Box 54, 80-A East St, Pittsboro, NC 27312
Telephone: (919) 542-8204 FAX: (919)542-2698

Section A. APPLICANT INFORMATION

NAME OF APPLICANT: NNP-Briar Chapel, LLC

MAILING ADDRESS OF APPLICANT: 1342 Briar Chapel Parkway, Chapel Hill, NC 27516

PHONE NUMBER/E-MAIL OF APPLICANT: (919) 951-0712/lbowman@newlandco.com

PROPERTY OWNER INFORMATION (If different from the applicant): *Owner Authorization Signature Required; See end of application.

Name(s) Same as Applicant

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the rezoning request:

ADDRESS OF SUBJECT SITE: 1342 Briar Chapel Parkway, Chapel Hill, NC 29516

CHATHAM COUNTY PROPERTY PARCEL NUMBER (AKPAR #): See attached

CURRENT ZONING DISTRICT/CLASSIFICATION: CUD-CC

TOTAL SITE ACRES/SQUARE FEET: +/- 1578 ac. (1.589 ac., less the +/- 10.95 ac. Dollar Tract)

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: **Please select the use/s category from Section 10.13 of Zoning Ordinance**

Purpose of amendment is to (1) revise the civic site at the intersection of Andrews Store Road and Parker Herndon Road (possible Chatham County elementary school site) on master plan to allow for full development of the site (rather than just 2 acres as shown), (2) create the possibility of having up to 2,650 residential units (currently approved for 2,500), (3) revise the master plan map to reduce the perimeter buffer (a) from 100' to 50' along the frontage with Chapel in the Pines Church (at the Church's request); (b) from 100' to 50' along the short boundary with Duke Energy RoW at SD-N; and (c) from 100' to 75' along Phase 15-S boundary eliminate need to build a retaining wall within the perimeter buffer, and (4) revise the color key table on the master plan map to reflect adjustments to residential densities in particular locations

It is important that the applicant provide information to explain how the permit request or revision satisfies the following required five findings. **All applications shall contain the following information.** Please use attachments or additional sheets in order to completely answer these findings if necessary. If there is a finding that you feel does not apply to this submittal, please mark with "N/A" for not applicable. **Please use the "Materials Checklist" to complete each finding.**

- 1. **The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.**

See attached.

- 2. **The requested conditional use permit or revision to the existing permit is either essential or desirable for the public convenience or welfare.**

See attached.

- 3. **The requested permit or revision to the existing permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.**

See attached.

- 4. **The requested permit will be or remain consistent with the objectives of the Land Conservation and Development Plan.**

See attached.

- 5. **Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies and regulations.**

See attached.

STOP!

You must meet with the Chatham County Appearance Commission and hold the Community Meeting BEFORE you can submit the application to the Planning Department.

Please check the boxes below once these meetings have been held:

Chatham County Appearance Commission Date of Meeting _____

Held Community Meeting Date of Meeting _____



Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Sixteen (16) completed application packets and all supporting information shall be submitted to the Planning Department at least forty-five (45) days prior to the Public Hearing. A digital copy of the application packet shall be submitted pursuant to the Planning Department Digital Document Submission Guidelines.
 - (2) The Planning Department shall, before scheduling the public hearing, ensure that the application contains all the required information as specified in Section 5 of the zoning ordinance.
 - (3) The Planning Department shall have fifteen (15) days from the date of submittal to notify the applicant that the application is complete for scheduling the public hearing.
 - a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
 - b. The Planning Department shall take no further action on the application until the applicant submits the required information.
 - c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting, and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.
 - d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.
 - (4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.
-

Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION and REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). Please check the list below carefully before you submit: **This is an amendment to an existing CUP within a Compact Community. New information and materials, as applicable are supplied herewith.**

- (1) The application shall include a **site plan**, drawn to scale, with supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:
 - a. Information showing the boundaries of the proposed property as follows: **See proposed Revised Master Plan 2017**
 1. If the entire parcel will be zoned, a GIS or survey map and parcel number of the subject property.
 2. If only a portion of the parcel will be zoned, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways,
 - b. Legal Description of proposed conditional zoning district; **Unchanged and attached.**
 - c. All existing and proposed easements, reservations, and rights-of-way; **Unchanged.**
-

- d. Proposed number and general location of all building sites, their approximate location, and their approximate dimensions; **N/A**
- e. Proposed use of all land and structures, including the number of residential units and the total square footage of any non-residential development; **See Revised Master Plan 2017**
- f. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; **(SECTION 12 LANDSCAPING & BUFFERING REQUIREMENTS) See Revised Master Plan and prior materials.**
- g. All existing and proposed points of access to public and/or private streets; **See Revised Master Plan 2017 as to access points.**
- h. Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County; **See Revised Master Plan 2017.**
- i. Proposed phasing, if any; **Unchanged.**
- j. Generalized traffic, parking, and circulation plans; **(SECTION 14 OFF STREET PARKING) See Revised Master Plan 2017 and prior materials.**
- k. Proposed provision of utilities; **See discussion of Finding #5 under Tab F of Application.**
- l. The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old; **No changes.**
- m. The approximate location of any cemetery; **No changes except as previously approved within SD-N.**
- n. Proposed number, location, and size of signs; **(SECTION 15 SIGN REGULATIONS) No changes.**
- o. Location and description of any proposed lighting on the project site with a note that any lighting will comply with Section 13; **(SECTION 13 LIGHTING STANDARDS) No changes.**
- p. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; **No changes and**
- q. Environmental Impact Assessment pursuant to **Section 11.3** of the Zoning Ordinance, if applicable. If you are or will be disturbing two or more acres in connection with this application, you are required to submit and EIA with this application. Failure to do so will result in the delay of scheduling your request for public hearing or may be returned completely for re-submission.

No changes but see Environmental Update behind Tab E..

The above information is required to be shown on the site plan submitted with this application. If, for some reason, any of the required items above are not included on the site plan, reasons for excluding those requirements must be given.

- (2) In the course of evaluating the proposed use, the Zoning Administrator, Planning Board, Chatham County Appearance Commission, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:
- a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features;
 - b. Existing and general proposed topography;
 - c. Scale of buildings relative to abutting property;
 - d. Height of structures;
 - e. Exterior features of the proposed development;
 - f. A traffic impact analysis of the proposed development prepared by a qualified professional. The traffic impact analysis shall follow the NCDOT TIA Analysis Guidelines, and shall also include consideration for non-motorized and public transportation;


g. Any other information needed to demonstrate compliance with these regulations.

NOTE: The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.

SECTION D. SIGNATURE STATEMENTS

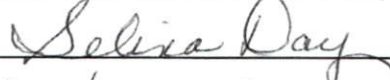
OWNER'S SIGNATURE*: In filing this application, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate Nicolas P. Robinson, Esq. to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.

NNP-BRIAR CHAPEL, LLC

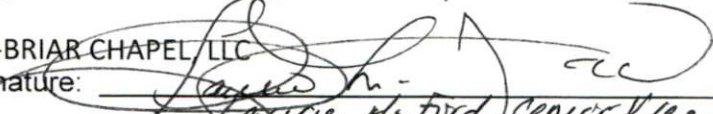
Signature: 
Date: 3-27-17
Laurie H. Ford, Senior Vice President

ACKNOWLEDGEMENT OF RECEIPT:

BRIAR CHAPEL COMMUNITY ASSOCIATION, INC.

Signature: 
Date: 3.24.2017

APPLICANT SIGNATURE: I hereby acknowledge that I am making this application on behalf of the above owner's statement or myself as the owner and that all the information presented in this application is accurate to the best of my knowledge, information, and belief. I acknowledge understanding of the requirements set out in this application and in the ordinances and/or guidelines used to determine the completeness of this submittal and to proceed as determined.

NNP-BRIAR CHAPEL, LLC
Signature: 
Date: 3-27-17
Laurie H. Ford, Senior Vice President

OFFICE USE ONLY:

DATE RECD: _____

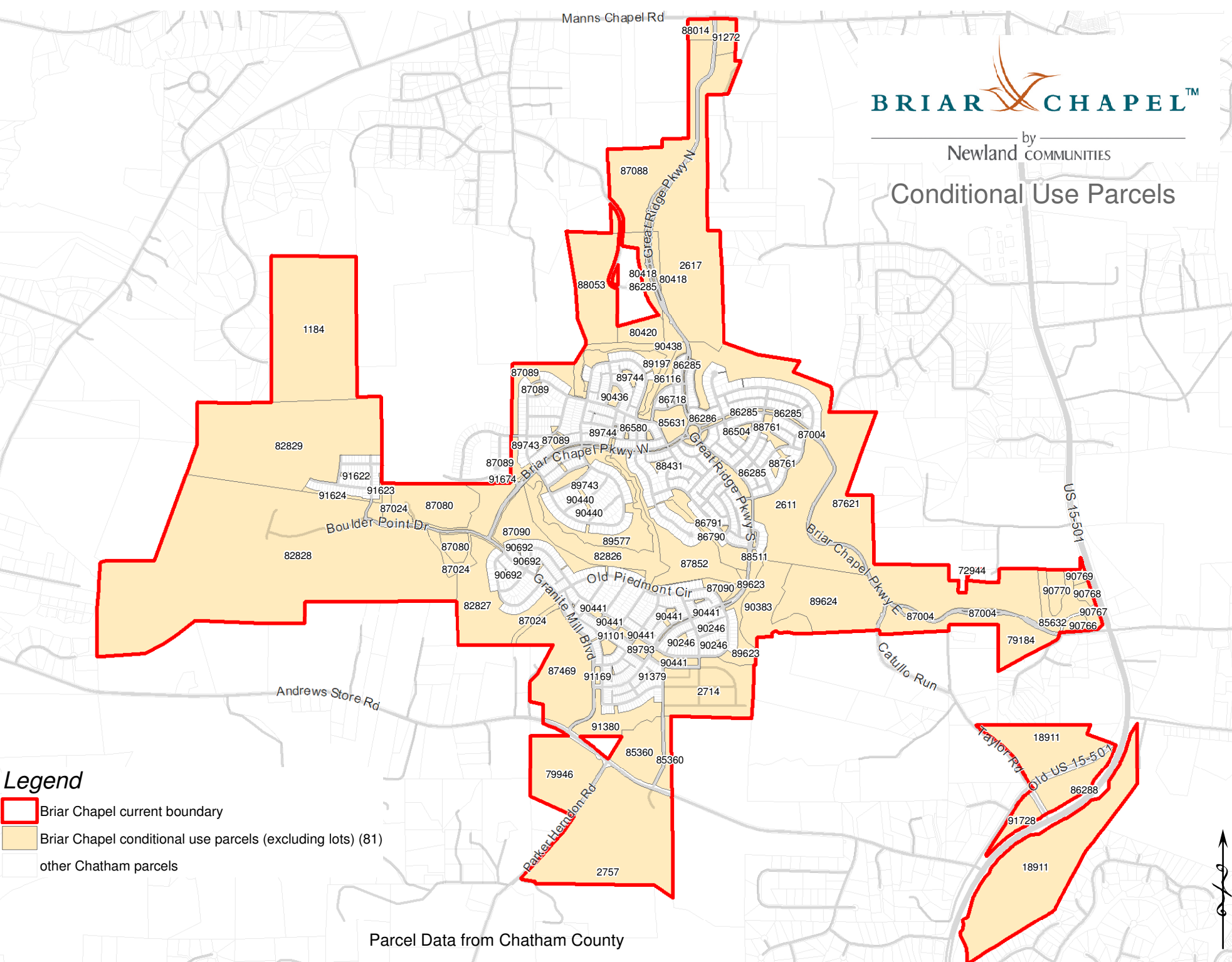
BY: _____

APPLICATION #: PL20 _____

FEE PAID \$: _____

Check No. _____ Cash CC Money Order

Conditional Use Parcels



Legend

- Briar Chapel current boundary
- Briar Chapel conditional use parcels (excluding lots (81) other Chatham parcels

Parcel Data from Chatham County



IN ADDITION TO THE PROPERTY DESCRIPTION BELOW (EXCEPT AS MODIFIED BELOW), THIS AMENDMENT ALSO RELATES TO THE PROPERTY DEPICTED ON THE EXHIBIT MAP FILED WITH THE ORIGINAL APPLICATION ENTITLED "BRIAR CHAPEL – REZONING EXHIBIT," PREPARED BY THE JOHN R. MCADAMS COMPANY, INC., LAST REVISED APRIL 30, 2004 HAVING A TOTAL AREA OF 1,589.36 ACRES.

REZONING EXHIBIT
PROPERTY DESCRIPTION
Briar Chapel
NEW-00000
4-30-04

Being those parcels of land located in Baldwin and Williams Townships, Chatham County, North Carolina shown as Rezoning Parcels 1-7 on an exhibit map entitled "Briar Chapel – Rezoning Exhibit," prepared by The John R. McAdams Company, Inc., last revised April 30, 2004 having a total area of 1,589.36 acres and being more particularly described as follows:

Rezoning Parcel 1:

Beginning at a point on the southern right of way of Mann's Chapel Road (60 foot public right of way), said point being the northeast corner of Robert Lindley, recorded in Deed Book 468, Page 248; thence along said right of way of Mann's Chapel Road the following four (4) calls: (1) North 89°03'56" East 249.96 feet; (2) North 89°02'37" East 290.78 feet; (3) South 88°54'16" East 125.06 feet; (4) South 86°23'34" East 99.65 feet to a point at the northeast corner of C.C. Lindley, Jr., recorded in Deed Book 418, Page 392; thence following said line of Lindley, Jr. the following three (3) calls: (1) South 02°34'30" West 179.33 feet; (2) South 02°39'53" West 475.04 feet; (3) South 89°37'19" East 93.84 feet to a point on the western line of Frank Jaeger, Jr., recorded in Deed Book 623, Page 313; thence along line of Jaeger South 20°05'27" West 545.62 feet to a point on the northern line of Delphine Goines, recorded in Deed Book 630, Page 563; thence along said Goines and then along the northern line of Lot 1B, recorded in Plat Book A, Page 311 South 88°03'10" West 338.98 feet; thence along the western line of said Lot 1B and then the western line of Ella P. Horton, recorded in Book 514, Page 354 South 00°24'43" East 679.06 feet; thence South 00°24'38" East 805.44 feet to a point at the northwest corner of Nelson Goines, recorded in Deed Book 514, Page 364; thence South 00°24'44" East 220.89 feet to the northwest corner of Nelson Goines, recorded in Deed Book 514, Page 362; thence South 00°25'08" East 221.69 feet to the northwest corner of Nelson Goines, recorded in Deed Book 514, Page 359; thence South 00°26'30" East 221.81 feet to a concrete monument at the southwest corner of said Goines; thence North 89°56'37" East 192.02 feet to a concrete monument at the northwest corner of Jeffrey Maynor, recorded in Deed Book 490, Page 504; thence South 01°25'25" East 1,739.76 feet to a concrete monument at the southwest corner of Hubert Oakley, recorded in Deed Book 447, Page 317; thence South 69°25'18" East 573.22 feet; thence South 80°46'21" East 670.43 feet to a southwesterly corner of Walter McAdams, recorded in Deed Book 558, Page 339; thence South 29°35'37" West 152.64 feet to a point at the centerline of Pokeberry Creek; thence following along and with the centerline of Pokeberry Creek the following fourteen (14) calls: (1) South 74°47'13" East 92.09 feet; (2) South 70°16'33" East 48.66 feet; (3) South 14°26'54" East 40.56 feet; (4) South 57°41'58" East 52.86 feet; (5) South 57°07'46" East 62.16 feet; (6) South 48°25'26" East 68.48 feet; (7) North 62°09'27" East 38.36 feet; (8) South 31°55'24" East 25.32 feet; (9) South 73°13'39" East 76.26 feet; (10) North 43°12'28" East 33.66 feet; (11) South 42°37'46" East 95.50 feet; (12) South 54°11'36" East 79.94

feet; (13) South 01°07'55" East 82.66 feet; (14) South 23°44'17" East 46.86 feet to a point on the western line of Polks Landing Subdivision, recorded in Plat Book 25, Page 67; thence leaving Pokeberry Creek and following the line of said Polks Landing Subdivision the following five (5) calls: (1) South 10°17'56" West 253.73 feet;

