

FIVE FINDINGS FOR THE HOMESTEAD AT JORDAN LAKE

The Zoning Ordinance requires the Planning Board and County Commissioners to make the same five (5) findings as it rezones the Modification as it made for the original submittal for The Homestead from RA-5 to RA-40 with Conditional Use for Planned Unit Development:

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.

The subject property is currently located in a RA-5 zone. Applicants are seeking a zoning district change for an additional 50.57 acre tract from RA-5 to RA-40. The original part of the Planned Unit Development asked for 475 lots on a 577 acre tract owned by Jordan Lake LLC and Holland C. and Rebecca Gaines. This rezoning was granted in March of 2004, for 454 units. This additional 50.57 acre tract lies immediately West of the original Homestead PUD. The total acreage with this modification would increase to 627.6 acres, for a total of 463 units. The property is located off Big Woods Road (S.R. 1716) in Williams and New Hope Townships, Chatham County, North Carolina.

The RA-40 District uses are set out in Section 10.3 of the Zoning Ordinance. Section 10.3(B) lists permitted Conditional Uses within the RA-40 zone. Planned residential developments are specifically listed as a permitted use in Section 10.3(B). See Chatham County Zoning Ordinance, p. 25.

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

This property lies directly West of the original Homestead PUD previously approved. Directly to the North of The Homestead property is The Preserve at Jordan Lake. All of the lots in The Preserve sold within a two year period, several years ahead of the developer's marketing predictions. It is clear from the rapid consumption of the lots at The Preserve that the market is very strong for this kind of high quality development in this particular area of Chatham County. The public response to The Preserve confirms a public need. Therefore, it is desirable for Chatham County to provide additional opportunities to homebuyers who desire to live in this type of development. The conditional use permit sought by The Homestead, if not essential, is desirable for the public convenience or welfare. As set forth in the original submittal, The Homestead will contain lots that are slightly larger and slightly more expensive than those offered in The Preserve. Instead of a golf course as is offered in The Preserve, residents of The Homestead will live in community keyed to health, fitness and the environment. These features of

The Homestead will meet the needs of an even broader group of people, and will compliment, not detract from, The Preserve's golf community.

The public convenience will be served by the location of The Homestead in an established commuting corridor of Chatham County, without circulation of traffic into nearby towns. Since the project is located within 1.3 miles of U.S. Highway 64, a dual lane divided highway, the public convenience is further served in that The Homestead will funnel its traffic into areas that are well equipped to accommodate traffic flow.

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.

The original 577 acres of the Homestead adjoins The Preserve on the North. The 50.57 acre tract under review in this application lies to the South and West of The Preserve. The Preserve consists of approximately 600 acres and is zoned RA-40 with Conditional Use Permit for a Planned Unit Development of over 516 homes. The density of the existing development on The Preserve acreage is similar to the density proposed in The Homestead. The original Homestead PUD has been approved with a finding that it 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 modification adding 50.57 acres will compliment the integrity and character of its neighbors.

The property to the East of The Homestead is the Army Corps lands, including Jordan Lake. On the South and West are tracts which have under gone recent subdivision as the Estates at Windfall Creek, which is slated to have 55 lots on 289 acres. The surrounding and adjoining districts are characterized as residential-agricultural except for the Jordan Lake lands controlled by the Army Corps of Engineers that can be characterized as land devoted to public recreation and flood control.

The Homestead's highly technical and efficient systems of stormwater protection and wastewater treatment have previously been approved and have been shown to produce a residential system of highest quality. Those systems will simply include nine more lots than the original submittal. The systems, similar to those used in the neighboring Preserve, are designed to treat the effluent to a tertiary standard and utilize it as a resource for irrigation throughout the community. The low application rate and timing of spray applications for this reclaimed water protect against runoff and groundwater leaching problems often found in communities dependent upon individual septic systems or centralized discharge to streams. The Environmental Protection Agency recognizes treatment and reuse spray with decentralized systems as preferable to a regionally centralized treatment and discharge.

The stormwater and wastewater systems proposed will advance the public health, safety and welfare because these systems rely upon daily monitoring as compared to annual or no monitoring of individual subsurface treatment systems. All stormwater treatment systems will comply with low density standards already prescribed by the County and State for this water supply watershed classification. These systems will help preserve the quality of adjoining lands, including the Jordan Lake lands.

The Homestead's focus on healthy living and environmental protection adds another layer of protection to the community as a whole and to The Homestead. The substantial buffering proposed in The Homestead, the proposed buffering of the streams and creeks crossing the property, and the system of open meadows and grasslands offer an environmentally sensitive development of the property. These systems will protect the health, safety and welfare of The Homestead and surrounding communities.

