

Modification to Application for Conditional Use Permit

PLANNED UNIT DEVELOPMENT

Chatham County, North Carolina

THE PARKS at MEADOWVIEW

April 10, 2006



APPLICANT:

The Parks at Meadowview, LLC
P.O. Box 607
Pittsboro, NC 27312

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I. DEVELOPMENT TEAM

Developer:	The Parks at Meadowview, LLC Contact Person: Nick Robinson P.O. Box 607 Pittsboro, NC 27312
Attorneys	Bradshaw & Robinson, LLP Contact Person: Nick Robinson P.O. Box 607 Pittsboro, NC 27312 (919) 542-2400
Civil Engineer / Land Planner	C.E. Group, Inc. Contact Person: Mark Ashness, PE, ASLA 11000 Regency Parkway, Suite 410 Cary, NC 27511 (919) 367-8790
Wastewater Treatment Design	W. Lee Fleming, Jr. Engineering Contact Person: Lee Fleming, P.E. 503 Oberlin Road, Suite 204 Raleigh, NC 27605 (919) 833-1234
Hydrologist	Edwin Andrews & Associates, P.C. Contact Person: Ed Andrews Post Office Box 30653 Raleigh, NC 27622 (919) 783-8395
Ecologist / Soils Evaluation	Soil & Environmental Consultants, P.A. Contact Person: Sean Clark / Jim Beeson 11010 Raven Ridge Road Raleigh, NC 27614 (919) 846-5900 Audubon International Contact Person: Sarah Anderson 11104 Limehurst Place Charlotte, NC 28273
Surveyor	Absolute Land Surveying and Mapping, PC

Contact Person: Charles Eliason, PLS
117 North Chatham Avenue
Siler City, NC 27344
(919) 542-0074

Transportation Engineer

Ramey Kemp & Associates
Contract Person: Rynal G. Stephenson, PE
4928-A Windy Hill Drive
Raleigh, NC 27609
(919) 872-5115

Economic Analysis

Miley Gallo & Associates
Contract Person: Lucy Gallo, CPA
2530 Meridian Parkway, Suite 200
Durham, NC 27713
(919) 806-4677

II. STATEMENT OF PURPOSE

The Parks at Meadowview, LLC ("Applicant" or "Crescent"), wholly-owned by Crescent Resources, LLC (<http://www.crescent-resources.com>) is applying to Chatham County for a **second amendment** of the subdivision sketch design approval for the Meadowview Subdivision, now known as "The Parks at Meadowview." Crescent, a premier residential development company formed by Duke Energy, recently acquired the Meadowview property. Crescent desires to amend the PUD to add an approximately 155 acre tract contiguous to the south and to increase the total number of residential units by 139 to a total number for the entire PUD of 739.

On May 16 2005, the Chatham County Board of Commissioners voted unanimously to approve the sketch design application for the Meadowview subdivision. The approved plan called for 715 residential lots and approximately 60% open space and ample stream buffers.

On March 20, 2006, the Chatham County Board of Commissioners voted unanimously to approve the **first amendment** to the sketch design which reduced the total number of lots from 715 to 600, changed public roads to private, allowed a gating system and changed the name to "The Parks at Meadowview." An issue of concern raised by the planning staff and also by the Harris family was connectivity and access between the he Parks at Meadowview and the 155 acres Harris tract to the south. As a result of negotiations with the Harris family, Crescent and the other applicants, with the consent of the Harris family, hereby request that the 155 acre Harris tract be added to The Parks at Meadowview PUD.

In particular, Applicants now propose to revise the sketch design to add the 155 acre tract and to increase the total number of lots by 139 from 600 to 739. In other words, the request is to add fewer lots than the subdivision ordinance would allow considering the amount of acreage being added.

Except as modified by this application, the information supplied during the Meadowview sketch design process and in the first amendment to the Meadowview PUD, remains applicable.

Applicants have a vision for an environmentally sustainable planned unit development that would create 739 residential lots, ranging in size from approximately one-third of an acre to just over an acre, thereby leaving approximately 539 total acres of open space, or approximately 57 % of the total acreage. The open space will include manicured meadows and amenities and natural buffer zones and trail so as to enhance wildlife habitats, protect existing streams and create natural buffers between the community and neighboring land owners. The open space area will be dedicated to the property owners association.

The Parks at Meadowview PUD, as revised, will generate excess tax revenue even beyond that previously estimated. Although the number of lots has been reduced, the anticipated revenue to be generated will be higher. The project will ultimately create new annual ad valorem tax revenue to Chatham County of approximately \$1,745,260 per year – compared to \$13,863,000, the current ad valorem tax revenue generated by the property in its current use. The 2005 tax bill for the Harris tract \$245.70.

This revised planned unit development promotes the intent of the Chatham County subdivision regulations by ensuring orderly growth and efficient development of land, in an unzoned portion of the County. The Chapel Ridge Golf Community is adjacent. Infrastructure including water and wastewater is available at the site. Crescent is an established and premier developer of environmentally conscious, projects throughout the Southeast and Southwest.