(2) North 89°04'56" East 60.76 feet; (3) North 89°04'56" East 426.09 feet; (4) North 89°07'28" East 171.96 feet; (5) North 88°18'19" East 83.55 feet to a concrete monument at the northwest corner of Oak Island Subdivision, recorded in Plat Book 97, Page 451; thence South 24°08'43" West 1,177.59 feet; thence South 02°13'37" East 187.27 feet to a painted rock at the southwest corner of said Oak Island Subdivision; thence South 88°30'40" East 419.71 feet to the northwest corner of John Haywood, recorded in Deed Book 454, Page 332; thence South 00°33'00" East 295.38 feet to the northwest corner of John Haywood, recorded in Deed Book 466, Page 58; thence South 00°32'23" East 424.03 feet to the northwest corner of James Rigsbee, recorded in Deed Book 595, Page 22; thence South 00°42'46" East 364.93 feet; thence South 88°33'39" East 1,181.42 feet; thence South 01°33'16" West 246.08 feet; thence South 88°26'41" East 152.13 feet to the northwest corner of William Griffin, recorded in Deed Book 446, Page 20; thence South 01°00'03" West 194.15 feet; thence North 89°16'04" East 127.85 feet; thence North 00°52'35" East 194.22 feet to the southwest corner of William Griffin, recorded in Deed Book 470, Page 848; thence South 84°01'51" East 296.33 feet to the southwest corner of Michael Bishop, recorded in Deed Book 568, Page 694; thence South 87°38'03" East 208.17 feet; thence North 01°51'09" East 210.19 feet to an existing iron pipe on the southern line of the aforementioned Rigsbee; thence South 89°23'07" East 1,267.83 feet to a 32" Hickory tree; thence North 04°40'58" East 200.02 feet to a point on the western right of way of U.S. Highway 15-501; thence along said right of way South 18°12'32" East 861.27 feet; thence South 18°12'34" East 14.08 feet; thence South 18°12'34" East 248.39 feet to a point on the northern right of way of Hubert Herndon Road (50 foot public right of way), recorded in Plat Book 88, Page 16; thence along said right of way of Hubert Herndon Road South 51°50'46" West 104.68 feet; thence South 78°43'07" West 132.01 feet; thence South 82°54'27" West 240.48 feet; thence along the arc of simple curve to the left having a radius of 286.12 feet, a length of 108.28 feet and a chord of South 72°56'11" West 107.63 feet; thence South 62°06'55" West 285.23 feet to the easterly corner of Lot 1 of Herndon Woods Subdivision - Phase 2, recorded in Plat Book 93, Page 197; thence along the northern line of said Herndon Woods Subdivision - Phase 2 the following four (4) calls: (1) South 62°05'46" West 346.75 feet; (2) South 62°06'24" West 136.19; (3) South 62°05'53" West 415.15 feet; (4) South 62°07'59" West 58.73 feet to a point on the eastern line of Leroy Clark, Jr., recorded in Deed Book JL, Page 106; thence North 00°34'47" East 385.00 feet to the southeast corner of William Crutchfield, recorded in Deed Book 520, Page 519; thence along the eastern line of said Crutchfield North 00°17'08" East 372.04 feet; thence along the northern line of Crutchfield North 89°59'15" West 775.68 feet to a point on the western line of said Crutchfield; thence South 00°16'17" East 96.96 feet; thence South 00°14'22" East 22.34 feet to the northeast corner of Annie Taylor heirs, Parcel 2, recorded in Plat Book 2003, Page 324; thence along the lines of said Taylor heirs the following four (4) calls: (1) South 87°12'43" West 1066.43 feet; (2) South 05°23'18" East 263.05 feet; (3) along the arc of a simple curve to the left having a radius of 270.00 feet, a length of 284.97 feet and a chord of South 35°37'30" East 271.93 feet; and (4) South 65°51'43" East, 961.98 feet to a point on the eastern line of the aforementioned Taylor Heirs, said point being within the right of way of Taylor Road (State Road 1529, a 60 foot public right of way); thence along said eastern line of Taylor Heirs South 00°28'39" West 18.14 feet to a point on

the westerly right-of-way of said Taylor Road; thence with said right-of-way the following three calls: (1) South 23°13'41" East, 76.31 feet; (2) South 30°08'24" East, 70.00 feet; and (3) South 30°05'03" East, 28.79 feet to a northerly corner of Sam Clark, as shown on Plat Book 2002, Page 368; thence with the northerly line of said Clark the following two calls: (1) North 53°35'17" East, 27.01 feet; and (2) along the arc of simple curve to the left having a radius of 190.00 feet, a length of 89.44 feet and a chord of North 41°21'14" West 88.62 feet to the common corner with Annie Taylor heirs, Parcel 3, recorded in Plat Book 2003, Page 324; thence with the easterly and northerly lines of said Taylor Heirs the following six (6) calls: (1) along the arc of simple curve to the left having a radius of 190.00 feet, a length of 36.55 feet and a chord of North 60°21'04" West 36.49 feet; (2) North 65°51'43" West 117.02 feet (3) North 65°51'43" West 845.22 feet; (4) along the arc of simple curve to the right having a radius of 350.00 feet, a length of 369.41 feet and a chord of North 35°37'30" West 352.50 feet; (5) North 05°23'18" West 328.06 feet; (6) South 87°12'43" W 1244.84 feet to a northeasterly corner of Nancy L. Moore, recorded in Deed Book 602, Page 107; thence along said line of Moore North 76°48'17" West 132.00 feet; thence South 80°41'43" West 132.00 feet; thence North 52°48'55" West 66.00 feet; thence South 62°41'05" West 66.00 feet; thence South 01°18'55" East 66.00 feet; thence South 88°41'05" West 231.00 feet; thence South 04°10'27" West 436.24 feet; thence South 04°38'11" West 787.66 feet to a common corner with C.L. & Thomas Durham as recorded in Deed Book 295, Page 183; thence with the lines of said Durham the following three calls: (1) South 89°26'45" West 1266.10 feet; (2) South 01°07'06" East 2045.89 feet; and (3) South 00°31'08" East 804.26 feet to a northerly corner of Willa D. Fearington as recorded in Deed Book 649, Page 159; thence with the line of said Fearington the following two calls: (1) South 86°22'54" West 8.08 feet; and (2) North 57°00'18" West 349.66 feet to the northeast corner of G.B. Parker heirs; thence with the line of said Parker heirs North 89°01'05" West 1864.64 feet to the eastern line of Reba P. Sullivan as recorded in Plat Book 33, Page 98; thence with the east and northerly lines of said Sullivan the following three calls: (1) North 00°58'55" East 29.72 feet; (2) North 81°57'32" West 231.18 feet; and (3) North 35°17'07" West 25.92 feet to a point on the easterly right-of-way of Parker Herndon Road, a public right-of-way; thence with said right-of-way the following six calls: (1)) along the arc of simple curve to the left having a radius of 2510.00 feet, a length of 261.50 feet and a chord of North 45°08'35" East 261.38 feet; (2) North 42°09'30" East 462.56 feet; (3) North 42°21'18" East 119.10 feet; (4) along the arc of simple curve to the left having a radius of 1949.35 feet, a length of 242.19 feet and a chord of North 38°47'45" East 242.04 feet; (5) North 35°14'11" East 110.18 feet; and (6) North 34°25'50" East 98.04 feet; thence crossing said right-of-way and with the northern line of Donald & Patricia Parker, as recorded in Deed Book 456, Page 463, North 66°42'56" West 745.66 feet to the eastern line of Jessie P. Parker, as recorded in Deed Book J-M, Page 576; thence with the eastern line of said Jessie Parker North 01°12'15" West 289.42 feet to the southeast corner of Carey B. & Jennifer K. Carpenter, as recorded in Deed Book 565, Page 232; thence with the eastern line of said Carpenter North 00°28'06" West 670.97 feet to the southwest corner of Robert G. Windsor, Jr. as recorded in Deed Book 514, Page 522; thence with the southern line of said Windsor South 89°57'07" East 717.13 feet to a point in the center of Andrews Store Road, a public right-of-way, said point being the western corner of Sandra J. Tripp, recorded in Deed Book 880, Page 422; thence along the centerline of Andrews Store Road and the southwestern line of said Tripp the following three (3) calls: (1) South 54°00'30" East 67.90 feet; (2) South 52°55'03" East 193.77 feet; (3) South 52°33'54" East 356.52 feet; thence leaving centerline of Andrews Store Road and following the eastern line of said Tripp North 32°21'50" East 441.41 feet; thence along the northern line of said Tripp North 89°57'09" West 728.91 feet to the centerline of

Andrews Store Road; thence along the centerline of Andrews Store Road, and with the northerly lines of the aforesaid Robert G. Windsor Jr. the following two calls: (1) North 54°00'30" West 51.73 feet; and (2) along the arc of simple curve to the left having a radius of 1390.00 feet, a length of 525.04 feet and a chord of North 64°49'46" West 521.93 feet; thence leaving said centerline and with the eastern line of said Windsor North 00°26'41" West 245.78 feet; thence with the northern line of said Windsor North 79°28'28" West 208.86 feet to the eastern line of H. Newton Carpenter, recorded in Deed Book 513, Page 864; thence with the eastern line of said Carpenter North 00°27'42" West 320.88 feet to the southern corner of John Sturdivant, as recorded in Deed Book 413, Page 705; thence with the easterly lines of said Sturdivant the following two calls: (1) North 41°47'11" East 186.98 feet; and (2) North 29°12'48" East 493.37 feet; thence with the northern line of said Sturdivant North 89°48'09" West 370.00 feet to the northeast corner of H. Newton Carpenter, recorded in Deed Book 513, Page 864; thence South 89°59'21" West 200.06 feet; thence South 89°57'24" West 60.00 feet to the northeast corner of Johnny Carpenter, recorded in Deed Book 513, Page 860; thence South 89°59'09" West 860.80 feet to a concrete monument a common corner of the northeast corner of Lot 9B-2, recorded in Plat Book 2000, Page 282 and the southeast corner of Enrique A. Hirst, recorded in Deed Book 631, Page 215; thence North 01°42'48" West 700.16 feet; thence South 89°52'13" West 1,417.36 feet to the northeast corner of William and Chris Galloway, recorded in Deed Book 393, Page 723; thence South 87°54'03" West 221.36 feet; thence South 88°26'59" West 748.75 feet; thence South 02°01'57" West 335.00 feet; thence North 89°48'30" West 581.73 feet to the northeast corner of Leon Mann, recorded in Deed Book 243, Page 406; thence North 87°46'39" West 1,124.46 feet; thence South 52°02'19" West 337.67 feet; thence South 56°58'56" West 288.46 feet; thence South 62°24'04" West 308.32 feet; thence South 86°02'15" West 751.74 feet to a point on the western line of Bryan Yates, recorded in Deed Book 323, Page 206; thence North 00°14'02" West 808.22 feet to the southeast corner of Jay Mills, recorded in Deed Book 692, Page 1007; thence North 04°27'42" East 195.10 feet to the southeast corner of Jimmy Goodman, recorded in Deed Book 605, Page 354; thence North 03°32'45" East 481.48 feet to a point on the southerly line of Howard Ryan, recorded in Deed Book 282, Page 463; thence North 68°49'25" East 86.06 feet; thence North 89°16'11" East 770.83 feet; thence North 20°10'41" East 1,950.43 feet to an easterly corner of Larry Ryan, recorded in Deed Book 94E, Page 188; thence North 00°18'30" East 654.68 feet; thence South 88°31'16" East 598.03 feet to a point at the southwest corner of Lot 20 of Persimmon Hill Subdivision, recorded in Plat Cabinet A, Slide 82; thence North 88°20'24" East 561.88 feet to the southeast corner of said Persimmon Hill Subdivision; thence North 00°03'19" East 2,309.24 feet to a point on the southern line of James E. Dixon, recorded in Deed Book 702, Page 201; thence South 89°05'42" East 1,327.52 feet to a point on the western line of Twin Lakes Golf Course; thence South 00°17'50" East 1,736.03 feet to a western corner of U.S. Steel and Carnegie P.N.F., recorded in Deed Book 254, Page 593; thence South 00°03'58" West 475.54 feet; thence North 88°42'34" East 378.72 feet; thence South 00°56'46" East 1,359.59 feet; thence South 89°11'59" East 1,191.89 feet; thence North 88°46'55" East 820.71 feet; thence North 00°35'04" East 1,874.85 feet to a point on the southern line of Wade Meacham, recorded in Deed Book 814, Page 447; thence North 89°18'34" East 990.13 feet to the southeast corner of Marvin Meacham, recorded in Deed Book 564, Page 794; thence North 29°33'01" East 348.78 feet; thence North 06°35'43" West 71.68 feet; thence North 20°19'07" West 343.32 feet; thence North 04°45'39" West 523.75 feet; thence North 09°32'14" West 288.56 feet; thence North 09°34'24" West 580.24 feet to a corner of Richard Wilson, recorded in Deed Book 791, Page 36; thence North 88°49'41" East 24.98 feet to the southwest corner of Richard and Margaret Wilson, recorded in Deed

Book 495, Page 676; thence South 87°57'07" East 700.46 feet; thence North 03°14'04" West 1,316.60 feet to a concrete monument at the southwest corner of Edna Webster, recorded in Deed Book 422, Page 27; thence North 87°49'56" East 454.80 feet to the southwest corner of Robert Lindley, recorded in Deed Book 312, Page 57; thence North 87°48'23" East 207.81 feet to the southwest corner of Robert Lindley, recorded in Deed Book 429, Page 829; thence North 87°46'32" East 199.03 feet to a southerly corner of Robert Lindley, recorded in Deed Book 586, Page 826; thence North 01°49'36" West 129.00 feet; thence North 88°19'52" East 302.19 feet to the southeast corner of said Robert Lindley; thence North 88°52'36" East 114.69 feet to the southeast corner of Lindley, recorded in Deed Book 468, Page 248; thence North 00°16'07" West 1862.76 feet to the POINT OF BEGINNING, containing 1,483.90 acres, more or less.

