

FIVE AFFIRMATIVE FINDINGS

The modification of the Governors Club Planned Unit Development (the “Project”) meets all of the five affirmative findings set forth in the Chatham County Zoning Ordinance for modification of a conditional use permit.

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 to be located.

(1) Validation of Use in Zoning Ordinance. Pursuant to Section 10.3B of the Chatham County Zoning Ordinance, planned residential developments are permitted subject to the issuance of a conditional use permit in the RA-40 zoning district.

(2) Land Development Plan Reference.

The Project promotes the goals and policies of the Chatham County Land Conservation and Development Plan (the “Plan”). As part of the existing Governors Village community, the Project will promote the goal of locating more intensive land uses near existing economic centers, preserving an increased proportion of land as open space, providing a wide variety of housing options, promoting clustered and mixed use development, conserving and protecting natural resources and promoting long-term transportation goals. Plan, pp. 10-11. Allowing additional homes in Governors Village will provide needed support for the existing commercial activities in Governors Village. As part of the Governors Club planned unit development, the Project also supports and benefits from the 127-acre conservation area that is a part of Governors Club. The Project, by offering single-family homes and townhomes, addresses the Plan’s goal of providing a wide variety of housing options including various categories, densities and prices. The Plan encourages a mix of uses, rather than a separation of uses and will promote and benefit from pedestrian connections throughout the Governors Village and Governors Park communities. Plan, p. 12. By adding additional residences in an existing clustered community, the Project will improve and promote the goal of transit-supportive development in the County. Plan, p. 60. The Project is located near the North Chatham Elementary School and the nearby proposed high school site, which is consistent with the Plan’s goal of clustering new development near school sites. Plan, p. 13. The Project is also consistent with the goal of promoting community based schools and keeping transportation time and distances to schools small. Plan, pp. 14, 16.

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

(1) Need and desirability.

The success of the existing residential housing in the Governors Village and Governors Park communities demonstrates that there is market demand for the types and quality of housing that will be provided by this Project. The Project offers housing of diverse types and in different price ranges. Located in close proximity to the existing commercial activities and as yet undeveloped commercial property in Governors Village, the Project will provide support for those existing businesses and, by providing an expanded market, will encourage and enable the completion of development of the Governors Village commercial center. As is shown in detail in the attached Fiscal Impact Analysis, the Project, standing alone, will create a residential real estate tax base of \$32 million and will provide an annual revenue surplus to Chatham County at buildout of approximately \$30,897.00. When the Project is considered as part of the overall Governors Club Planned Unit Development, it contributes the incredibly positive economic and social impacts that the Governors Club community has had on Chatham County, including millions of dollars per year of revenue surpluses. A study prepared by Emil Malizia, Director of the Institute for Economic Development at the University of North Carolina at Chapel Hill, predicted that by 2006 the Governors Club community would be contributing \$3.2 million of net revenue surpluses to Chatham County. In 1996, the annual net tax benefit provided to Chatham County by Governors Club was already \$960,000.00. Approval of this Project will promote and continue that kind of positive fiscal impact as well as the support for charitable ventures, school volunteerism and other community activity that has marked the growth of the Governors Club community.

(2) Survey of similar uses.

The land uses in this Project will be similar to the existing single-family and townhome communities in Governors Village and Governors Park. The success of, and market demand for, homes in those communities indicates a need and demand for the homes that will be constructed as part of this Project.

(3) Public provided improvements.

The County would be required to provide no public improvements as a result of approval of the Project. As described in the attached Fiscal Impact Analysis, the additional revenue to the County will exceed the costs of services that will arise as a result of the buildout of the Project.

(4) Tax considerations.

Please see the attached Fiscal Impact Analysis for a full examination of the impacts of the Project on the County's tax revenues and expenditures.

(5) Employment.

During construction, the Project will create construction and related jobs and significant expenditures for material and labor in the County. Moreover, the residents of the Project will provide an expanded market for the commercial activities in the existing Governors Village commercial area and other commercial developments in the County, which will support and promote employment growth in the County.

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.

Far from impairing the integrity or character of the surrounding or adjoining districts, this Project will promote and enhance the surrounding area. The Project will be consistent with the existing Governors Village and Governors Park communities and will support and enhance the residential areas of those communities as well as improving the market for, and encouraging the completion of, the Governors Village commercial area.

(1) Traffic.

This Project will create no undue burden on the existing public road infrastructure adjacent to the Project. A traffic assessment performed by Ramey Kemp & Associates, Inc. concludes that all proposed entrances will be able to accommodate all expected site traffic and operate at acceptable levels of service. If the North Carolina Department of Transportation determines that a signal will be appropriate at the intersection of Whippoorwill Lane and Old Farrington Road, the developer would be responsible for that improvement.

(2) Visual impact and screening.

The Project will be buffered and screened in a manner that is consistent with the existing buffers around the Governors Village and Governors Park communities.

(3) Lighting.

Lighting within the Project will be designed and installed to be consistent with lighting in the existing Governors Village and Governors Park communities. Lighting in the Project will further comply with the County's existing design guidelines and with the currently proposed provisions of the draft lighting ordinance.

(4) Noise.

This residential Project will not create any noise levels that are atypical of residential subdivisions already approved and located in Chatham County. The noise levels are not anticipated to exceed the levels allowed by the County noise ordinance. The Project will not include any sources or uses of noise beyond that typically associated with a residential

subdivision.

- (5) Chemicals, biological and radioactive agents.

The Project will not include chemical, biological or radioactive hazards. Any chemicals associated with the Project will be stored in a storage area that meets building code requirements. Storage will meet all applicable state and local regulations.

- (6) Signs.

Entry signs to the Project will be designed and installed to be consistent with the existing signage in the Governors Village and Governors Park communities. All signs will comply with the Chatham County sign ordinance and any existing design guidelines.

Finding #4: The requested permit will be consistent with the objectives of the land conservation and development plan.

- (1) Land conservation and development plan. See discussion above under Finding #1, subpoint 2.

- (2) Watershed and flood considerations. The Project will comply with the applicable watershed ordinance, as amended. All allowed building areas will be located outside any floodable area.

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

- (1) Water source and requirements.

Potable water will be provided by the Chatham County public water system. Water services will be installed by the developer.

- (2) Wastewater management.

Wastewater collection and treatment services will be provided by Chatham Water Reclamation Company, LLC, a regulated private utility that currently serves the Governors Village and Governors Park communities.

- (3) Access roads.

Access to the Governors Village single-family Phase 5 will be by one connection to Old Farrington Road. Access to Governors Village Townhomes Phase 3 will be by connection to Village Park Drive, an existing public right-of-way within Governors Village.

(4) Storm water runoff.

All storm water runoff from the Project will drain to the existing stormwater pond. The pond has adequate capacity to accommodate the proposed development. The stormwater plan meets all County requirements.

Conclusion. The Project, in addition to enhancing and promoting the full realization of the original vision for the Governors Village community, will be of benefit to Chatham County by enhancing its tax base, providing employment opportunities and creating a well-planned and thriving community. The five findings required by the zoning ordinance have been met, and we respectfully request approval of the Project as submitted.