**CHATHAM COUNTY
MAJOR SUBDIVISION
REVIEW CHECKLIST**

Subdivision Name **THE PARKS AT MEADOWVIEW (SECOND AMENDMENT)**

Review For: Sketch Prelim Final

Attach all supporting documentation regarding these approvals. If approvals are still pending, attach applications for approval.

SKETCH DESIGN REVIEW	APPROVAL DATE
<input checked="" type="checkbox"/> 25 Copies of Plat with topo along with one (1) 8-1/2 x 11 copy	-----
<input checked="" type="checkbox"/> Application w/Complete Adjacent Owner Addresses	-----
<input checked="" type="checkbox"/> Soil Scientist Report and soil map	-----
<input checked="" type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	
PRELIMINARY PLAT REVIEW	
<input type="checkbox"/> 25 Copies of Plat along with one (1) 8-1/2 x 11 copy
<input type="checkbox"/> Application w/ Complete Adjacent Owner Addresses
<input type="checkbox"/> Detailed Soils Map and Letter of explanation or D.E.M. approval	___/___/___
{see Requirements for soil scientist report}	
<input type="checkbox"/> NCDOT Approval (if public roads)	___/___/___
<input type="checkbox"/> DOT Comm. Driveway Permit	___/___/___
<input type="checkbox"/> Erosion Control Plan Approval (if new roads or one acre disturbed)	___/___/___
<input type="checkbox"/> U.S. Army Corps of Engineers Permit (if appl)	___/___/___
<input type="checkbox"/> Road Name Request Form	___/___/___
<input type="checkbox"/> County Public Water Approval (if applicable)	___/___/___
<input type="checkbox"/> State Public Water Approval (if applicable)	___/___/___
<input type="checkbox"/> Chatham Co. Schools' Road Comments (if new roads)	___/___/___
<input type="checkbox"/> Stormwater Management Plan Approval (if appl)	___/___/___
<input type="checkbox"/> Economic & Environmental Impact Study (if appl)	___/___/___
<input type="checkbox"/> Water / Sewer Impact Statement (if appl)	___/___/___
<input checked="" type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	
FINAL PLAT REVIEW	
<input type="checkbox"/> 25 Copies of Plat	-----
<input type="checkbox"/> Application
<input checked="" type="checkbox"/> 1 electronic copy of all items above (see Digital Document Requirements)	___/___/___
<input type="checkbox"/> Chatham County Environmental Health Division septic improvement permits or NCDWQ septic permits for each lot.	___/___/___
<input type="checkbox"/> Road Completion Certificate or Financial Guarantee	___/___/___
<input type="checkbox"/> Utilities Completion Cert. or Financial Guarantee	___/___/___

Comment _____

Date Complete Application Rec'd: ___/___/___ By: _____

Chatham County Planning Department

P.O. Box 54

Pittsboro, NC 27312

Tel: (919) 542-8204

Fax: (919) 542-2698

Type of Review

Sketch

Preliminary

Final

MAJOR SUBDIVISION APPLICATION

Name of Subdivision: THE PARKS AT MEADOWVIEW (Second Amendment)

Adding +/- 155.37 Acres (Harris Tract) and net increase of 139 lots

Subdivision Applicant: The Parks at Meadowview, LLC and **Subdivision Owner:** (See attached)

Chatham Partners LLC

Polk-Sullivan LLC

(See attached information)

Name: _____

Name: _____

Address: _____

Address: _____

Phone:(W) _____

Phone:(W) _____

Phone:(H) _____ Fax: _____

Phone:(H) _____ Fax: _____

E-Mail _____

E-Mail _____

Township: Center /Hadley **Zoning:** None

P. I. N. # See attached

Flood Map #370299 **Zone:** Zone A/X

Parcel # See Attached

Watershed: WS IV-PA

Existing Access Road: S.R. # 1520 and NC 87

S.R. road name Old Graham Rd. and NC 87

Total Acreage: +/- 948.38 _____

Total # of Lots: 739 _____ **Min. Lot Size:** +/- 1/3 acre

For Phasing, see supporting materials.

Ph. I Acreage _____

Ph. I # of lots (_____

Max. Lot Size: +/- 1 acre

Ph. II Acreage. _____

Ph. II # of lots _____

Avg. Lot Size: _____

Ph. III Acreage _____

Ph. III # of lots _____

Type of new road: Private/ Length +/- 53,675 l.f. Public/ Length 5,098 l.f. _____

Road Surface:

paved

gravel

Water System:

individual wells

community wells

public system

Sewer System:

septic systems

community system

public system

Name: Pittsboro/Heater

Name: Heater Utilities, Inc.