Rezoning Parcel 2:

Beginning at the southwest corner of Chatham County, recorded in Deed Book 460, Page 669; said point being on the existing western right of way of U.S. Highway 15-501 (100 foot public right of way); thence along said right of way of 15-501 along the arc of to the right having a radius of 921.70 feet, an arc length of 317.63 feet and a chord of South 50°46'52" West 316.06 feet; thence along the arc of a curve to the right having a radius of 1390.00 feet, a length of 207.96 feet and a chord of South 64°56'22" West 207.77 feet; thence South 69°13'32" West 587.42 feet; thence along the arc of curve to the left having a radius of 1046.45 feet, a length of 307.75 feet and a chord of South 60°48'02" West 306.64 feet to a point on the eastern right of way of Taylor Road (State Road 1529, a 60' public right of way); thence along said right of way of Taylor Road North 31°01'27" West 342.26 feet; thence along the arc of a curve to the left having a radius of 1224.63 feet, a length of 455.38 feet and a chord of North 41°40'37" West 452.76 feet; thence North 52°19'46" West 373.51 feet; thence along the arc of curve to the right having a radius of 970.00 feet, a length of 71.32 feet and chord of North 50°13'23" West 71.31 feet to the southwest corner of James Fearington, recorded in Deed Book 276, Page 489; thence South 89°59'17" East 332.88 feet to a point at the southwest corner of Herndon Woods Subdivision, recorded in Plat Book 93, Page 197; thence South 89°54'37" East 977.49 feet to the southwest corner of CP&L, recorded in Deed Book 455, Page 606; thence North 87°56'17" East 483.81 feet to the northwest corner of the aforementioned Chatham County; thence South 19°37'53" West 169.88 feet; thence South 71°18'44" East 360.08 feet to the POINT OF BEGINNING, containing 23.20 acres, more or less.

Rezoning Parcel 3:

Beginning at a point on the existing eastern right of way of U.S. Highway 15-501, said point being on the new western right of way of Taylor Road Extension, shown on N.C.D.O.T. Project Plan 8.1520104 R-942 B and being South 04°38'29" East 178.03 feet from the intersection of the existing western right of way of U.S. Highway 15-501 and the existing eastern right of way of Taylor Road; thence following the said new western right of way of Taylor Road Extension South 31°03'45" East 401.04 feet to a point on the new western right of way line of U.S. highway 15-501; thence along said right of way of U.S. Highway 15-501 South 49°00'56" West 51.14 feet; thence South 65°30'30" West 148.62 feet; thence South 59°02'20" West 114.72 feet; thence along the arc of curve to the left having a radius of 2001.31 feet, a length of 774.07 feet and a chord of South 51°31'22" West 769.26 feet; thence North 49°33'22" West 33.28 feet to the existing eastern right of way line of U.S. Highway 15-501; thence following the said

existing eastern right of way line of U.S. Highway 15-501 North 32°40'31" East 985.11 feet; thence along the arc of curve to the right having a radius of 825.00 feet, a length of 137.89 feet and a chord of North 37°27'49" East 137.73 feet; thence North 78°08'27" East 78.91 feet to the POINT OF BEGINNING, containing 5.40 acres, more or less.

Rezoning Parcel 4:

Beginning at a point on the new eastern right of way of U.S. Highway 15-501, shown on N.C.D.O.T. Project Plan 8.1520104 R-942 B, said point being on the southern right of way of Jack Bennet Road; thence leaving said rights of way and following the western line of Jimmy Robertson, recorded in Deed Book KG, Page 573 South 02°52'20" West 862.72 feet; thence South 33°26'42" West 907.11 feet to the northerly corner of Fearington Section II, recorded in Plat Book 23, Page 95; thence South 37°25'43" West 517.88 feet to the northerly corner of Fearington Section I, recorded in Plat Book 17, Page 71; thence South 27°51'39" West 990.23 feet; thence South 58°18'06" West 1,608.08 feet to a point at the southeast corner of Steve Almond, recorded in Deed Book 396, Page 346; thence North 03°08'45" West 129.00 feet; thence North 08°08'45" West 175.00 feet; thence North 25°08'45" West 150.00 feet; thence North 13°08'45" West 82.51 feet to a point on the aforementioned new eastern right of way of U.S. Highway 15-501; thence North 14°36'57" East 185.22 feet; thence North 60°02'51" East 80.54 feet; thence North 16°36'35" East 322.48 feet; thence along the arc of curve to the right having a radius of 3690.94 feet, a length of 348.85 feet and a chord of North 30°34'40" East 348.72 feet; thence North 43°24'26" East 118.11 feet; thence North 14°56'55" East 55.50 feet; thence along the arc of a curve to the right having a radius of 1,837.27 feet, an arc length of 830.95 feet and a chord of North 49°38'48" East 823.88 feet; thence North 83°48'48" East 146.98 feet; thence North 54°40'15" East 259.14 feet; thence North 64°37'47" East 204.38 feet; thence along the arc of a curve to the left having a radius of 2,001.31 feet, an arc length of 483.33 feet and a chord of North 55°43'43" East 482.15 feet; thence North 78°13'13" East 121.43 feet; thence North 44°42'06" East 212.00 feet; thence North 05°06'48" East 125.06 feet; thence along the arc of a curve to the left having a radius of 2,001.31 feet, an arc length of 821.04 feet and a chord of North 25°18'15" East 815.29 feet; thence North 36°40'44" East 210.19 feet to the POINT OF BEGINNING, containing 64.63 acres, more or less.

Rezoning Parcel 5:

Commencing at a point on the existing western right of way line of U.S. Highway 15-501, said point being the common eastern corner of Chatham County, recorded in Deed Book 460, Page 669, and Fred and Betty Crisp, recorded in Deed Book 462, Page 148; thence South 59°58'58" East 101.65 feet to the Point of Beginning, a point on the existing eastern right of way line of U.S. Highway 15-501; thence South 47°10'38" East 34.21 feet to a point on the new western right of way line of U.S. Highway 15-501, shown on N.C.D.O.T. Project Plan 8.1520104 R-942 B, thence with said new western right of way line of U.S. Highway 15-501 South 26°02'19" West 354.93 feet; thence South 26°02'19" West 4.37 feet; thence South 40°46'54" West 311.44 feet; thence South 21°55'38" West 83.29 feet; thence South 52°42'13" West 250.51 feet; thence South 59°39'03" West 433.95 feet; thence South 69°57'58" West 75.10 feet to a point on the new eastern right of way line of Taylor Road Extension, shown on the above referenced N.C.D.O.T. Project Plan, thence following the new eastern right of way of Taylor Road Extension North 37°29'00" West 69.03 feet; thence North 31°03'45" West 218.27 feet; thence North 31°03'45" West 106.84 feet; thence

North 13°37'02" East 102.96 feet to a point on the existing eastern right of way line of U.S. Highway 15-501; thence following said eastern right of way line of U.S. Highway 15-501 along the arc of a curve to the right having a radius of 946.45 feet, a length of 197.94 feet and a chord of North 63°14'03" East 197.58 feet; thence North 69°13'32" East 587.42 feet; thence along the arc of curve to the left having a radius of 1490.00 feet, a length of 222.92 feet and a chord of North 64°56'22" East 222.72 feet; thence along the arc of curve to the left having a radius of 1021.70 feet, a length of 73.62 feet and a chord of North 58°35'21" East 73.61 feet; thence along the arc of a curve to the left having a radius of 1021.70 feet, a length of 297.67 feet and a chord of North 48°10'41" East 296.62 feet to the POINT OF BEGINNING, containing 10.53 acres, more or less.

Rezoning Parcel 6:

Beginning a common corner of the northeast corner of William Griffin, recorded in Deed Book 446, Page 20 and the southeast corner of William Griffin, recorded in Deed Book 462, Page 537; thence North 03°16'20" East 174.67 feet to a point on the southern line of James Rigsbee, recorded in Deed Book 596, Page 22; thence North 89°05'12" East 289.70 feet to the northeast corner of William Griffin, recorded in Deed Book 470, Page 848; thence South 82°33'33" West 246.97 feet; thence South 20°25'25" West 156.89 feet to the POINT OF BEGINNING, containing 0.19 acres, more or less.

EXCLUSION OF DOLLAR EXISTING LOT 1 AND NEW LOT 5
(P.S. 2003-111, CHATHAM COUNTY REGISTRY)

Less and except the following two parcels, containing a total of 10.95 acres (after excluding .54 acres, more or less, within the public road right of way):

Parcel 1:

That certain parcel of land located in Chatham County, North Carolina shown as Lot 1 on Plat Book 2003, Page 111 of the Chatham County registry and more particularly described as follows:

Beginning at an iron pipe located on the eastern right of way line of Half Dollar Road (SR 1565, a 60-foot public right of way), said point being the southwest corner of Lot 2, recorded in Plat Book 2003, Page 111, said point being the POINT OF BEGINNING; thence leaving said right of way of Half Dollar Road and following the southern line of said Lot 2 South 81°29'14" East 124.55 feet to an existing iron pipe at the northwestern corner of Lot 5, recorded in Plat Book 2003, Page 111; thence following the line of said Lot 5 South 08°34'01" East 269.56 feet to an existing iron pipe; thence North 81°29'09" West 207.53 feet to an existing iron pipe located on the eastern right of way line of the aforementioned Half Dollar Road; thence along the eastern right of way line of Half Dollar Road North 14°02'13" East 163.40 feet to a point; thence along a curve to the left having a radius of 200.00 feet, and arc length of 68.76 feet and a chord of North 04°11'19" East 68.42 feet to a point; thence North 05°39'36" West 27.64 feet to the POINT OF BEGINNING, containing 0.94 acres, more

or less (after excluding .27 acres, more or less, that lies within the public road right of way).

Parcel 2:

That certain parcel of land located in Chatham County, North Carolina shown as Lot 5 on Plat Book 2003, Page 111 of the Chatham County registry and more particularly described as follows:

Beginning at an iron pipe located on the eastern right of way line of Half Dollar Road (SR 1565, a 60-foot public right of way), said point being the southwest corner of Lot 1, recorded in Plat Book 2003, Page 111, said point being the POINT OF BEGINNING; thence leaving said right of way and following the line of said Lot 1 South $81^{\circ}29'09''$ East 207.53 feet to an existing iron pipe; thence North $08^{\circ}34'01''$ West 269.56 feet to an existing iron pipe on the line of Lot 2, recorded in Plat Book 2003, Page 111; thence with the line of said Lot 2 South $81^{\circ}29'14''$ East 122.84 feet to an existing iron pipe; thence along a curve to the right having a radius of 25.00 feet, and arc length of 13.65 feet and a chord of South $65^{\circ}50'30''$ East 13.48 feet to an existing iron pipe; thence along a curve to the left, having a radius of 1,040.00 feet, an arc length of 269.00 feet and a chord of South $03^{\circ}55'36''$ East 268.25 feet to an existing iron pipe; thence South $11^{\circ}20'12''$ East 252.14 feet to an existing iron pipe; thence along a curve to the left having a radius of 1,040.00 feet, and arc length of 439.57 feet and a chord of South $23^{\circ}26'42''$ East 436.30 feet to an existing iron pipe; thence South $35^{\circ}33'12''$ East 150.47 feet to an existing iron pipe at the northernmost corner of Lot 4, recorded in Plat Book 2003, Page 111; thence following the line of said Lot 4 South $74^{\circ}06'43''$ West 675.75 feet to an existing iron pipe on the eastern line of Tract B-5, recorded in Plat Book 2009, Page 257; thence along said Tract B-5 North $00^{\circ}12'34''$ East 586.25 feet to a point on the western right of way line of the aforementioned Half Dollar Road; thence with the western, terminus and eastern right of way lines of Half Dollar Road along a curve to the left, having a radius of 360.00 feet, an arc length of 40.44 feet and a chord of South $86^{\circ}59'13''$ East 40.41 feet to a point; thence North $89^{\circ}47'43''$ East 87.85 feet to a point; thence along a curve to the right, having a radius of 67.80 feet, an arc length of 40.48 feet and a chord of South $71^{\circ}58'30''$ East 39.89 feet to a point; thence North $25^{\circ}21'46''$ East 60.00 feet to a point; thence along a curve to the left, having a radius of 120.00 feet, an arc length of 67.25 feet and a chord of North $74^{\circ}09'03''$ West 66.37 feet to a point; thence South $89^{\circ}47'43''$ West 87.85 feet to a point; thence along a curve to the right having a radius of 300.00 feet, and arc length of 40.03 feet and a chord of North $86^{\circ}22'55''$ West 40.00 feet to a point; thence leaving the right of way of Half Dollar Road and following the eastern line of the aforementioned Tract B-5 North $00^{\circ}12'34''$ East 290.14 feet to a point on the eastern right of way line of Half Dollar Road; thence with the right of way line of Half Dollar Road along a curve to the left, having a radius of 400.00 feet, an arc length of 12.95 feet and a chord of North $14^{\circ}57'53''$ East 12.95 feet to a point; thence North $14^{\circ}02'13''$ East 62.98 feet to the POINT OF BEGINNING, containing 10.01 acres, more or less (after excluding .27 acres, more or less, that lies within the public road right of way).

TAB C

General Application Requirements (2017) (from Submission Materials Checklist)

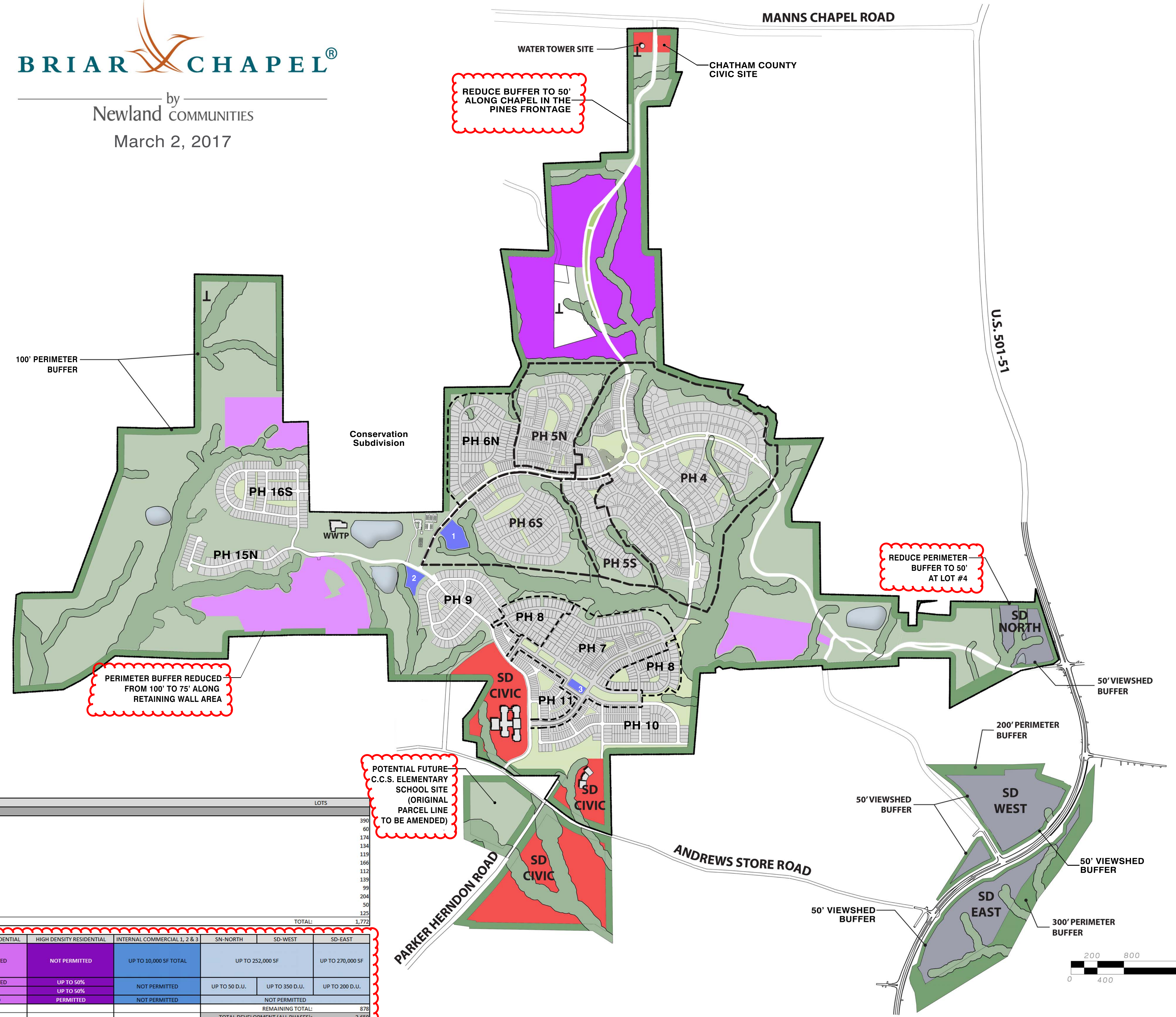
1. Location: See proposed Master Plan 2017 behind TAB D.
 - a. Public highways serving site. Unchanged.
 - b. Private roads serving site. Unchanged.
 - c. Current Zoning. Remains CUD-CC. Only requested modification of allowed uses is to allow up to 350 multi-family residential units within the Special Districts.
 - d. Watershed designation and impervious surface % allowed. Unchanged.
 - e. Major Wildlife Areas. Unchanged.
 - f. Size of Site. Overall site size is +/- 1,578 acres (1,589 ac., less the Dollar Property acreage of +/- 10.95 ac.).
 - g. Current utility or other easements assigned to the site. Unchanged.
 - h. Current Use of Site. Unchanged.
 - i. Description of current contents of site. Unchanged as to undeveloped portion.
 - j. Other Conditional Use Permits for the site. None.
2. Description of Use. Overall, the use is unchanged. This will continue to be a Compact Community containing residential, commercial and open space. A requested modification of allowed uses is to allow up to 350 multi-family residential units within the Special Districts
3. Start and Completion Projections. The project has started development and is scheduled to be completed by December 31, 2025.
4. Reference to Existing County Plans. Unchanged.

