

BRIAR CHAPEL COMMUNITY ASSOCIATION

1600 Briar Chapel Parkway, Chapel Hill, NC 27516 • 919-240-4955 • BriarChapelLife.com

August 18, 2022

Karen Howard
Franklin Gomez
Mike Dasher
Diana Hales
Robert Logan
Dan LaMontagne

Re: NNP Briar Chapel Waiver Request for Pedestrian Access to SD-West

Dear Commissioners and County Manager,

As members of the Board of Directors of the Briar Chapel Community Association (BCCA), we are writing to you on behalf of our Association, our community and the homeowners who we represent.

On July 7th, 2022, Nicolas Robinson of Bradshaw Robinson Slawter, LLP submitted a letter and draft order on behalf of NNP Briar Chapel, LLC requesting a waiver for pedestrian access from Catullo Run to SD-West (The District) within the Briar Chapel community. As part of this request, they are offering a fee-in-lieu in the amount of \$73,700 to Chatham County. The BCCA only recently became aware of this request and would like an opportunity, as the community directly affected by this waiver, to offer a counterproposal.

We understand that the Compact Community Ordinance (CCO) in Section 12.1 requires that “all commercial establishments shall be pedestrian-accessible to community residents.” We acknowledge and agree that NNP Briar Chapel has sought approval from NCDOT for a sidewalk along the proposed route and that, for the reasons described in the letter from Mr. Robinson, NCDOT recommended that a sidewalk not be built. Further we agree that, at present, there is insufficient right-of-way to install a trail along that road that would be safe for pedestrians. Unfortunately, this leaves the Briar Chapel Community with no pedestrian access to The District and a 2.5- mile walking trail to The Veranda and does not achieve the pedestrian-accessible vision laid out in the CCO.

We propose that the fee-in-lieu of \$73,700 be held by the BCCA in a segregated fund designated for future projects that would help accomplish one of the goals of the CCO, specifically Section 2.3 H. “Establish a grid network of streets that provides multiple connections to different destinations, includes safe places for pedestrians and bicyclists to travel throughout the community, and allows for efficient transit service when and if it becomes available;” as well as the more specific requirements under Section 12. The fund would be administered by the BCCA Board of Directors with the guidance of the criteria in the CCO. By way of example, there are several projects under current consideration by the BCCA Board: walking and biking trail renovation and expansion, addition of public transit stops (Chatham Transit) centrally located within the community, and possibly a bike path lane. We believe these funds could benefit both the Briar Chapel community and the Chatham County public which uses our extensive walking and biking trails.

We hope that you will consider this counterproposal and allow the community directly impacted by this decision to use these funds to improve accessibility to commercial areas by Briar Chapel residents.

Respectfully,



Jerry Cole, President, BCCA Board of Directors

Jennifer Drake, Liz Rolison, Cathy Washburn, Michael Cunningham, Members of the BCCA Board of Directors