List other facilities: commercial, recreation, etc., and the approximate acreage or square footage:

Open Space/parks (in Harris Tract only) +/-31.68 acres _____

Date _____

Date _____

Signature of Applicant

Signature of Owner

r

For Office Use Only:

Notes: _____

Approved by County Commissioners: *Sketch* _____
Preliminary _____
Final _____

Payment: Date _____ / _____ / _____ Amount: \$ _____

Applicant Signatures:

The Parks at Meadowview, LLC

Chatham Partners LLC

Thomas L. Towell

Polk-Sullivan LLC

[Signature]

Owner Signatures:

The Parks at Meadowview, LLC

Chatham Partners LLC

Thomas L. Towell

Polk-Sullivan LLC

[Signature]

Edward M. Harris, III, Trsutee

Edward M. Harris, III

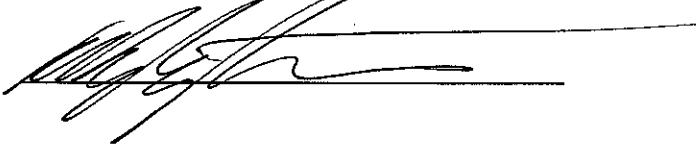
Pamela M. Harris

Gene K. Harris, Trustee

Camille H. Cunnup, Trustee

Applicant Signatures:

The Parks at Meadowview, LLC

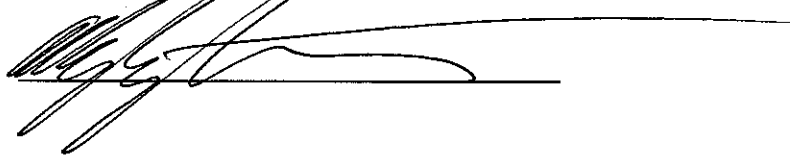


Chatham Partners LLC

Polk-Sullivan LLC

Owner Signatures:

The Parks at Meadowview, LLC



Chatham Partners LLC

Polk-Sullivan LLC

Edward M. Harris, III, Trustee

Gene K. Harris, Trustee

Camille H. Cunnup, Trustee

**SIGNATURE OF OWNERS
MAJOR SUBDIVISION APPLICATION
CHATHAM COUNTY**

Parcel # 5985


Gene K. Harris, Trustee


Linda Harris


Camille H. Cunnup, Trustee


Tim Cunnup

Applicant Information:

The Parks at Meadowview, LLC
1104 Limehurst Pl.
Charlotte, NC, 28273

Chatham Partners, LLC
1000 St. Albans Dr.
Suite 400
Raleigh, NC 27609

Polk-Sullivan, LLC
P.O. Box 5689
Cary, NC 27511

Owner Information:

The Parks at Meadowview, LLC
1104 Limehurst Pl.
Charlotte, NC, 28273

Chatham Partners, LLC
1000 St. Albans Dr.
Suite 400
Raleigh, NC 27609

Polk-Sullivan, LLC
P.O. Box 5689
Cary, NC 27511

Edward M. Harris, III, Trustee
Gene K. Harris, Trustee
Camille H. Cunnup, Trustee
2501 Ferguson Rd.
Raleigh, NC 27612

Parcel Numbers

PIN Numbers

5983

9733-75-0481

10950

9734-23-9527

5912

9733-37-5526

10657

9734-20-5777

61935

9723-89-2774

10893

9723-79-8927

5985

9733-73-1207

HARRIS TRACT ADJOINERS LIST

Chatham Partners LLC
Polk Sullivan LLC
1000 St. Albans Drive, Suite 400
Raleigh, NC 27609

Pearce Zebedee, Jr.
Grace M. Zebedee
3887 Old Graham Road
Pittsboro, NC 27312

Lynn C. Lamb
3833 Old Graham Road
Pittsboro, NC 27312

Martin M. Root
Constance L. Root
189 Olde Farm Road
Pittsboro, NC 27312

Randy E. Dye
Phyllis E. Eutx
173 Olde Farm Road
Pittsboro, NC 27312

Deborah Salmon
133 Olde Farm Road
Pittsboro, NC 27312

Raymond C. Bode
Xenia A. Bode
115 Olde Farm Road
Pittsboro, NC 27312

Frederick Anthony Pica
109 Olde Farm Road
Pittsboro, NC 27312

Richard B. Quinlan
Barbara L. Quinlan
114 Holly Glen Road
Pittsboro, NC 27312

William E. Van Laeke
Patricia G. Van Laeke
270 Holly Glen Road
Pittsboro, NC 27312