TAB D

SITE PLAN REQUIREMENTS (2017)

Applicant incorporates the proposed Revised Master Plan 2017 behind this TAB D in substitution for the Second Revised Master Plan approved in November 2014.

All of the prior materials submitted in the way of site plan exhibits are reincorporated herein except the prior Affordable Housing Map (originally Figure 11) which was deleted in its entirety 2014 based on the approved payment in lieu made in the interim. To the extent of any conflict or inconsistency between the Revised Master Plan 2017 and any prior site plan exhibits or application materials, the Revised Master Plan 2017 will control.



APPROVED DEVELOPMENT TO DATE	LOTS
PHASE 4	390
PHASE 5 SOUTH	60
PHASE 5 NORTH	174
PHASE 6 SOUTH	134
PHASE 6 NORTH	119
PHASE 7	166
PHASE 8	112
PHASE 9	139
PHASE 10	99
PHASE 11	204
PHASE 15 NORTH	50
PHASE 16 SOUTH	125
TOTAL:	1,772

ZONE	LOW DENSITY RESIDENTIAL	HIGH DENSITY RESIDENTIAL	INTERNAL COMMERCIAL 1, 2 & 3	SN-NORTH	SD-WEST	SD-EAST
COMMERCIAL (Up to but not to exceed a combined total of 510,000 SF of commercial space)	NOT PERMITTED	NOT PERMITTED	UP TO 10,000 SF TOTAL	UP TO 252,000 SF	UP TO 270,000 SF	
MULTI-FAMILY	NOT PERMITTED	UP TO 50%	NOT PERMITTED	UP TO 50 D.U.	UP TO 350 D.U.	UP TO 200 D.U.
TOWNHOUSE	UP TO 25%	UP TO 50%	NOT PERMITTED	NOT PERMITTED	NOT PERMITTED	NOT PERMITTED
SINGLE FAMILY HOUSE	PERMITTED	PERMITTED	NOT PERMITTED	NOT PERMITTED	NOT PERMITTED	NOT PERMITTED
				REMAINING TOTAL:		878
				TOTAL DEVELOPMENT (ALL PHASES):		2,650



TAB E

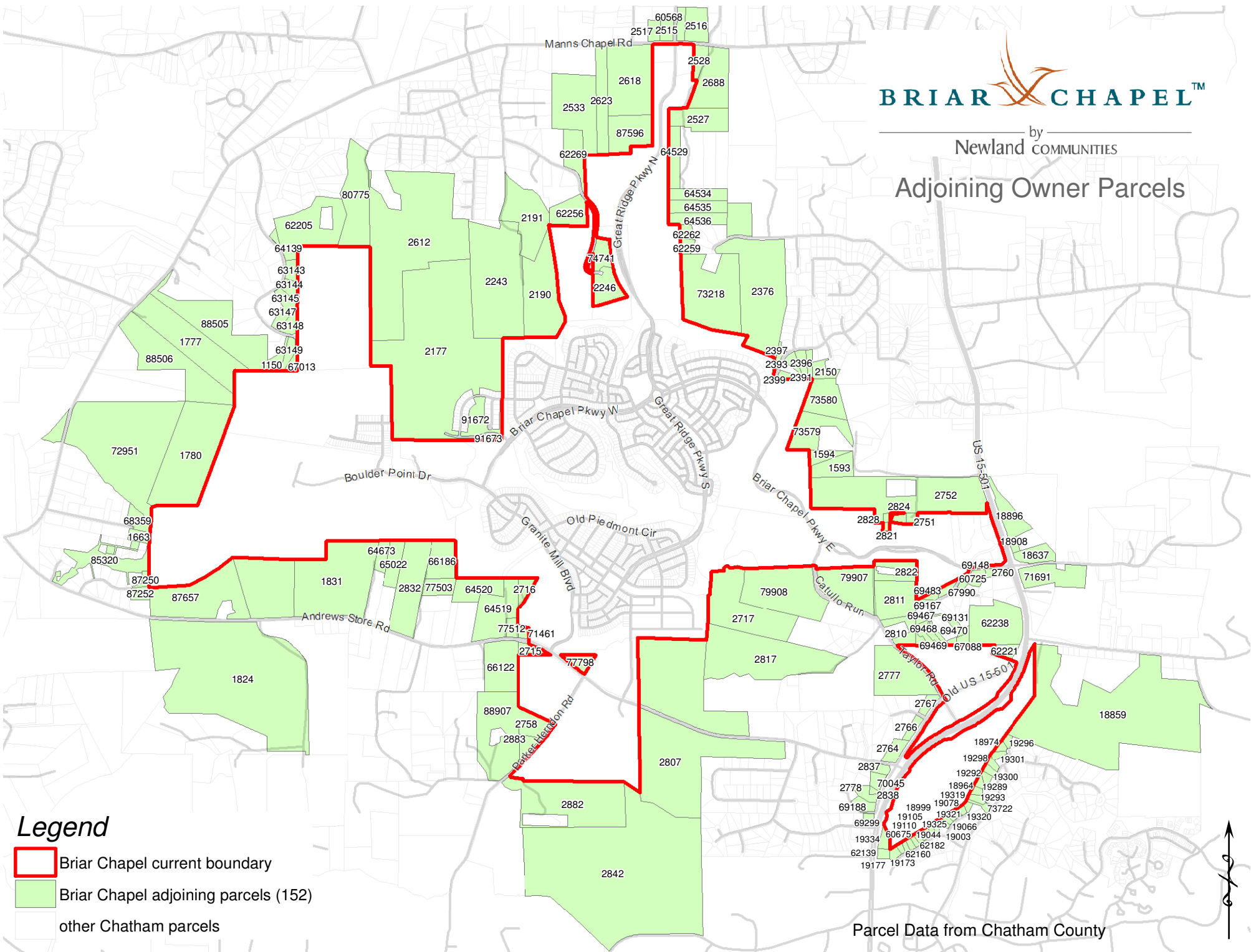
ADDITIONAL INFORMATION REQUIRED (2017)

The adjoining property map and list of names and addresses of all adjoining property owners are attached hereto as party of Exhibit E.




A traffic update from Kimley-Horn and Associated, Inc. is attached hereto as part of Exhibit E.

Environmental Update fro Wetlands & Waters is attached hereto as part of Exhibit E.

Adjoining Owner Parcels



Legend

-  Briar Chapel current boundary
-  Briar Chapel adjoining parcels (152)
-  other Chatham parcels

Adjoiner Parcels

AKPAR	PIN	DEED_NAME
1150	9765-17-1046.000	BUTLER MICHAEL ETUX MELISSA
1593	9775-15-3197.000	HAYWOOD JOHN W & MARION
1594	9775-15-2304.000	HAYWOOD JOHN W & MARION
1663	9755-83-6844.000	MILLS JAYE E
1777	9755-97-5436.000	RYAN LARRY WINSTON
1780	9755-95-5335.000	RYAN LARRY W & KENNETH JR & DWIGHT C
1824	9765-01-5207.000	MANN LEON
1831	9765-22-3759.000	FOX COURTNEY SCOTT & JENNIFER SCOTT COX
2150	9775-16-2857.000	POLKS LANDING HOMEOWNERS
2177	9765-47-2252	NNP BRIAR CHAPEL LLC
2190	9765-58-9492.000	MEACHAM MARVIN KEITH ETAL
2191	9765-59-8549.000	WILSON RICHARD BURTON & MARGARET DIAL WILSON
2243	9765-58-3620.000	MEACHAM WADE ROOK ETAL
2246	9765-78-1872.000	ROBERTS DOUGLAS DONALD
2376	9765-99-6280.000	MCADAMS WALTER G &
2391	9775-07-9077.000	TURNER STEVEN R & LISA S
2393	9775-07-6054.000	WHORLEY EVA M
2396	9775-07-8058.000	LABANCA MARISA
2397	9775-07-4108.000	O'BRIEN CATHERINE M & WENDY A RICHARDSON
2399	9775-06-5840.000	BLOCK MARTHA S
2515	9766-83-3230.000	NORWOOD JAMES F
2516	9766-83-8390.000	STAPLES JAMES T. & ETUX TOBYTHA RAYMER STAPLES
2517	9766-83-0197.000	MOSER KIMBERLY D
2527	9766-81-9564.000	GOINES DELPHINE DELORIS
2528	9766-82-9529.000	SWICK MORIAH R
2533	9766-61-6728.000	CAROLCO INC
2612	9765-47-2252	TWIN LAKES GOLF COURSE INC
2618	9766-72-6256.000	LINDLEY ROBERT H ETUX SHIRLEY C
2623	9766-72-1043.000	LEEPER DAVID BRADLEY
2688	9766-92-2218.000	JAEGER FRANK W JR & GAEL W
2715	9765-51-7784.000	NNP BRIAR CHAPEL LLC
2716	9765-52-6886.000	STURDIVANT DONALD LEE ETUX JO ANNE S
2717	9765-92-4496.000	MOORE FAMILY PARTNERSHIP
2751	9775-24-8146.000	BISHOP MICHAEL S
2752	9775-14-7758.000	RIGGSBEE JAMES BUNN
2758	9765-50-8369.000	PARKER DONALD W & PATRICIA
2760	9775-43-4189.000	NNP BRIAR CHAPEL LLC
2764	9774-29-5838.000	REALCO ACQUISITION CO LLC
2766	9775-20-8393.000	LITUCHY ARTHUR ETUX RHODA & BARRY ETUX MARIE GOLDENBERG
2767	9775-30-1766.000	LITUCHY ARTHUR ETUX RHODA & BARRY ETUX MARIE GOLDENBERG
2777	9775-21-5336.000	GRIFFIN WILLIAM & BRENDA M
2778	9774-19-9099.000	RUSSELL LARRY H & KAREN T
2807	9765-81-4329.000	DURHAM T E LIFE EST & CLARENCE L DURHAM
2810	9775-21-7974.000	FEARRINGTON FANNIE CLARK
2811	9775-22-5649.000	CLARK LEROY HEIRS
2817	9765-91-6602.000	XDS INC
2821	9775-24-3072.000	GRIFFIN WILLIAM & BRENDA M
2822	9775-23-6335.000	CRUTCHFIELD WILLIAM AARON
2824	9775-24-6117.000	GRIFFIN WILLIAM & BRENDA M
2828	9775-24-3187.000	GRIFFIN WILLIAM & BRENDA M
2832	9765-32-5770.000	NNP BRIAR CHAPEL LLC
2837	9774-29-2565.000	JONES JOANNE CAVALLO
2838	9774-29-1133.000	RUSSELL LARRY H
2842	9764-77-5646.000	FEARRINGTON JESSE O & JESSE JR & WILLA ANNE TRUSTEES
2882	9764-68-5990.000	SULLIVAN REBA P TRUSTEE
2883	9765-50-7170.000	PARKER DONALD W & PATRICIA
18637	9775-43-8456.000	SANDY POND ENTERPRISES LLC
18859	9775-60-7845.000	STALLINGS BETTY LORRAINE, HEATH BETTY MARIE, CRUTCHFIELD JANET
18896	9775-44-6300.000	RIGGSBEE JAMES BUNN
18908	9775-43-7639.000	ALLEN G KEITH & EDDIE M WILLIAMS
18964	9774-49-0134.000	JACKSON THOMAS ETUX JAMIE
18974	9774-49-4995.000	PRICE LAWRENCE EDWIN & MARVA P
18999	9774-38-2496.000	BOSWELL PATRICIA B
19003	9774-38-4524.000	DALE JACQUELINE
19044	9774-38-1338.000	MEEHAN MICHAEL E
19066	9774-38-4691.000	FULLER JO ANN
19078	9774-38-6773.000	LIBERMAN MEYER & RONI LIBERMAN
19105	9774-38-0343.000	DANG KRISTEN KAMERATH ETUX TU T
19110	9774-28-9211.000	DUMITRESCU TEODORA PENE
19173	9774-28-6049.000	FORBES JAMES CAMERON TRUSTEE
19177	9774-27-5929	CHURCH HERBERT E & DOROTHEA B
19289	9774-49-1300.000	NOLAN MELISSA ETUX MATTHEW
19292	9774-49-2327.000	DUNLOP PATRICIA & STEVEN
19293	9774-48-0949.000	SCHWARTZ W J TRUST
19296	9775-40-6101.000	THROOP FELICIA TRUSTEE
19298	9774-49-3634.000	MORGAN LAURA F
19300	9774-49-2581.000	TRAYWICK JACK D & ANA J - C
19301	9774-49-4841.000	GREEN A PAIGE & GEOFFREY A NEAL
19319	9774-38-8886.000	NIQUETTE JEAN FRANCOIS
19320	9774-38-7789.000	COSTA CINDY & NOEL
19321	9774-38-5677.000	HEUER JOHN EARLE
19325	9774-38-2413.000	BOSWELL PATRICIA B