The safety of the surrounding community will be enhanced by the fact that The Homestead is proposed as a gated community, where security is augmented by trained personnel on a twenty-four hour basis. This feature will allow the current Chatham County public safety resources not to be burdened significantly by The Homestead, and current public safety efforts may continue without need of additional public resources.

The public welfare is served by the revenue benefits that will flow from this project. The economic impact statement included in this package provides details of the benefits offered. The economic impact statement highlights the positive revenue position which The Homestead will provide, making it possible for the County to provide the broader community with enhanced services in areas which might not produce the needed revenue to support such services.

4. The requested permit will be consistent with the objectives of the Land Development Plan.

The two fundamental policies which are the foundation of the Chatham County Land Use and Development Plan are: **(1) Land development and conservation will reflect balanced growth;** and **(2) Chatham County's approach to land development and conservation will be open, pro-active and cooperative.**

Chatham County's population has grown to over 54,000. Chatham's northern and eastern townships have experienced the greatest growth due to their proximity to employment centers located outside the County. Eighty percent of the people within the northern and eastern townships of Chatham County are employed outside the County. To affect "balanced growth" the County needs a combination of different kinds of residential, commercial and industrial developments which compliment the

County's natural resources, employment base and general sense of community. Therefore, residential communities in those townships are key to supplying the necessary residential "rooftops" which can support complimentary commercial and industrial growth. In that way, Chatham can retain more of its population in employment within the County, depend less on outside the County employment, and keep sales tax revenues within County boundaries.

The plan focuses on other policies, such as:

Preservation of form and function of rural character.

The original Homestead PUD was approved with a finding of compatibility with the Land Development Plan, passing the County Commissioners with a 4-1 vote. As with the original submittal, this Modification will be rural in both form and function. From Big Woods Road, broad wooded buffers will protect The Homestead properties from roadway view and will afford passersby the continued opportunity to experience the rural nature of the natural buffer. A similar view is afforded from Big Woods into The Preserve. Within The Homestead, there will be vast expanses of open meadows, forested buffers and houses clustered into neighborhoods among natural areas. By the State's own definition of density, this project is considered a low density use.

Thus, the density of The Homestead joined with the environmentally protective nature of its systems, will compliment and respect the sensitive nature of the Jordan Lake watershed, while providing highly desirable housing opportunities to Chatham County residents and potential residents employed in the Triangle area.

Develop an integrated approach to protecting and promoting high quality open space, recreation, historic and tourism locations.

Jordan Lake tourism currently stands at over one million visitors per year. The Big Woods Road area provides access to the northwestern portions of the Jordan Lake, the Parkers Creek impoundment, as well as the State Forest and Wildlife viewing areas. It is a fact that tourism promotes interest in a natural area, and The Homestead will allow homeowners to enjoy both the natural areas of the Jordan Lake watershed and the privacy of their own homes in one neighborhood area. The proposed meadows located within the project will provide an excellent habitat area for wildlife in the area. Given that the project will not be fenced, wildlife will be able to continue to migrate through the property utilizing the greenbelts provided.

Provide infrastructure in ways that support the land use, economic development and environmental objectives: water supply, wastewater and transportation.

In the Jordan Lake watershed, infrastructure is a key to appropriate development, and to meeting environmental objectives. The original Homestead PUD was approved to use accepted and proven advanced technology for stormwater control and

wastewater disposal. Further, The Homestead will use the County Water system, made possible by the existing Preserve extension from Jack Bennett Road southward. By using those technologies and existing infrastructure, the impact of the development will be minimized. Individual septic systems are not monitored. However, this system will be monitored on a regular basis by a certified operator who will report monthly to the Division of Water Quality. The addition of nine lots proposed in this Modification will not change the overall land use and environmental objectives.

On page nine of the Land Development Plan, it is stated that in order to fulfill its purpose, the Plan should be a **guideline** to decisions about development, and that the plan should **remain adaptable as conditions in the county change**.

First, the greatest change in Chatham County is the manner in which development can be managed safely even in areas of environmental sensitivity. The use of environmentally sensitive state of the art technologies and utilization of currently existing infrastructure discussed above cannot be overemphasized.

Second, the Big Woods area has changed. Formerly Big Woods Road was an unpaved road, accessing one of the largest undeveloped tracts of in the County. That is the reason that it was specified as an area for five-acre lot developments. However, one glimpse of the Chatham County GIS maps for the area show that this is no longer an undeveloped area. Jordan Woods, Beaver Dam, the Estates at Windfall Creek and Big Woods Subdivisions provided area residents with 5-acre lots. Currently thousands of lots ring the western boundary of Big Woods Road. Further North, an extensive mobile home park exists, owned by the Stone family, which is an extremely intensive use at the headwaters of the Jordan Lake. To the North, portions of Fearington and Governors Club/Village all fall within the regulated watershed.