Ronald Stevens Gravely
462 Holly Glen Road
Pittsboro, NC 27312

Charles A. Beyer
Cheryl L. Beyer
620 Holly Glen Road
Pittsboro, NC 27312

Bernard F. Keppler
Janet L. Keppler
82 Delmore Avenue
Berkley Heights, NJ 10336

William N. Miller
Jori K.
228 Black Camp Gap Road
Maggie Valley, NC 28751

John D. Lambeth
Stephen B. Lambeth
1301 Sandpiper Court
Raleigh, NC 27615

Elizabeth Lee Alston
198 Major Lee Road
Pittsboro, NC 27312

Fredrick Joseph Pica
Kimberly Pica
109 Olde Farm Road
Pittsboro, NC 27312

Charles R. Billings
Jane E. Cousins
357 Wesley Drive
Chapel Hill, NC 27516

Edward M. Harris, III,
Gene K. Harris & Camille H. Cunnup, Trustees
2501 Ferguson Road
Raleigh, NC 27612

Earl R. Wingo, Jr.
2028 Pondsedge Trace
Raleigh, NC 27603

Grady C. Gaskill
353 Oak Branch Lane
Sanford, NC 27330

Charles S. Lutterloh
323 L & W Lane
Pittsboro, NC 27312

John S. Ginn
Cristin F. Ginn
101 Spruce Ridge
Holly Springs, NC 27540

Donna Holt
4546 NC Hwy. 87 North
Pittsboro, NC 27312

Gregory K. Caldwell
117 Donna Place
Cary, NC 27513

Mable C. Rodgers
Willie Rodgers
4874 NC Hwy. 87 North
Pittsboro, NC 27312

Chadwick D. Burton
P. O. Box 14264
Durham, NC 27709

Marvin Chalmers
Vernice B. Chalmers
4914 NC Hwy. 87 North
Pittsboro, NC 27312

John J. Crncic
St. Edmunds Lane
Apex, NC 27539

Delores J. Ferguson
P. O. Box 1634
Pittsboro, NC 27312

Billy Wayne Campbell
Charity Campbell
5035 Old Graham Road
Pittsboro, NC 27312

Delores J. Ferguson
Elizabeth Reep Weatherspoon
P. O. Box 1634
Pittsboro, NC 27312

New Salem Baptist Church
5030 Old Graham Road
Pittsboro, NC 27312

Robert C. Strowd
Karen C. Strowd
5154 NC Hwy. 87 North
Pittsboro, NC 27312

Mary Susan Back
6729 Falconbridge Road
Chapel Hill, NC 27514

John G. Wright
Gladys Ann Wright
4995 Old Graham Road
Pittsboro, NC 27312

Fred Pugh
Barbara Pugh
5332 NC Hwy. 87 North
Pittsboro, NC 27312

Frank T. Foushee
Emily R. Foushee
P. O. Box 604
Pittsboro, NC 27312

Susan S. Braxton
Glenn Braxton
1137 Woodbrook Way
Garner, NC 27529

Billy T. Dowdy
5011 Old Graham Road
Pittsboro, NC 27312

Charles Sirls
Minnie Bell Sirls
5429 NC Hwy. 87 North
Pittsboro, NC 27312

Larry Wayne Glenn
P. O. Box 247
Bunn, NC 27508

Mrs. Beatrice B. Lasater
5429 NC Hwy. 87 North
Pittsboro, NC 27312

Fannie Mae
950 E. Paces Ferry Road
Atlanta, GA 30326-1161

Terry A. Ayers
187 Butch Dowdy Road
Pittsboro, NC 27312

Walter C. Henderson
5560 NC Hwy. 87 North
Pittsboro, NC 27312

Dennis M. Dowdy
1245 Henderson Tanyard Road
Pittsboro, NC 27312

Byron Jones
4713 Old Graham Road
Pittsboro, NC 27312

Jerry R. Justice
2654 NC Hwy. 87 North
Pittsboro, NC 27312

Billy C. Akridge
Judith H. Akridge
182 Old Lystra Road
Chapel Hill, NC 27514

Larry F. Justice Heirs
P. O. Box 1396
Longbeach, MS 39560

Shawn Lionel McKenzie
302 West Dolphin Street
Siler City, NC 27344

Morris Reid Love
Kathleen G. Love
416 Lutterloh Road
Pittsboro, NC 27312

Virgilia Lutterloh
4034 NC Hwy. 87 North
Pittsboro, NC 27312

George Clifton Scurlock, Jr.
4425 Old Graham Road
Pittsboro, NC 27312

Lynn Lutterloh Frost
Andrew McLean
468 Lutterloh Road
Pittsboro, NC 27312

George C. Scurlock
Ruby M. Scurlock
4385 Old Graham Road
Pittsboro, NC 27312

Jordan Lake Preserve Corporation
840 The Preserve Trail
Chapel Hill, NC 27517

Ashutosh V. Kotwal
Ashwini A. Kotwal
3015 Broomsedge Way
Durham, NC 27712

Allen R. Phillips
Teresa E. Phillips & Junius Earl Maynard
1282 Hanks Chapel Road
Pittsboro, NC 27312