19334	9774-28-3256.000	ALMOND STEVE N & JANICE
60568	9766-83-5391.000	STRAUBEL MAGAN K
60675	9774-28-7132.000	KRAWETZ CAROL L
60725	9775-43-0007.000	HERNDON WOODS HOMEOWNERS ASSN
62139	9774-27-3928.000	CONDORET NICOLE GINETTE & JACQUES E CONDORET TRUSTEES
62160	9774-28-8126.000	VOLOVSEK LYNN C & SCOTT R FERGUSON
62182	9774-28-9278.000	GRANT ROBERT E & SHARON E HOGA
62205	9765-19-7598	DIXON STUART LEE ETUX JENNIFER DUGAN
62221	9775-41-5782.000	COUNTY OF CHATHAM
62238	9775-42-3267.000	CAROLINA POWER & LIGHT CO
62256	9765-69-5844.000	WILSON RICHARD B & MARGARET D
62259	9765-89-7200.000	MAYNOR JEFFREY
62262	9765-89-7405	MAYNOR JEFFREY E & TERRI B
62269	9766-60-6913.000	MEDLIN DONALD F
63143	9765-18-4715.000	HICKS LARRY M & SUSAN E
63144	9765-18-4403.000	RAYMOND BRUCE C & VICTORIA W
63145	9765-18-3221.000	BRUNTY DANIEL D
63147	9765-17-2950.000	FELINCZAK GERALD THOMAS & JUDITH A
63148	9765-17-4711.000	SCHWARTZ GARY L
63149	9765-17-3272.000	RASCH RANDOLPH FRITZ
64139	9765-19-3132.000	STERNLIGHT DENNIS L LIVING TRUST
64519	9765-52-1294.000	NNP BRIAR CHAPEL LLC
64520	9765-42-7833.000	CARPENTER JOHNNY NEWTON
64529	9766-80-4882.000	GOINES NELSON D
64534	9766-80-9125.000	GOINES NELSON D
64535	9765-89-8993.000	GOINES NELSON D & BETTY KING &
64536	9765-89-8781.000	GOINES NELSON D
64673	9765-33-0499.000	NIPPER RUSSELL GREY & JOAN J
65022	9765-33-2393.000	EDWARDS MARCUS FREDRICK JR & M
66122	9765-51-3432.000	CARPENTER CAREY B & JENNIFER K
66186	9765-43-2319.000	THOMAS CHARLES SLEDD III ETUX ANN BORDEN MCIVER
67013	9765-17-4061.000	PERSIMMON HILL HOMEOWNERS ASSN
67088	9775-32-4878.000	NORTON PAUL E & ANNA
67990	9775-32-7965.000	CARY DOUGLAS M & MAUREEN A WIN
68359	9755-84-6130.000	RICHARDSON DAVID H & VERA VALENCIO PESEK
69131	9775-32-6149.000	WEST CYNTHIA H
69148	9775-43-2168.000	NNP BRIAR CHAPEL LLC
69167	9775-32-0681.000	MARINO JULIANN
69188	9774-18-9868.000	MAAG ROBERT J & MARIA V
69299	9774-28-0641.000	SEWELL PATTI MARIE ETUX MICHAEL T SEWELL II
69467	9775-32-0300.000	WEBB PAULA & MARCIA J
69468	9775-32-0056.000	MOORE BRENDA A
69469	9775-32-2031.000	VOGL J JAMES ETUX JOYCE L PATTON
69470	9775-32-3032.000	HRYNEWYCH BOHDAN
69483	9775-32-2714.000	RATH TIMOTHY P & PATRICIA M KINNEER
70045	9774-29-2303.000	BLACKWOOD ROY A &
71461	9765-52-6086.000	CARPENTER GLENDALE KECK
71691	9775-53-2125.000	AREC 19 LLC
72951	9755-85-3554.000	MANN LEON
73218	9765-98-2309.000	OAKLEY MARJORIE L
73579	9775-05-9886.000	MORAVA DANIEL A & JULIA A
73580	9775-16-2434.000	DOWDEN EDWARD JOHN & AMY BUSH
73722	9774-48-1837.000	FEARRINGTON HOMEOWNERS ASSOCIATION INC
74741	9765-79-0290.000	ROBERTS BRENDA NELL
77503	9765-42-1971.000	WILLIAMS KIM ALAN
77512	9765-52-4177.000	CARPENTER JOHNNY NEWTON
77798	9765-61-7562.000	TRIPP SANDRA
79907	9775-12-6959.000	HINN ALBERT
79908	9775-02-5806	TELFORD RICHARD D ETUX ANNE MARIE
80775	9766-20-6324.000	SHERYL-MAR CO LLC
85320	9755-83-1411.000	TICON PROPERTIES LLC
87250	9755-83-7034.000	TICON PROPERTIES LLC
87252	9755-82-6738.000	DUNN LEE ALLEN ETUX DAWN ELAINE
87596	9766-71-6269.000	CHAPEL IN THE PINES PRESBYTERIAN CHURCH INC
87657	9755-92-6781.000	DUNPHY FRANK R II ETUX CHERIE H
88505	9755-97-9689.000	RYAN DWIGHT CAREY ETUX KATHLEEN A
88506	9755-96-1949.000	RYAN HOWARD KENNETH JR & KENNETH MARK
88907	9765-50-1472	PARKER DONALD W ETUX PATRICIA
91672	9765-46-8028	NNP BIRAR CHAPEL LLC
91673	9765-55-0667	NNP BIRAR CHAPEL LLC

BRIAR CHAPEL
ADJOINING PROPERTY OWNERS
March 2017

County of Chatham
P. O. Box 1809
Pittsboro, NC 27312
Parcel ID# 62221

CP&L Company
Attn: Land Management
P. O. Box 1551-PEB3A
Raleigh, NC 27602-1551
Parcel ID# 62238

Paul E. and Anna Norton
220 Hubert Herndon Rd.
Chapel Hill, NC 27516
Parcel ID# 67088

Cynthia H. West
355 Hubert Herndon Rd.
Chapel Hill, NC 27516
Parcel ID# 69131

Bohdan Hrynewych
375 Hubert Herndon Rd.
Chapel Hill, NC 27516
Parcel ID# 69470

J. James Vogl
Joyce L. Patton
377 Hubert Herndon Rd.
Chapel Hill, NC 27516
Parcel ID# 69469

Brenda A. Moore
384 Hubert Herndon Rd.
Chapel Hill, NC 27516
Parcel ID# 69468

Paul A. Webb
Marcia J. Webb
374 Hubert Herndon Rd.
Chapel Hill, NC 27516
Parcel ID# 69467

Fannie Clark Fearington
c/o Clara Daniels
1703 Joycelyne Court
Glen Allen, VA 23060
Parcel ID# 2810

Samuel Allen Clark
Panella Baldwin
317 Taylor Rd.
Pittsboro, NC 27312
Parcel ID# 2806

William & Brenda M. Griffin
5804 Bryan Drive
Sanford, NC 27332-8951
Parcel ID# 2777; 2828; 2821, 2824

Arthur & Rhoda Lituchy
Barry & Marie Goldenberg
1354 Bradford Place
Pittsboro, NC 27312
Parcel ID#: 2766; 2767

Realco Acquisition Co., LLC
100 Europa Drive, Ste. 550
Pittsboro, NC 27312
Parcel ID# 2764

Joanne C. Jones
3928 Bentley Bridge Rd.
Raleigh, NC 27612-8064
Parcel ID# 2837

Roy A. Blackwood
Gail S. Blackwood
8611 US 15-501 North
Pittsboro, NC 27312
Parcel ID# 70045

Larry H. Russell
Karen T. Russell
8559 US 15-501
Pittsboro, NC 27312
Parcel ID# 2838; 2778

Robert J. & Maria V. Maag
102 Turtle Pond Farm Road
Pittsboro, NC 27312
Parcel ID# 69188

Patti Marie Sewell
Michael T. Sewell, II
30 Prestonwood Drive
Pittsboro, NC 27312
Parcel ID# 69299

Steve N. Almond
Janice A. Almond
8414 US 15-501
Pittsboro, NC 27312
Parcel ID# 19334

Jacques E. Condoret
Nicole Condoret
50 Kentview Drive
Pittsboro, NC 27312
Parcel ID#: 62139

Herbert E. Church
Dorothea B. Church
27 Ferrington Post
Pittsboro, NC 27312
Parcel ID#: 19177

James Cameron Forbes, Trustee
25 Ferrington Post
Pittsboro, NC 27312
Parcel ID#: 19173

Carol L. Krawetz
24 Ferrington Post
Pittsboro, NC 27312
Parcel ID#: 60675

Lynn C. Volovsek
Scott R. Ferguson
23 Ferrington Post
Pittsboro, NC 27312
Parcel ID#: 62160

Nora L. Patterson
22 Benchmark
Pittsboro, NC 27312
Parcel ID#: 19110

Robert E. Grant
Sharon E. Hogan
21 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 62182

Kristen Kamerath
Tu T. Dang
3129 S Adams Street
Seattle, WA 98108
Parcel ID#: 19105

Michael E. Meehan
1158 Silver Hill Road
Stone Mountain, GA 30087
Parcel ID#: 19044

Patricia B. Boswell
18 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 18999; 19325

Jacqueline Dale
15 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 19003

Jo Ann Fuller
14 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 19066

John Earle Heuer
748 Meadow Branch Road
Pittsboro, NC 27312
Parcel ID#: 19321

Cindy Costa
Noel Costa
11 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 19320

Jean Francois Niquette
770 NE 69th Street, Apt #2A
Miami, FL 33138-5763
Parcel ID#: 19319

Fearington HOA
26 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 73722

W. J. Schwartz Trust
1386 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 19293

Thomas Jackson
Jamie Jackson
76 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 18964

Melissa Nolan
Matthew Nolan
77 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 19289

Patricia & Steven Dunlop
78 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 19292

Jack D. & Ana J. Traywick
81 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 19300

Roger Jacoby
82 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 19298

A. Paige Greene
Geoffrey A. Neal
84 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 19301

Lawrence Edwin Price
Marva P. Price
85 Fearington Post
Pittsboro, NC 27312
Parcel ID#: 18974

Wayne & Felicia Throop, Trustees
12693 Avenida Annalie
Valley Center, CA 92082
Parcel ID#: 19296

Betty Lorraine Stallings, et al
2901 Jones Drive
Mebane, NC 27302
Parcel ID#: 18859

Juliann Marino
c/o Juliann Bland
312 Hubert Herndon Road
Chapel Hill, NC 27516
Parcel ID#: 69167

Leroy Clark Heirs
c/o Lorie Clark
111 Jones Ferry Rd.
Carrboro, NC 27510
Parcel ID#: 2811

Herndon Woods HOA
c/o Eric Callis
102 Margaret Place
Chapel Hill, NC 27516
Parcel ID#: 60725

Douglas M. Cary
Maureen A. Windle
11 Margaret Place
Chapel Hill, NC 27516
Parcel ID#: 67990

Timothy P. Rath
Patricia M. Kinneer
290 Hubert Herndon Road
Chapel Hill, NC 27516
Parcel ID#: 69483

William Aaron Crutchfield
496 Taylor Road
Pittsboro, NC 27312-7588
Parcel ID#: 2822

Richard D. Telford
Anne Marie Telford
108 Vescova Lane
Morrisville, NC 27560
Parcel ID#: 79908

Moore Family Partnership
409 Mountain Lane
Pittsboro, NC 27312
Parcel ID#: 2717

XDS, Inc.
800 Eastowne Drive, Ste. 200
Chapel Hill, NC 27514
Parcel ID#: 2817

T. E. Durham Life Estate
Clarence L. Durham
470 Andrews Store Road
Pittsboro, NC 27312
Parcel ID#: 2807

Jesse O. Fearrington, Trustee
Jesse O. Fearrington, Jr., Trustee
Willa Anne Fearrington, Trustee
3400 Sunnybrook Drive
Charlotte, NC 28210
Parcel ID#: 2842

Reba P. Sullivan, Trustee
255 Lois Lane
Pittsboro, NC 27312
Parcel ID#: 2882

Donald W. Parker
1635 Herndon Road
Pittsboro, NC 27312
Parcel ID#: 88907

Donald W. Parker
Patricia Parker
1635 Herndon Road
Pittsboro, NC 27312
Parcel ID#: 2758; 2883

Carey B. Carpenter
Jennifer K. Carpenter
5405 Massengill Court
Garner, NC 27529
Parcel ID#: 66122

Glendale Keck Carpenter
1400 Andrews Store Rd.
Pittsboro, NC 27312
Parcel ID#: 71461

Johnny Newton Carpenter
1412 Andrews Store Rd.
Pittsboro, NC 27312
Parcel ID#: 77512

Donald Lee Sturdivant
Jo Anne S. Sturdivant
P. O. Box 476
Carrboro, NC 27510
Parcel ID#: 2716

Johnny Newton Carpenter
1412 Andrews Store Road
Pittsboro, NC 27312
Parcel ID#: 64520

Kim Alan Williams
P. O. Box 1725
Pittsboro, NC 27312
Parcel ID#: 77503

Charles Sledd Thomas
Ann Borden McIver Thomas
220 Rock Ridge Road
Pittsboro, NC 27312
Parcel ID#: 66186

Marcus Fredrick Edwards, Jr.
Martha Jean Brown
1884 Andrews Store Rd.
Pittsboro, NC 27312
Parcel ID#: 65022

Russell Grey Nipper
Joan J. Nipper
148 Stone Gate Drive
Pittsboro, NC 27312
Parcel ID#: 64673

Courtney Scott Lawrence
6112 Gray Stone Drive
Chapel Hill, NC 27514
Parcel ID#: 1831

Leon Mann
1809 Manns Chapel Road
Pittsboro, NC 27312
Parcel ID#: 1824; 72951

Jaye E. Mills
288 Blakes Drive
Pittsboro, NC 27312
Parcel ID#: 1663

David H. Richardson
Vera V. Pesek
791 Redgate Road
Pittsboro, NC 27312
Parcel ID#: 68359

Larry Winston Ryan
2094 Manns Chapel Road
Pittsboro, NC 27312
Parcel ID#: 1777

Scott Lawrence Franklin
Brenda Robin Franklin
120 Persimmon Hill Trail
Pittsboro, NC 27312
Parcel ID#: 1150

Randolph Fritz Rasch
121 Persimmon Hill Road
Pittsboro, NC 27312
Parcel ID#: 63149

Persimmon Hill HOA
c/o Larry Hicks
128 Persimmon Hill Road
Pittsboro, NC 27312
Parcel ID#: 67013

Gary G. Schwartz
921 Ashley Glen Drive
Winston-Salem, NC 27104-1361
Parcel ID#: 63148

Gerald Thomas Felinczak
Judith A. Felinczak
123 Persimmon Hill Rd.
Pittsboro, NC 27312
Parcel ID#: 63147

Daniel D. Brunty
81 Baird Street, Apt. 4
Asheville, NC 28801-2060
Parcel ID#: 63145

Bruce C. Raymond
Victoria W. Raymond
127 Persimmon Hill Rd.
Pittsboro, NC 27312
Parcel ID#: 63144

Larry M. Hicks
Susan E. Hicks
128 Persimmon Hill Rd.
Pittsboro, NC 27312
Parcel ID#: 63143

Dennis L. Sternlight
129 Persimmon Hill Rd.
Pittsboro, NC 27312
Parcel ID#: 64139

Stuart Lee Dixon
Jennifer Dugan Dixon
99 Runa Court
Pittsboro, NC 27312
Parcel ID#: 62205

Sheryl-Mar Co., LLC
87 Norwood Rd.
Chapel Hill, NC 27516
Parcel ID#: 80775

Twin Lakes Golf Course, Inc.
c/o William G. Wilkins
305 Penney Circle
Chapel Hill, NC 27514
Parcel ID#: 2612

Wade Rook Meacham, et al
530 E. Mass Ave.
Southern Pines, NC 28387-6140
Parcel ID#: 2243

Marvin Keith Meacham
Kim Ivey Meacham-Allen
1362 Poythress Road
Chapel Hill, NC 27516
Parcel ID#: 2190

Richard Burton Wilson
Margaret Dial Wilson
130 Half Dollar Road
Chapel Hill, NC 27516-8671
Parcel ID#: 2191; 62256

Cobeana LLC
1898 Henderson Tanyard Rd.
Pittsboro, NC 27312
Parcel ID#: 2533

David Bradley Leeper
4072 Manns Chapel Road
Chapel Hill, NC 27516
Parcel ID#: 2623

Robert H. Lindley
Shirley C. Lindley
4204 Manns Chapel Road
Chapel Hill, NC 27516
Parcel ID#: 2618