Third, The Preserve at Jordan Lake successfully created the first major subdivision with lots smaller than 5 acres. Approved in 1997, but no commencement of construction until 2000, The Preserve at Jordan Lake has successfully demonstrated that the proven environmental protective technologies can and do work to protect watershed areas sought after as residential communities. And, finally, the approval of the original Homestead PUD created a second community with lots smaller than 5 acres. It was approved in March of 2004.

Fourth: With employment centers to the North and East of The Homestead, traffic patterns will allow the commuter to pass from their residential community, across the Jordan Lake, and directly into their employment communities, without congesting any of Chatham's towns or cities. Thus, housing communities located within logical commuting patterns produce a desirable product for the consumer and the balance of the community as well.

This property is located in Flood Zone X and does not lie within the one hundred year flood plain. The Watershed District is WS IV Protected, and this project will comply with the watershed requirements, including impervious surface limitations not to exceed 36%.

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.

Utilities: Water: The original Homestead submittal uses the County Water System. Revenues will be provided to the County Water System for the 9 additional hookups will be \$18,360.00. However, the entire Homestead PUD will yield \$944,520.00 in tap on fees for 463 lots, and monthly service fees will help the County System grow to serve other, more remote areas.

Septic: The Modification to the Homestead will use the previously approved system for the original submittal, a proven environmentally sound approach for wastewater collection, treatment, and reuse. The community will utilize tertiary treatment with dual components and a secondary source of power in the event of electrical failure. The plant and collection system will be monitored on a regular basis by a certified operator with monthly reporting to the Division of Water Quality. A full time grounds crew will be available to monitor the system along with performing various landscape maintenance within the project.

Access Roads: The original Homestead PUD application indicated two entrances onto Big Woods Road, and this Modification will more conveniently interconnect the interior roadways of the PUD, looping the road into the 50.57 acre tract which is the subject of this application. Big Woods Road has been upgraded and is a paved neighborhood road. The Homestead Tract lies 1.3 miles north of U. S. Highway 64, a dual lane divided major highway. The Homestead has over 2,000 feet of road frontage on Big Woods Road. Big Woods Road is a wide roadway, well-shouldered and substantially straight in design. There are no bad curves, no blind curves near the proposed project, and there are wide and open lanes, with excellent visibility from the planned entrance points out onto the traffic lanes of Big Woods Road. The North Carolina Department of Transportation has reviewed the proposed access points and has determined that they meet acceptable sight distance for points of access.

Roadways within the community will pass through a community access center located several hundred feet into the development, off Big Woods Road. There will be approximately 44,300 linear feet of private roads which serve the individual communities of The Homestead. A controlled access point will be provided from The Preserve into The Homestead which will allow for emergency access.

Storm Water: As with the original submittal, this modification will have an imperious percentage below 24% which qualifies it as a low density community. Runoff from paved areas will be directed to stormwater controls that may include extended detention, wet ponds, shallow wetlands, and vegetated swales. All stormwater controls will comply with applicable County standards.

Recreation: Since this will be an environmentally sensitive gated community, access will be restricted to homeowners and their guests. For example, there are plans to utilize parts of the community as a living classroom for students from schools in the area. The Homestead will centerpiece recreation and healthy living to its membership, by way of a private community amenities center which includes: clubhouse, indoor and outdoor pools, fitness center, spa, tennis courts, hiking and nature trails.

Open Space: Like the original PUD, this Modification will be replete with open space. Of the total 627.6 acres of The Homestead with Modification, 165 acres, or 26%, will constitute open space, with meadows and partly wooded expanses. At least 20% of the meadow areas will remain in mature tree canopy. In addition, 179.6 acres, or 28%, of the project will constitute conservation, common areas and water quality ponds. Approximately 54% of the Project area will be left in open space, with 25% of the Project left in undisturbed drainageway buffers and other protected space.

Greening of the Community.

At The Homestead, the Gaines Family will create a community that reflects their vision and values of conservation and environmental protection. Students, gardening clubs and others may have access to The Homestead for small group projects creating partnerships between The Homestead and the wider Chatham community. At The Homestead, agriculture, ecology and art students can study, sketch and have their work recognized and given broader exposure. Annual scholarships will be established by the Gaines Family and awarded to students working with the Future Farmers of American programs in the area high schools, in further recognition of the outstanding work those programs do in the Chatham County communities.