John M. Turco
19 Songbird Court
Apex, NC 27502

William M. Cooper, Jr.
P. O. Box 1342
Pittsboro, NC 27312

John D. Dunaway
121 Balsam Court
Chapel Hill, NC 27514

Arm Sales Inc.
1501 E. Bessemer Avenue
Greensboro, NC 27405

Ruth V. Schwasinger
18 Maple Street
Scarsdale, NY 10583

Jo E. Hill
5430 NC Hwy. 87 North
Pittsboro, NC 27312

Annie Bell Dark, et al.
c/o George Dark
2 Pond Hollow Drive
Oak Ridge, NJ 07438

Ronald A. Newcomb
Patricia L. Newcomb
109 Phacelia Way
Cary, NC 27511

Howard B. Katzoff
Ann Katzoff
6411 Morning Time Lane
Clarksville, MD 21029

Linda Barton
310 Hardwick Drive
Durham, NC 27713

Joseph E. Lang
Susan A. Lang
9051 Seward Street
Frederick, MD 21704

Shumaila Chaudry
4745 Charter Court
Woodbridge, VA 22192

Yash P. Mehndiratta
Ritula Mehndiratta
6104 Stonehenge Place
North Bethesda, MD 20852

Frank A. DeGeorge
Kimberly A. DeGeorge
1406 Hillcroft Court
Apex, NC 27502

William B. Lahtinen
Elaine A. Rhoades
162 Sterling Road
Princeton, MA 01541

Jed Schipper
337 Lime Avenue #3
Long Beach, CA 90802

John W. Ratzlaff
Sherry L. Gaden
250 Rainbow Drive #15028
Livingston, TX 73351

Joseph Marion
Elaine Marion
126 Dug Road
Chester, NY 10918

Destin Building & Development, LLC
590 Mountain Laurel
Chapel Hill, NC 27517

Thomas A. Lang
Nicholas Triandafilou
5500 Roy Court
New Market, MD 21774

Alice Anne Oravetz
Christopher Paul Oravetz
203 Kennondale Court
Cary, NC 27519

Christopher A. Plunkey
Kelly D. Plunkey
44 Victoria Drive
Pittsboro, NC 27312

New Classic Builders, L.L.C.
649 Olde Thompson Creek Road
Apex, NC 27523

Xue Feng Wang
Xiao Le Xu
102 Westchester Place
Chapel Hill, NC 27514

Nelu Skumpija
Lisa Skumpija
70 Victoria Drive
Pittsboro, NC 27312

IV. COMMUNITY SUMMARY

SITE LOCATION

The development site is located between NC 87 and Old Graham Road approximately five miles north of Pittsboro and approximately 15 miles southwest of Chapel Hill. It is situated mainly in Center Township (partially in Hadley Township) in Chatham County. The site is convenient to Pittsboro, Chapel Hill, Cary, Apex and the Burlington area (see attached location map).

The adjacent parcels to the south, east and west are primarily undeveloped or scattered large lot residential with some agricultural production. Chapel Ridge Golf Community is located to the north. Roadway connectivity between each project is provided with a central rotary at the Chapel Ridge Golf Clubhouse.