Chapel in the Pines Presbyterian Church Inc.
314 Great Ridge Parkway
Chapel Hill, NC 27516
Parcel ID#: 87596

Kimberly D. Moser
4263 Manns Chapel Road
Chapel Hill, NC 27516
Parcel ID#: 2517

James F. Norwood
35 Norwood Road
Chapel Hill, NC 27516-8600
Parcel ID#: 2515

Megan K. Straubel
52 Norwood Road
Chapel Hill, NC 27516
Parcel ID#: 60568

James T. Staples
Tobytha Raymer Staples
P. O. Box 312
Statesville, NC 28687
Parcel ID#: 2516

Moriah R. Swick
4432 Manns Chapel Road
Chapel Hill, NC 27516
Parcel ID#: 2528

Frank W. Jaeger, Jr.
Gael W. Jaeger
4530 Manns Chapel Road
Chapel Hill, NC 27516
Parcel ID#: 2688

Delphine Deloris Goines
245 Patterson Drive
Chapel Hill, NC 27516
Parcel ID#: 2527

Nelson D. Goines
540 Patterson Drive
Chapel Hill, NC 27516
Parcel ID#: 64529, 64534, 64535 and 64536

Jeffrey E. Maynor
Terri B. Maynor
840 Polks Landing Rd
Chapel Hill, NC 27516
Parcel ID#: 62262; 62259

Marjorie L. Oakley
256 Oakleys Peak Road
Chapel Hill, NC 27516
Parcel ID#: 73218

Walter G. McAdams
William E. McAdams
1020 Trollingwood – Hawfield
Mebane, NC 27302
Parcel ID#: 2376

Catherine M. O'Brien
Wendy A. Richardson
316 Creeks Edge
Chapel Hill, NC 27516
Parcel ID#: 2397

Martha S. Block
c/o Martha S. Carden
P. O. Box 310
Kinsale, VA 22488
Parcel ID#: 2399

Eva M. Whorley
315 Creeks Edge
Chapel Hill, NC 27516
Parcel ID#: 2393

Marisa LaBanca
311 Creeks Edge
Chapel Hill, NC 27516
Parcel ID#: 2396

Steven R. Turner
Lisa S. Turner
309 Creeks Edge
Chapel Hill, NC 27516
Parcel ID#: 2391

Polks Landing HOA
70 Polks Landing Station
Chapel Hill, NC 27514
Parcel ID#: 2150

Edward John Dowden
Amy Bush Dowden
579 Oak Island
Chapel Hill, NC 27516-0444
Parcel ID#: 73580

Daniel A. Morava
Julia A. Morava
553 Oak Island
Chapel Hill, NC 27516
Parcel ID#: 73579

John W. Haywood
Marion Haywood
501 Oak Island
Chapel Hill, NC 27516
Parcel ID#: 1593; 1594

James Bunn Riggsbee
P. O. Box 2872
Cashiers, NC 28717
Parcel ID#: 2752; 18896

G. Keith Allen
Eddie M. Williams
6203 Mill House Rd.
Chapel Hill, NC 27516
Parcel ID#: 18908

Sandy Pond Enterprises LLC
51 Vickers Road
Chapel Hill, NC 27517
Parcel ID#: 18637

Frank R. Dunphy, II
Cherie H. Dunphy
2432 Andrews Store Road
Pittsboro, NC 27312
Parcel ID#: 87657

Ticon Properties LLC
5836 Fayetteville Road
Durham, NC 27713
Parcel ID#: 85320

Cimarron Capital, Inc.
2330 Operations Drive
Durham, NC 27705
Parcel ID# 87250

Lee Allen Dunn
Dawn Elaine Dunn
220 Valley View Lane
Pittsboro, NC 27312
Parcel ID#87252

Larry W. Ryan
Howard Kenneth Ryan
Dwight C. Ryan
2094 Manns Chapel Road
Pittsboro, NC 27312
Parcel ID#: 1780

Howard Kenneth Ryan, Jr.
Kenneth Mark Ryan
411 Old Fayetteville Road
Chapel Hill, NC 27516
Parcel ID#: 88506

Dwight Carey Ryan
Kathleen A. Ryan
3550 Hwy. 63
Rison, AR 71665
Parcel ID#: 88505

Albert R. Hinn
357 Hubert Herndon Rd.
Chapel Hill, NC 27516
Parcel ID#: 79907

NNP Briar Chapel, LLC
13777 Ballantyne Corporate Place
Suite 550
Charlotte, NC 28277
Parcel ID# 2760; 69148; 91672; 91673

NNP Briar Chapel, LLC
13777 Ballantyne Corporate Place
Suite 550
Charlotte, NC 28277
Parcel ID# 2832; 64519; 2915; 2177

Nancy Wisniewski
2624 Hiking Trail
Raleigh, NC 27615
Parcel ID# 89632

Robert Lee Graham, Jr.
14 Penny Lane
Pittsboro, NC 27312
Parcel ID# 89633

Sandra Tripp
1180 Andrews Store Road
Pittsboro, NC 27312
Parcel ID#77798

Michael S. Bishop
219 Oak Island
Chapel Hill, NC 27514
Parcel ID#2751

AREC 19 LLC
P. O. Box 29046
Phoenix, AZ 85038
Parcel ID#71691

Meyer Liberman
Roni Liberman
12 Fearington Post
Pittsboro, NC 27312
Parcel ID#19078

Donald Medlin
119 Pensley Circle
Raleigh, NC 27609
Parcel ID#62269

Brenda Nell Roberts
1150 Hollybrook Lane
Manakin Sabot, VA 23103-2328
Parcel ID# 74741

Douglas Donald Roberts
5015 Pine Cone Drive
Durham, NC 27707
Parcel ID#2246

ADDITIONAL RECIPIENTS

Briar Chapel Community Association, Inc.
1600 Briar Chapel Parkway
Chapel Hill, NC 27516

Briar Chapel Commercial Association, Inc.
1600 Briar Chapel Parkway
Chapel Hill, NC 27516

Kimley»Horn

KIMLEY-HORN AND ASSOCIATES, INC
NC License #F-0102

March 1, 2017

Lee Bowman
Newland Communities
16 Windy Knoll Circle
Chapel Hill, NC 27516



DocuSigned by:

Richard C. Adams
EFF8B69EB011403...

Dear Mr. Bowman:

3/1/2017

Per your request, we have reviewed the potential development scenario for Briar Chapel with a moderate amount of additional residential units compared to the previous CUP updated in 2014, and the impact of this change on the traffic conditions for the development. As with the previous update and consistent with the methodology used for the previous Trip Generation Letter (dated June 26, 2014), we have calculated the trip generation potential for the development as a whole with the additional residential units and a likely commercial land use mix based on current and anticipated market conditions. This information was compared to the trip generation potential of the development currently approved for Briar Chapel and previously analyzed in the approved traffic impact analysis (TIA) by Kimley-Horn (June 2004). Attached is a table summarizing the trip generation scenario with the additional residential units, with a comparison to the trip generation of Briar Chapel as previously approved. Additional details on trip generation calculations are available upon request. Please note that the neighborhood references shown on the attachments were taken from the original Briar Chapel TIA for simplicity. The neighborhood nomenclature has changed with the latest Briar Chapel approvals. The Briar chapel site plan from the original TIA (with the original neighborhoods outlined) is included for reference.

Based on our review of the approved TIA and the likely development scenario proposed, it is our opinion that increasing the number of residential units in Briar Chapel from the currently approved 2,500 units to 2,650 units, and projecting a reasonable and likely array of commercial development at Briar Chapel, the existing TIA will continue to be a reasonable estimate of the traffic impact of the development, and would not require modification if the amount of commercial square footage actually implemented does not exceed 301,500 s.f. Our understanding is that the developer views it as unlikely to develop 2,650 residential units and more than 301,500 s.f. of commercial development (but no more than the approved 510,000 s.f.). However, if such a scenario should arise, we expect that the developer would be required to seek approval of a revised TIA from the North Carolina Department of Transportation.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Richard C. Adams, P.E.
Vice President

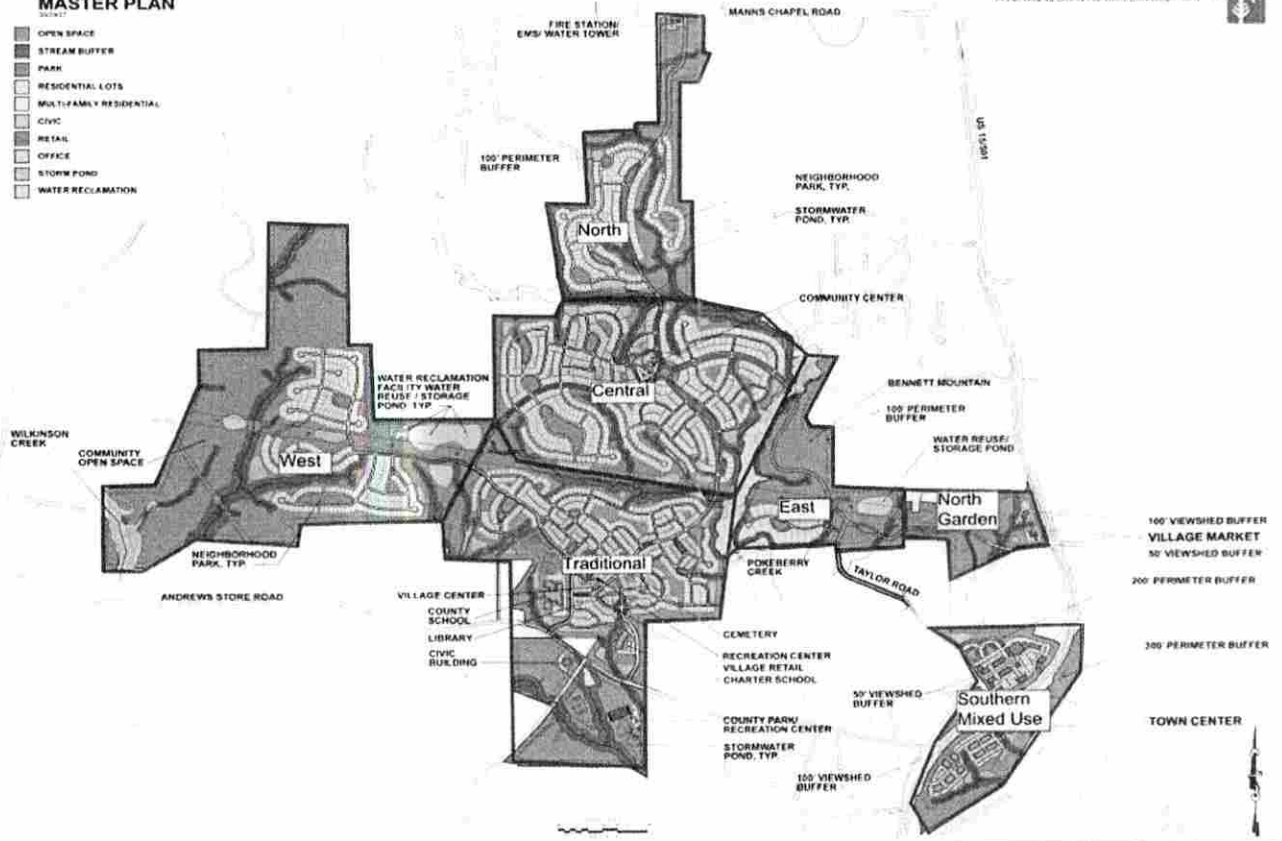
Briar Chapel

A Newland Communities Development



MASTER PLAN

- OPEN SPACE
- STREAM BUFFER
- PARK
- RESIDENTIAL LOTS
- MULTI-FAMILY RESIDENTIAL
- CIVIC
- RETAIL
- OFFICE
- STORM POND
- WATER RECLAMATION



**Briar Chapel
Trip Generation Summary**

Neighborhood	Daily Total	AM Peak Hour			PM Peak Hour		
		Total	Enter	Exit	Total	Enter	Exit
North Neighborhood							
Net New Traffic - Proposed Land Uses	2,375	155	35	120	238	151	87
Net New Traffic - From TIA*	2,057	161	39	122	210	132	78
Difference	318	-6	-4	-2	28	19	9
Central Neighborhood							
Net New Traffic - Proposed Land Uses	7,425	530	125	405	713	452	261
Net New Traffic - From TIA*	6,743	559	130	429	665	422	243
Difference	682	-29	-5	-24	48	30	18
West Neighborhood							
Net New Traffic - Proposed Land Uses	2,594	165	46	119	246	154	92
Net New Traffic - From TIA*	2,509	197	48	149	254	160	94
Difference	85	-32	-2	-30	-8	-6	-2
East Neighborhood							
Net New Traffic - Proposed Land Uses	437	34	9	25	44	28	16
Net New Traffic - From TIA*	797	65	15	50	82	52	30
Difference	-360	-31	-6	-25	-38	-24	-14
Traditional Neighborhood							
Net New Traffic - Proposed Land Uses	9,004	1,140	552	588	795	469	326
Net New Traffic - From TIA*	9,742	1,329	622	707	870	510	360
Difference	-738	-189	-70	-119	-75	-41	-34
North Garden							
Net New Traffic - Proposed Land Uses	1,881	341	178	163	243	108	135
Net New Traffic - From TIA*	1,484	312	150	162	95	43	52
Difference	397	29	28	1	148	65	83
Southern Mixed Use Village							
Net New Traffic - Proposed Land Uses	8,979	457	252	205	886	466	420
Net New Traffic - From TIA*	9,371	695	519	176	1,015	384	631
Difference	-392	-238	-267	29	-129	82	-211
Total Project Generated Trips - Proposed Land Uses	32,695	2,822	1,197	1,625	3,165	1,828	1,337
Total Project Generated Trips - From TIA	32,703	3,317	1,523	1,794	3,191	1,704	1,488
Difference	-8	-495	-326	-169	-26	124	-151

* TIA trips generated using 7th Edition of ITE Trip Generation Manual (2003)



February 27, 2017

Nicolas P. Robinson
Bradshaw Robinson Slawter LLP
128 Hillsboro St.
Pittsboro, NC 27312

Dear Mr. Robinson,

The purpose of this correspondence is to render my professional opinion, after reviewing the relevant and applicable documentation, that the findings of the Environmental Impact Assessment (September, 2004) for the Briar Chapel development will not change as a result of the proposed redistribution and addition of approved lots presented in the current Briar Chapel CUP Amendment (the "2017 CUP Amendment"). Further, the redistribution and addition of the approved lots has no negative impact on compliance with current environmental permits.

The following documents and their corresponding amendments have been reviewed for relevance with respect to the 2017 CUP Amendment request and in light of current ecological and environmental understandings:

- Environmental Impact Assessment, Briar Chapel (June 2004)
- Environmental Impact Assessment, Briar Chapel (September 2004)
- US Army Corps of Engineers 404 Wetland Permit (as renewed /amended)
- NC Division of Water Quality 401 Water Quality Certification (as renewed /amended)
- NC Natural Heritage Program database for protected species and natural areas (as renewed /amended)
- NC State Historic Preservation Office (SHPO) Environmental Review (as renewed/amended)
- Approved stream buffer plats

The proposed 2017 CUP Amendment conforms to NNP-Briar Chapel, LLC's obligations under all applicable environmental permits and assessments.

Best regards,

A handwritten signature in black ink, appearing to read 'Perry Isner'.

Perry Isner

A handwritten signature in black ink, appearing to read 'Christopher Huysman'.

Christopher Huysman, Managing Partner

CHRISTOPHER HUYSMAN
170 DEW DROP ROAD
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336.406.0906
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WETLANDS & WATERS, INC.

TAMP BANDY
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TAB F

SPECIFIC CONDITIONAL USE PERMIT REQUIREMENTS (2017)

(FIVE FINDINGS)

Applicant re-incorporates the information regarding the Five Findings from its amendment application in 2014. The Briar Chapel project continues to meet all of the five findings.

Finding #1: The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.

- A. Validation of Use in Zoning Ordinance: A compact community continues to be a permitted use within the Compact Communities Conditional Use District. Nothing in this Conditional Use Permit Amendment Application has any impact on the fact that the compact community is a permitted use.

Finding #2: The requested conditional use permit is either essential or desirable for the public convenience or welfare.

- A. Need and Desirability: The requested revisions are essential or desirable.
1. Revise Civic Site to Afford Possibility of Chatham County Elementary School Site. Applicant has been approached by the Chatham County Schools administration regarding the civic site at the intersection of Andrews Store Rd. and Parker Herndon Rd. as a location for a new public elementary school. The Administration confirms that a new elementary school is needed and that their consultants list this location as within the targeted location area. This amendment will lay the groundwork for the school system to potentially meet a documented need for a new educational facility.
 2. Revise Perimeter Buffer for Chapel in the Pines. The site plan amendment needed to reduce the perimeter buffer from 100' to 50' along the boundary of Chapel in the Pines property is sought in response to a request by the church. Briar Chapel has long accommodated the Church (the Church property is landlocked from Manns Chapel Rd.) with an access easement to Great Ridge Parkway. This buffer reduction by the impacted adjoiner will allow the Church to accommodate more parking and avoid meaningful grading and topographical environmental impacts in so doing.
 3. Addition of Residential Units. In the last two years, Applicant has received numerous proposals from potential developers of the highway commercial areas that involve multi-family residential. Diversifying the types of residential housing available is recognized as a pressing need in Chatham County. For some time in Chatham County,

multi-family residential options have been scarce, in part because the Chatham County ordinances do not readily allow for high density residential outside the context of a planned unit development. Allowing up to 350 multi-family residential units among the commercial areas (up to 200 are already entitled) will likely have the impact of expediting development of the balance of the commercial areas. Present and projected demands indicate the need and desirability for the requested additional usage in the Special Districts. Allowing up to 350 multi-family residential units within the three Special Districts will be responsive to the market and, hence, necessary and desirable. Multi-family opportunities are needed along the highway where the commercial infrastructure exists and where there is convenient highway access.

4. Revise Table of Uses on Master Plan 2017. Revision of the table of uses on the Master Plan 2017 merely reflects updated, market-responsive land planning as to densities and preferred locations for the same. Indications are that the market seeks additional densities in the Great Ridge Parkway North area, making the revised land plan essential and desirable for development of the Great Ridge Parkway North area. Creating the necessary density flexibility is essential for the residential development of this area and desirable in that it is market-responsive. In addition, the Table is revised to show three potential locations for internal commercial sites of up to 10,000 s.f. This reflects current understanding of the options and preserves the possibility without requiring it.
5. Balance of Requests. The balance of the requests are minor changes sought to conform the CUP to the progress made to date and to facilitate continued development of the project, a goal that is both needed and desirable.

B. Survey of Similar Uses:

Briar Chapel is the only compact community in Chatham County. There are no similar uses in that sense. Further, instances of multi-family units are few and far between in northeast Chatham County because they essentially can only happen within planned communities. The only other instance of apartments in northeast Chatham County is at Governors Village (constructed in approx. 1998). There are no approved apartment uses along the entirety of US Highway 15-501 from Pittsboro to Chapel Hill.

- C. Public Provided Improvements: No additional public improvements are needed to accommodate the requested changes.

Finding #3: The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety, or welfare of the community.

- A. Traffic: No significant traffic impacts are anticipated as a result of the requested changes. See attached letter from Kimley Horn traffic engineers behind Tab E.
- B. Visual Impact & Screening: As with all commercial aspects of the Briar Chapel project, there will be Appearance Commission review of proposed site plans. Except for the SD-N revision along the Duke Power right of way, the buffers between the special districts

and the adjoining residential properties remain unchanged, including the 300 foot buffer between SD-East and the lots in Fearington Village.

- C. Lighting: The Chatham County lighting ordinance provisions will be followed. The requested changes do not alter that result.
- D. Noise: The requested changes do not change the fact that no noise exceeding allowed noise levels under the County Noise Ordinance are anticipated.
- E. Chemicals, Biological and Radioactive Agents: No change.
- F. Signs: No change.

In summary, the requested changes will not impair the integrity or character of the surrounding or adjoining districts and will not be detrimental to the health, safety or welfare of the community. The requested changes are minimal in impact. The previously established and unchanged protections in the form of buffering and landscape review continue to be sufficient.

Finding #4: The requested permit will be consistent with the objectives of the Land Conservation and Development Plan.

- A. Land Conservation and Development Plan Reference: No change. In addition, the County is in the midst of the process of developing a Comprehensive Land Use Plan (the "New Plan"). While the New Plan is not completed, the drafts circulating for review and approval support many elements of this CUP Amendment request. For example, the Key Recommendations under the New Plan include:
 - 1. Providing equitable access to high-quality education. (See, Key Recommendations for Economic Development).
 - 2. Provide flexibility for developers to match target demographic. Accommodate a mix of housing near transportation, utilities, schools. (See, Key Recommendations for Housing)
 - 3. Support development in planned growth areas. (Key Recommendations for Land Use).
- B. Watershed and Flood Considerations: No change. Impervious surface limitations and stormwater protections will continue to be implemented as previously approved.

Finding #5: Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

- A. Water Source and Requirements: No change. Potable water will be furnished by Chatham County. The project already has extensive water distribution lines owned by Chatham County.
- B. Wastewater Management: No change. Old North State Water Company, LLC/EnviroLink has sufficient capacity for treatment of any additional wastewater incidental to the requested changes.
- C. Water/Sewer Impact Statement. Old North State Water Company, LLC/EnviroLink is regulated by the State Utilities Commission and currently operates a collection and treatment facility within the project. The current permitted capacity is 0.75 MGD. The

facility is compliant with the Compact Communities Ordinance with regard to wastewater collection, treatment, and disposal.

D. Access Roads: No change.

E. Stormwater Runoff: The current stormwater requirements for the project will be adhered to. The development will maintain the impervious coverage percentage limitations previously approved. No additional impact generated by the additional residential units is anticipated.

TAB G

AMENDED RESPONSES TO CCO (2017)

Applicant incorporates the Amended 2014 Responses except as revised below:

6.2 Maximum Size

No compact community shall include more than two thousand five hundred dwelling units.

Response: Applicant seeks to increase the approved number of residential dwelling units from 2,500 to 2,650 order to accommodate up to 350 multi-family dwelling units within the Special Districts.

6.3 Residential Density (Maximum and Minimum)

Each compact community shall be allowed a maximum overall residential density of no more than two (2) dwelling units for each acre of gross land area in the project. Accessory units shall count as one half (1/2) a dwelling unit for the purposes of this calculation. Spray fields located off the project area shall not count as part of the project for the purposes of the maximum residential density calculation.

The minimum net residential density shall be at least five (5) units per net acre as measured by the total number of residential units divided by the total area excluding community facilities, street rights of way, buffers, open space, and non-residential areas .

Response: With the addition of 150 units, 1.67 dwelling units per acre of gross land area are proposed. The addition of 150 units increased the number of dwelling units per acre of gross land area from 1.57 units to 1.67 units, still well under 2.00 unit maximum. As to minimum net density (which must exceed 5 units per net acre), by increasing the number of units allowed from 2,500 to 2,650 the current minimum net density of approximately 6.94 units per acre will be increased to approximately 7.36 units per acre, thus meeting the minimum requirement of 5 units per net acre.

6.5 Minimum Commercial Area

Each compact community shall include not less than one hundred thousand (100,000) square feet of commercial development.

At least twenty-five percent (25%) of the total planned commercial area) shall be developed before seventy-five percent (75%) of the maximum allowable dwelling units shall receive final subdivision plat approval.

At least fifty percent (50%) of the total planned commercial area) shall be developed before ninety percent (90%) of the maximum allowable dwelling units shall receive final plat approval.

Response: The commercial components of Briar Chapel will be developed in accordance with the Ordinance requirements. The maximum number of dwelling units

for Briar Chapel is 2,650. As of the date of this submittal, the total number of lots with final plat approval is 1,633 (62% of total allowed dwelling units). To date, Veranda (SD-N) has been developed which comprises approximately 10% of the total acreage of planned commercial area. Briar Chapel is currently in the process of clearing, grading, and developing the entire commercial areas of SD-W and SD-E. Recordation of the SD-W final plat is impending. Upon its recordation, more than 50% of the commercial area will have been developed. Once both SD-W and SD-E plats are recorded, the combined area will comprise completion of approximately 95% of the total planned commercial area.

7.2 Wastewater Treatment

Response: In addition to prior responses, Applicant will comply with the CCO wastewater treatment provisions as amended through the date of this application.

9.2 Perimeter Buffer

Response: All perimeter buffers will be as presently approved except that Applicant, with this application, seeks the following change as allowed by the CCO, as amended:

Reduce the 100' perimeter buffer along the boundary with the Chapel of the Pines property to 50' at the request of Chapel of the Pines. Reduce the 100' perimeter buffer along the short property line shared with the Duke Energy power line Right of Way adjacent to SD-North. Reduce the short buffer at Phase 15-S from 100' to 75'. The areas of reduction are as shown on the Revised Master Plan 2017 submitted herewith.

9.3 Viewshed Buffer

Response: No changes.

12.1 Performance Standards

Response: The Commercial Component responses are not modified except to the extent the requested up to 350 multi-family residential units are allowed within the Special Districts.

General Response:

Applicant will comply with the CCO as amended through the date of this application.

TAB H

PROPOSED CUP REVISIONS (2017)

(see attached)

A RESOLUTION APPROVING A REVISION TO A CONDITIONAL USE PERMIT
REQUEST

BY NNP-Briar Chapel, LLC

WHEREAS, NNP-Briar Chapel, LLC has applied to Chatham County for a revision to an existing conditional use permit on Parcel Nos. 79946, 88052, 87621, 1184, 2617, 18911, 82827, 82828, 82829, 86288, 86790, 87080, 87090, 87852, 2611, 87089, 87024, 80420, 82826, 2757, 2714, 88053, 87088, 80418, 79184, 85632 located in Baldwin and Williams Townships, to modify certain conditions and revise the approved site plan, and;

WHEREAS, the Chatham County Board of Commissioners having considered all of the evidence in the whole record and based upon the competent, substantial and material evidence in the record, including, without limitation, the Applicant's written materials, all of which are incorporated herein by reference, hereby finds as follows:

1. The use/s requested are among those listed as eligible uses in the district in which the subject property is located or is to be located. The proposed uses are allowed within the district approved as Conditional Use Compact Community (CU-CC).
2. The requested revised conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons supported by evidence in the record, the applicant has provided ~~or will provide~~ a lot for a water tank for the county water system, sites for two schools, a county park site, a site for a fire/EMS station, funding for the county library system, and an opportunity to develop space for a Sheriff's Office substation. The applicant has made a \$900,000 payment-in-lieu to fund affordable housing in Chatham County, is paying a fee of \$1,100,000 to ameliorate the housing needs in Chatham County, as well as paying an additional voluntary school impact fee of \$2,000 per lot or dwelling unit to the County.
3. The requested revised conditional use permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community. Among other reasons supported by evidence in the record, the applicant is required by NCDOT to make off-site road improvements to accommodate the increased traffic on surrounding roadways, is complying with the Compact Communities Ordinance with respect to perimeter and viewshed buffers around the development, and is providing funding or land for public facilities to minimize the impact of the development on the surrounding area.
4. The requested revised conditional use permit continues to be consistent with the objectives of the Land Development Plan by, among other reasons supported by evidence in the record, continuing to develop a mix of uses as a compact community along the 15-501 corridor as encouraged on page 2 of the Plan. The development is located within a WSIV-PA watershed that allows up to 36% impervious surface, but the development is limited to 24% impervious surface by the Compact Communities Ordinance and condition 2. The amended conditional use permit

continues to meet many of the policy objectives, major recommendations and goals of the Chatham County Land Conservation and Development Plan.

5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided through the proposed revised conditional use permit consistent with the County's plans, policies and regulations and confirmed through any additional conditions placed on its approval as seen below. Among other reasons supported by evidence in the record, the applicant has provided or will provide a wastewater treatment plant for the development, a site for a county water tank, land for a county park site, two schools, land for a fire/EMS station, funding for the county library system and an opportunity to develop space for a Sheriff's Office substation. The applicant is also constructing off-site road improvements as required by NCDOT to minimize the impact on the road network of the additional traffic generated by the development, as well as preserving over 30% of the land in the development as open space.

NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS, as follows:

That a Conditional Use Permit be, and it hereby is, approved, as revised, for the reasons hereinabove stated subject to the additional stipulations and conditions set forth hereinafter; and

BE IT RESOLVED FURTHER, that the Chatham County Board of Commissioners hereby approves the application for the revised conditional use permit in accordance with the revised master plan, attached hereto as Exhibit A, submitted by the Applicant, NNP-Briar Chapel, LLC, and incorporated herein by reference with specific conditions as listed below;

Stipulations Specific to the Development

1. Construction Deadlines. This permit shall automatically expire on December 31, 2025 unless the construction of all required improvements has been completed or extended by the County upon request prior to the expiration of the term.

2. Land Use Intensity. This conditional use permit approves:

Gross Land Area 1589 acres

Max Impervious surface area 24%

Maximum Number of Dwelling Units 2,6500

3. Watershed Management. A detailed watershed protection plan for the entire project area, including impervious surface calculations, has been approved by the County. Prior to approval of a final plat for each phase of the project, the Applicant shall submit evidence satisfactory to the County Watershed Administrator of compliance with the approved plan. County acknowledges that the Briar Chapel development is exempt from the Jordan Water Supply Nutrient Strategy:

Protection Of Existing Riparian Buffers (also known as the “Jordan Lake Water Supply Watershed Buffer Rules”) (15A NCAC 02B.0267) as an “existing use.” Applicant shall provide updated impervious surface calculations on a phase-by-phase basis at the time of each preliminary plat submittal.

4. Storm Water Management. County acknowledges that all phases of the Briar Chapel Development authorized by this Conditional Use Permit constitute “existing development” within the meaning of the Jordan Water Supply Nutrient Strategy (15A NCAC 2B .0263) and are therefore not subject to the stormwater management requirements for new development set out in 15A NCAC 2B .0265. A storm water management plan shall be approved by the County Stormwater Administrator prior to approval of a preliminary plat for each phase of the project. Such plan shall include final construction drawings for storm water management control measures and an impervious surface calculation sheet for that phase. The Applicant shall construct storm water management control measures sufficient to serve each phase of the project area prior to issuance of a Certificate of Occupancy.

5. Commercial Uses. The commercial component of the development shall be limited to 510,000 square feet in the locations shown on the Revised Master Plan, and the commercial uses allowed within the development shall be all those uses now allowed or later added as allowed in the December 2008 Zoning Ordinance under Section 10.13 Table 1: Zoning Table of Permitted Uses under the Zoning Districts denominated as “O/I,” “B-1,” “NB,” “CB,” and “RB.” Irrespective of whether such uses are shown as permitted or as requiring a conditional use permit, all such uses shall be deemed allowed as of right within the Briar Chapel development. Applicant has agreed to this specification of allowed uses in order to bring clarity to the scope of allowed commercial uses with the express agreement of the County that the district-specific restrictions regarding maximum size of buildings and setbacks shall not apply. Signage for the commercial uses shall comply with the Design Guidelines from the original 2005 approval and the signage provisions set forth in the Chatham County Zoning Ordinance in effect on February 15, 2005 (original approval date). Commercial components of the Briar Chapel Development shall be accessible via public sidewalks, greenways, paths or trails. Pedestrian Access to SD North is substantially complete. Such pedestrian access shall be made to SD West.