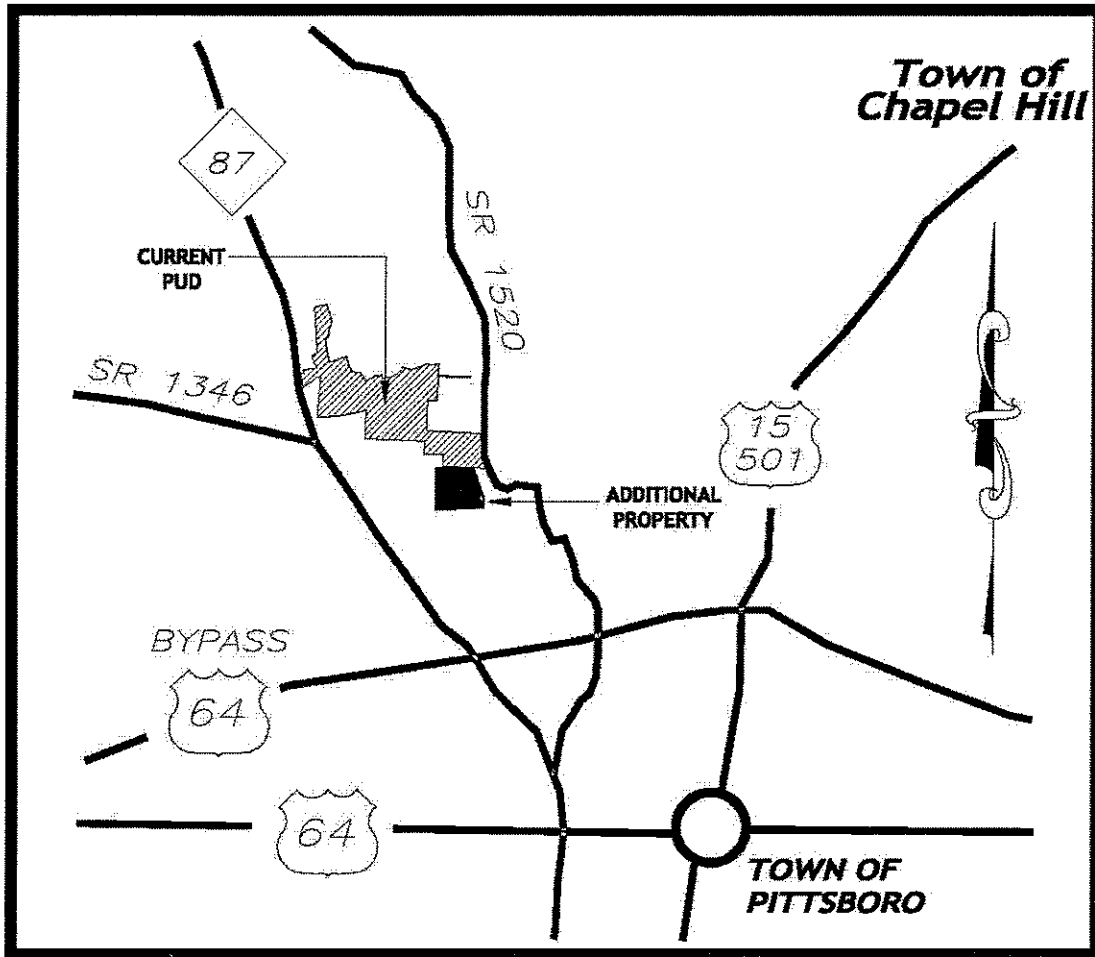


Exhibit 1. LOCATION SKETCH (Not to Scale)

V. EXISTING FEATURES

Site Description

The Project comprises portions of multiple tracts. The Parks at Meadowview Tracts have been previously described. The Harris Tract is approximately 155 acres located to the south of the previously approved Meadowview PUD. Approximately 1000 feet of road frontage on NC 87 exists at the proposed entrance. NCDOT has already approved plans for turn lanes and an entrance at this location. Approximately 2100 feet of road frontage along Old Graham Road exists at the eastern entrance. The natural slope and elevation variation within the project is well suited for a planned residential community. Elevations on the Harris Tract range from 432 MSL to 544 MSL. Approximately 87 % of the Harris Tract has slopes between 0 - 10%.

SLOPE	ACREAGE	PERCENTAGE
0 – 5 %	85.4	54.8%
5 – 10 %	50.1	32.1%
10 – 15 %	17.1	11.0%
15 – 20 %	2.8	1.8%
More than 20 %	0.4	0.2%

A portion of the Harris Tract northern boundary line runs with Brooks Creek. The current Master Plan provides a passive open space buffer along the north side of this creek ranging in width from a minimum of 100' up to 400'. The plan for the additional property will maintain the 100' minimum buffer, while providing additional buffer width on the north side of the creek, with a 100' buffer provided along the south side of the creek. An intermittent blueline stream bisects the site from the southwest to the northeast. The proposed plan provides for a 100' buffer along each side of this stream (200' total width). Two additional stream features that do not appear on the USGS Map have been identified in the field. These features are located in the southern portion of the property. The proposed plan maintains a 50' buffer along each side of these features (100' total width). The buffer plan exhibit contained in this document illustrates the buffer locations. All of the proposed project expansion is located within the WS IV Protected Area.

Informational maps reflecting the existing site features are attached:

Applicant is aware of no historical features located on the portion of the property designated for development. However, Applicant has contacted the Chatham County Historical Association and offered it the opportunity to make a further review of the property in order to confirm this conclusion.

A search of records at the State Historic Preservation Office produced no indication of any historic structures on the Harris Tract. Likewise, the records of the North Carolina Office of State Archeology reflect no documented archeological sites or artifacts within the property boundaries. Finally, a records search at the Natural Heritage Program revealed that no rare plants or animals have been recorded within the property boundary.

ENVIRONMENTAL INVENTORY

Soil and Environmental Consultants (S&EC) has completed detailed wetland delineation and site inventory. A Historical Records and Natural Heritage Program file search has also been completed. No federally protected plant or animal species were found within the project boundary. As mentioned previously, the vast majority of the property has been actively managed for timber production. Development of the project as proposed will establish maintained meadows and protected wooded buffers that have not been allowed to be established based upon prior land management.

A review of the Chatham County Natural Heritage Inventory has been conducted. The project does not appear to include any sites listed under the inventory. Planning Staff has made a preliminary confirmation of this conclusion.



Soil & Environmental Consultants, PA

11010 Raven Ridge Road • Raleigh, North Carolina 27614 • Phone: (919) 846-5900 • Fax: (919) 846-9467
www.SandEC.com

March 15, 2006

S&EC Project No.: 10089.W1

Polk- Sullivan
Attn: Robbie Swain
PO Box 5689
Cary, NC 27512

Re: Detailed Wetlands Delineation and Neuse River Buffer Evaluation
Harris Tract (162.5+/-)
Pittsboro, Chatham County, NC

Dear Mr. Swain:

In February of 2006, S&EC conducted a detailed wetland delineation and Proposed Cape Fear River Buffer evaluation on the Harris Tract. This tract is approximately 162 acres and is located on the west side of Old Highway 87 approximately 200 ft west of its intersection with Old Grisham Rd (SR 1500). Figure 1 shows the location of the site on a USGS topographic quadrangle.

EXECUTIVE SUMMARY

We have determined that wetlands and other jurisdictional waters (i.e., streams) exist on the site. The attached wetland sketch map depicts the approximate location of wetlands and other jurisdictional waters identified on the site. Feature A (Brookes Creek) had areas that were too thick to evaluate due to the excessively thick vegetation. Access lanes will need to be cut to delineate this area. Please refer to the sketch map and the results and recommendations section below for more detailed information.

SCOPE OF WORK

The detailed wetland delineation consisted of pedestrian reconnaissance of the property to examine the soils, vegetation, and hydrology for the presence of areas that meet the criteria for jurisdictional wetlands by the procedures described in the Corps of Engineers Wetlands Delineation Manual (January 1987 – Final Report). Areas on the site with positive indicators of hydric soils and evidence of wetland hydrology and hydrophytic vegetation were flagged with

Charlotte Office:
236 LePhillip Court, Suite C
Concord, NC 28025
Phone: (704) 720-9405
Fax: (704) 720-9406

Greensboro Office:
3817-E Lawndale Drive
Greensboro, NC 27455
Phone: (336) 540-8234
Fax: (336) 540-8235

sequentially numbered, pink S&EC logo flagging. Proof of wetland hydrology would be the existence of hydric soils with oxidized root channels in the upper 12 inches of the "A" horizon, water borne deposits, drift lines, scour marks, drainage patterns, regional indicators of soil saturation, etc. Surface waters such as intermittent and perennial stream channels, ponds, and lakes, which are also subject to regulation by the US Army Corps of Engineers (USACE) as waters of the US, were also identified. These surface waters may also be referred to as jurisdictional waters to indicate that they are within the jurisdiction of the USACE. It is important to note that wetlands are also classified as waters of the US and regulated by the USACE.

The Proposed Cape Fear River Basin: Nutrient Sensitive Waters Management Strategy: Protection and Maintenance of Riparian Areas with Existing Forest Vegetation (15A NCAC 2B.260) if enacted the rules would apply to 50-foot wide riparian buffers directly adjacent to surface waters in the Cape Fear River Basin (intermittent streams, perennial streams, lakes, ponds, and estuaries), excluding wetlands. The rules would define surface waters as features approximately shown on either the most recent version of the soil survey map prepared by the Natural Resource Conservation Service (NRCS) of the US Department of Agriculture (USDA) or the 7.5-minute quadrangle topographic maps prepared by the US Geologic Survey (USGS). Surface waters that appear on these maps are not subject only if an on-site determination by the NC Division of Water Quality (NC-DWQ) shows that they fall into one of the following categories:

- 1) Ditches and manmade conveyances other than modified natural streams;
- 2) Manmade ponds and lakes that are located outside natural drainage ways; or
- 3) Ephemeral (stormwater) streams.

S&EC's Proposed Cape Fear River buffer evaluation consisted of examining each feature on the site that is shown on the most recent version of the pertinent topographic map or soil survey for applicability to the Proposed Cape Fear River Basin riparian buffer rule using NC-DWQ stream evaluation techniques. Figure 2 shows the location of the site on the relevant Chatham County Soil Survey map.

RESULTS & RECOMMENDATIONS

The results of the detailed delineation of jurisdictional wetlands and other waters of the US and the evaluation of surface waters on the site subject or potentially subject to the Proposed Cape Fear River Basin riparian buffer rule are discussed below.

Wetlands and Jurisdictional Waters:

We have determined that wetlands and other jurisdictional waters (i.e., streams) exist on the site. The wetland sketch map depicts the approximate location of wetlands and jurisdictional waters

identified within the evaluated area. *Feature A is a perennial stream that flows on property from the east and flows off property to the west. This area was too thick to evaluate. Feature B is a perennial channel that begins at the flag #506 and flows into feature E. Feature C is a perennial channel that begins at flag C01 and flows into feature B. Feature D is a perennial channel that flows on property from the south and flows into feature E. Feature E is a perennial channel that flows on property from the south and flows into feature A. Feature F is an intermittent channel that starts at Flag D01 and flows into feature D.* NC -DWQ water classification for this site is WS-IV, NSW. No other wetlands or jurisdictional waters were found within the project boundaries.