6. Lighting Plan Approval. All area lighting shall meet County standards and not adversely affect adjoining residential areas.

7. Utility and Access Easements. Easement documents as required by the County for any public utilities used or furnished to the project area have been recorded. During the preliminary plat review process, the Chatham County Water Department shall review and approve any future water utility easement locations shown on a proposed preliminary plat and shall do so within thirty (30) days after submission by Applicant to the Water Department. If the Chatham County Water Department does not respond within thirty (30) days after submission, the proposed water utility locations shall be deemed approved.

8. Unity of Development. Guidelines for the future development of the project as a unified whole have been submitted to the Chatham County Planning Department.

Stipulations Regarding State and Federal Government Approvals

9. Permits. Any required State or Federal permits or encroachment agreements, including a commercial driveway permit(s) from NC DOT shall be obtained and copies submitted to the County prior to approval of a preliminary plat for each phase.

10. Improvements. Off-site improvements required by N.C. DOT or any other agency shall be constructed at no cost to the County including the traffic improvements as stated in the most recent TIA and others as ultimately deemed warranted by the NCDOT following its analysis.

Stipulations Regarding Required Improvements

11. Parking and off-street loading areas. Parking and off-street loading areas shall be installed in accordance with the ordinances and policies of the County. ~~Prior to Future submittals for final preliminary-subdivision plat submittal approval for SD-West, Applicant will~~ will designate at least eighteen 18 park-and-ride parking spaces (such as additional spaces in proposed parking lots above the minimum number required for retail or office uses) and a bus shelter, the location of which shall be agreed upon between Applicant and Chatham Transit, transit stops, pedestrian and bicycle facilities, and traffic calming devices, as reasonable and necessary to accommodate then-existing multi-modal transit needs at those locations.

12. Streets. Roads will be stubbed-out and/or areas will remain underdeveloped as reasonably necessary to allow for future connections with currently undeveloped parcels, so long as such access takes into account physical features and other access points and are no more than necessary, and with the understanding that future connecting roads will be designed and constructed to approximately the same standards as the connecting roads in Briar Chapel. Where roads are constructed they will be built to required standards up to the perimeter buffer. The exact location of said roads may be determined during preliminary plat review. Signs shall be posted on the property advising of the future extension of said roads.

13. Utilities.

(a) The Applicant shall demonstrate availability of adequate water and wastewater supplies to serve the property. Plans for provision of water supply shall be approved by the County prior to issuance of a preliminary plat for each phase. Such plans shall be in conformity with any County water policies then in effect and the Applicant shall pay all water fees and charges associated with the applicable phase, including then current water fees, review and inspection charges, prior to submittal of the preliminary subdivision plat for each phase. The entire cost of extending public utility services if desired or required under County regulations shall be borne by the Applicant.

(b) In order to adequately provide fire flow pressures for the project and surrounding area, Applicant has provided and the County has accepted an above ground storage facility.

(c) Adequate wastewater treatment service for the entire project area shall be designed and approved by the appropriate regulatory agency prior to issuance of a preliminary plat for each phase and constructed at no cost to the County. Adequate facilities for the spray irrigation of treated effluent from each phase of the project shall be designed, approved by the appropriate regulatory agency, and constructed at no cost to the County prior to issuance of a Certificate of Occupancy for any building within that phase of the project.

(i) Equipment such as pumps and blowers will be appropriately insulated or buffered to ensure that no motor noise from them will be noticeable on a typical day at the boundary of the wastewater plant lot.

(ii) An aeration system has been installed in the 110-day holding ponds.

14. Public Facilities.

(a) Water Storage Tank Site: Applicant has constructed and donated to the County a 1 million gallon capacity water storage tank which is in use and fully operational at this time. The water storage tank and site have been conveyed to the County. This obligation has been fully satisfied.

(b) Public School Site: Applicant has deeded the public school site to the County and the school is open and operational. This obligation has been fully satisfied.

(c) Charter School Site: Applicant has deeded the charter school site to the Woods Charter School entity and the school is constructed and operational. This obligation has been fully satisfied.

(d) Civic Site: Applicant has ~~tendered~~ ~~agreed to and shall tender~~ to the County, ~~within one (1) year of the date of approval of this amendment,~~ a special warranty deed, reasonably acceptable to the County, for a minimum three (3) acre building site located at the northeastern corner of Mann's Chapel Road and Great Ridge Parkway for use by the County as a civic site. The deed shall include (1) a covenant not to exceed 24% maximum impervious surface area on the site; (2) a provision allowing a septic system and also an easement sufficient to allow for installation, maintenance and repair of an appropriate sewer collection line for connection to the Briar Chapel Utilities waste water collection system and treatment plant as well as allocated sewer capacity in the amount of no more than 400 gallons per day; (3) a covenant subjecting any structure to be constructed or placed on the site to applicable Briar Chapel Design Guidelines, existing as of the date of this revision, and Design Review Committee approval, but no other approvals, covenants, terms, conditions, restrictions, fees or charges, (4) a covenant restricting use of the parcel to civic uses,, structures and facilities; and (5) a covenant providing that if one of the following does not occur within ten (10) years of the date the special warranty deed is tendered to the County the property, free and clear of any liens or encumbrances, shall revert to Applicant or its successors and assigns:

- (i) Issuance of building permits for all structures on the site; provided further that construction is commenced thereon within six (6) months after the issuance of the building permit(s), and substantially completed within eighteen (18) months after the issuance of the building permit(s); or
- (ii) In the case of use of the site for purposes that involve no constructed structures, the property is made open to the public for such use.

The County shall have seven (7) years from the date of approval of this amendment to notify Briar Chapel of its intent to use the reserved sewer capacity for the site. ~~If the County fails to record the deed to said site within one (1) year of the date that a deed for said site, is tendered to the County, the Conditional Use Permit obligation to convey said site shall be deemed immediately canceled and the unrecorded deed shall be returned to Applicant.~~ The Deed was recorded on or about December 16, 2015. This obligation of Applicant has been fully satisfied.

(e) Park Site: Park site has been constructed and has been deeded to County. This obligation has been fully satisfied.

(f) Library: Applicant delivered and the County accepted its accelerated \$80,000 library fee on August 13, 2012. This obligation has been fully satisfied.

(g) Applicant shall subject one of the commercial lots within SD North, SD East or SD West to a reservation of 5,000 square feet of shell space, to be constructed and provided to the County at no cost or charge to the County, for the Chatham County Sheriff's Office for a satellite office (the "Reservation"). Because timing, size and potential commercial developers or tenants are unknown at the time of approval of this amendment to the Conditional Use Permit, the selection of which commercial lot that will be subjected to the Reservation shall be entirely in the discretion of Applicant. Applicant, however, shall make good faith efforts to reserve said space within the agreement to convey the first lot located within the portion of SD West located north of Taylor Road. Upon execution of an agreement by which Applicant intends to convey land subject to the Reservation to a developer, Applicant will forward said agreement to the County. It will then be up to the County and the developer of the lot(s) to be conveyed (not the Applicant) to determine whether they can reach an agreement regarding leasing/sale, upfit and all other commercially reasonable terms for the Reservation space. Applicant's obligation will be deemed fully satisfied upon closing of the conveyance called for in the agreement that contains the Reservation irrespective of whether the County declines the space or fails to reach an agreement with the developer of the space. The County acknowledges that, within any agreement with a developer of the space, the County will be responsible for the cost of the up-fit to the shell space for the offices and amenities required (i.e. restrooms, showers, storage, etc.). This obligation shall be resolved between Chatham County and Applicant prior to final plat submittal for the last of the lots in SD-West.

Upon completion of the items listed in paragraphs 14 (d) and (g), Applicant shall be deemed to have fully discharged all of its responsibilities with respect to the Public Facilities required by Condition 14 for the Briar Chapel development.

Stipulations Related to Landscape Elements

15. Landscaping/Screening. All required screening and buffers shall be in place prior to issuance of a certificate of occupancy or next optimal planting season after issuance of a certificate of occupancy. Existing vegetation may be used to fully or partially fulfill the landscaping and buffer requirements of the County. The extent to which the same can be used shall be determined by the Planning Department prior to issuance of the certificate of zoning compliance.

(a) A six-foot opaque fence has been erected along the east side of AKPAR parcel number 77798 (formerly referred to as the "Tripp property"), consistent with NCDOT regulations. Further, the fence has been landscaped on the side facing AKPAR parcel number 77798 to the extent allowed by the owner and landscaped with 6-8 foot tall trees on the east side of the fence. Applicant has satisfied all obligations with respect to AKPAR parcel number 77798.

(b) Applicant has satisfied the obligation to construct a pedestrian bridge and trail over Pokeberry Creek to connect Briar Chapel to Polks Landing Subdivision.

Miscellaneous Stipulations

16. Archaeological Survey. All archeological survey requirements set forth in the original Conditional Use Permit have been satisfied.

17. Solid Waste Management. Solid residential waste is managed and shall continue to be managed by residential curbside recycling and solid waste pick-up. With regard to construction debris and non-residential solid waste removal, Applicant shall continue to contract with builders and contractors to dispose of the same appropriately.

18. Detailed Site Plan. The revised Master Plan attached hereto as Exhibit A (including the anticipated uses grid) and incorporated herein by reference is hereby approved as the applicable sketch plan and revised master plan for Briar Chapel (the "~~Second Revised Master Plan 2017~~") in substitution for and replacement of the Second Revised original mMaster Pplan approved with the Conditional Use Permit and the amended site plan approved on November 17, 2014~~May 21, 2012 (and signed on June 4, 2012)~~. Briar Chapel is unique within Chatham County because it is the only compact community approved under the Chatham County Compact Communities Ordinance. The ~~Second Revised Master Plan 2017~~ has less detail than the original Master Plan (approved in 2005) as to specific roadway locations and lot depictions than the original Master Plan. Due to topography, physical conditions, environmental concerns and market changes, over the course of development of Briar Chapel since February 2005 (original approval date), each phase that has been approved has been designed differently (to varying degrees) than it appeared

in the original Master Plan. As a condition of approval of the proposed ~~Second~~-Revised Master Plan 2017, Applicant agrees to meet with the Planning Department and the County Technical Review Committee (TRC) prior to applying for or receiving any permits for submission of preliminary plat. The purpose of this meeting will be to apprise the Planning Department and TRC members as to layout and configuration of roadways and lots to be shown on the proposed preliminary plat. The Applicant shall submit information to the Planning Department for this review at least twenty-one (21) calendar days prior to a TRC meeting. This process is unique to Briar Chapel as a compact community. With regard to each phase, as it is submitted for preliminary plat approval, a detailed site plan, grading plan, utility/lighting plans, storm water management plan with hydraulic calculations, ~~moderately priced dwelling plan~~ and landscape plan for said phase shall be reviewed by Planning Staff for conformity with the ~~Second~~-Revised Master Plan 2017 and the terms of this Amended Conditional Use Permit. Applicant must submit to the Planning Staff an updated Revised Master Plan every two years from and after the approval date of this Amendment to reflect completed portions of the Revised Master Plan and projected future portions of the Master Plan. Non-residential subdivision of the project area shall also require the Applicant to comply with the site plan requirements of the County's subdivision regulations, including approval thereof by the Board of Commissioners. Such subdivision review may allow modification of the ~~Second~~-Revised Master Plan 2017 approved hereunder so long as not substantially inconsistent with this Amended permit.

19. Stages. If desired, the applicant may construct the project in stages or phases. Each such stage shall be subject to approval by the County pursuant to its subdivision regulations. No final plat of a stage or phase of the development shall be approved if there is any uncorrected violation of any provision of this permit. Upon subdivision review of each phase, the applicable Recreation and Open Space, Community Facilities, Community Design, including housing, standards of the Compact Community Ordinance provisions shall be satisfied. Such subdivision review may allow mutually agreeable modification of the standards referred to therein so long as not substantially inconsistent therewith.

20. Moderate Income Housing. With the consent of the Applicant, Applicant shall contribute \$1,100,000.00 to the County for the purpose of ameliorating the housing needs of Chatham County citizens. Said contribution shall be payable to Chatham County on a prorated basis upon final subdivision plat approval of each phase of the development. Such contribution represents the approximate value of 2.5% of the approved lots in said overall development or phase thereof as applicable. The prior obligation to contribute 2.5% of the approved lots was substituted by the County for a \$900,000 payment in lieu pursuant to an approved Payment-in-Lieu Contract between the County and Applicant, dated November 16, 2012, as amended. That portion of the obligation has been fully satisfied by Applicant.

21. Environment. The lots on Bennett Mountain shall be relocated to lessen the impact of the development on the primary and secondary environmental areas as described in the Natural Areas Inventory. The Bennett Mountain areas will be one of the last areas for line installation

and spray irrigation. If future regulatory changes, and/or approved system flow reductions, will ultimately result in this area not be needed for irrigation, lines will not be installed in this area unless otherwise required by the State. Before any lines are installed in the Bennett Mountain area, Newland will seek further flow reduction approval or other necessary state permission under the then existing applicable regulations so as not to be required to install irrigation lines in this area in order to comply with permit requirements and the then existing applicable regulations.

22. Erosion Control. If applicable, an erosion and sedimentation control plan shall be approved by the County, North Carolina Department of Environmental Health and Natural Resources or other authorized governmental entity and submitted to the Planning Department prior to the issuance of a Zoning Determination Permit.

23. Silt Control. The applicant shall take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.

24. Fees. Applicant shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, building inspection, recreation and impact fees established from time to time. In addition to any fees or charges otherwise required by the County, the applicant shall pay or cause to be paid to the County as a voluntary contribution the sum of \$2,000.00 per dwelling unit upon the sale of each lot or unit.

25. Continued Validity. The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.

26. Non-Severability. If any of the above conditions is held to be invalid, this approval in its entirety shall be void.

27. Non-Waiver. Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

28. Inconsistencies. To the extent any condition set forth in this Amended Conditional Use Permit (or attached hereto) specifically conflicts with and provides more detail and clarity than a similar provision of the original Conditional Use Permit, including, without limitation, all information incorporated into the original Conditional Use permit as part of the original application and public record, the language of the condition of this Amended Conditional Use Permit shall supersede, it being one of the purposes of this Amended Conditional Use Permit to clarify ambiguity, if any, in the original Conditional Use Permit.

29. Applicable Zoning Ordinance. Unless otherwise specifically stated within this Amended Conditional Use Permit, the Chatham County Zoning Ordinance applicable to Briar Chapel is the Chatham County Zoning Ordinance in effect on February 15, 2005 (original approval date).

30. Compact Communities Ordinance (“CCO”) Responses. Applicant reaffirms its Ordinance Compliance Responses except that Applicant amends its Responses to any provision of the CCO that has been modified from the date of the original CUP approval through the date of this approval, such that said Responses are superseded and replaced with the following response: “Applicant has or shall comply with this amended CCO provision.”

BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Chatham hereby approves the application for a conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the ____ day of _____ 2017

By:

~~Walter Petty~~ James Crawford, Chair

Chatham County Board of Commissioners

ATTEST:

Lindsay Ray, Clerk to the Board

Chatham County Board of Commissioners