All S&EC flags comprising the wetland and jurisdictional waters delineation should be surveyed and a Wetland Delineation Map generated for use in USACE approval and permitting. *Streams were not flagged in the field and should be surveyed with points taken at each bend noting the width at these points.* The Wetland Delineation Map should include all of the information listed on the attached 'Standard Plat Requirements'. S&EC delineation flag numbers should be shown on the wetland survey. Please have the property owner complete the attached agent authorization form if you would like S&EC to act on their behalf for requesting approval of the wetland delineation. This form will also be used in preparing a permit application for impacts to wetlands or surface waters when we are provided with a plan showing the proposed impacts. **S&EC cannot conduct correspondence with the USACE unless we have agent authorization (see attached Agent Authorization). This authorization form must be filled out in its entirety by the current landowner and sent to S&EC (a faxed copy is acceptable).**

Proposed Cape Fear River Buffers:

The surface waters (i.e., intermittent streams, perennial streams, lakes, ponds or estuaries) potentially subject to the 50-foot **Proposed Cape Fear River Buffers** include **features A, E, and D**. No other surface waters are indicated on either the USGS topographic or Chatham County Soil Survey maps. The only surface waters that S&EC actually believes are subject to the buffers consist of **features A, E, and D** which all start off property. The NC-DWQ must confirm our determination regarding the subjectivity of the aforementioned channels in order for our determination to be valid. **A site meeting with the NC-DWQ will most likely be required if the rules are enacted. If you advise us to do so, S&EC will schedule this meeting.**

REGULATIONS

Regulations that apply to jurisdictional wetlands and waters present on the site are discussed below.

Proposed Cape Fear River Buffer Rules

It was decided by the Environmental Management Commission that temporary Cape Fear River Basin Rules would not be enacted prior to adopting permanent rules. A specific date has not been set as to when the permanent Cape Fear Buffer Rules will be enacted. **It is important to note that the decision to not adopt temporary rules can be changed at any time.** The buffer rules will protect up to 50 feet from the edge of existing "surface waters" (i.e., intermittent streams, perennial streams, ponds, lakes and estuaries) found within the Cape Fear River Basin. The 50-foot buffer consists of two zones. The first zone is measured 30 feet landward from the top bank of streams and is intended to contain an undisturbed forested area. The second zone extends 20 feet landward from the edge of the first zone and is intended to contain a vegetated buffer. Grading with re-vegetating is permissible in Zone 2 (the outer 20 feet of the 50 foot buffer). Mitigation for road crossings is mandatory for impacts greater than 150 feet in width and utility lines running parallel and within Zone 1. Please call if you would like to discuss the uses/allowances within buffered areas. **In order for a project not to be subject to these buffer rules, an approved site specific plan for proposed impacts to wetlands and other waters of the US would have to be obtained from the USACE and the DWQ prior to enactment of the rules.**

Water Supply Waters Rules

Perennial streams within a classified water supply watershed require a 100-foot buffer for new development activities with greater than 24 percent "built upon" area (i.e., percent covered by impervious or partially impervious cover) and a 30-foot buffer for activities with less than 24 percent built upon area by the NC-DWQ. (These buffers are in addition to the 50-foot Neuse River Buffers. The stricter of the two buffers applies to these stream channels.) Other regulations may also apply.

Wetland Permitting

Wetland impact permits are issued on a per-project basis as determined by the USACE. The USACE has determined that impacts on parcels sub-divided from larger tracts are sometimes considered to be cumulative to existing impacts for the large tract. If this is the case, then

thresholds as discussed below may not apply and impacts to wetlands must be considered in light of existing permits.

Preconstruction notification to the USACE and the NC-DWQ is not required for wetland impacts that meet the general conditions of Nationwide Permit 39 and that impact less than 1/10 acre per project. Preconstruction notification and approval by the USACE is required for wetland impacts that exceed 1/10 of an acre and /or any stream channel impacts. **Preconstruction notification and approval by the NC-DWQ is required for wetland impacts that exceed 1/10 of an acre if the property is west of I-95 or 1/3 of an acre if the project is east of I-95. Preconstruction notification and approval by the NC-DWQ is required for any stream channel impacts within buffered basins (i.e. the Neuse, Tar-Pamlico, Randleman, and portions of the Catawba Basins) or for cumulative stream impacts that exceed 150 linear feet in non-buffered basins.** If development impacts exceed the thresholds for notification and proposed impervious area for the project or any part of the project exceeds 30%, then stormwater treatment to meet the pollutant removal design standard of 85% removal of total suspended solids (i.e., wet detention basins, stormwater wetlands, bioretention areas, etc.) and 30% of Nitrogen will likely be required by the NC-DWQ. The maximum permanent impact allowed per project under the nationwide permits is 1/2 acre of wetland and/or 300 linear feet of USACE important stream channel. Nationwide Permit 39 limits above-grade fills within 100-year floodplains specifically prohibiting above-grade fill within the floodway. Additionally, Nationwide Permit 39 limits stream channelization and relocation to streams with an average annual flow of less than 1cfs.

Per project impacts to vegetated wetlands in excess of 1 acre or impacts to streams that contain "significant aquatic function" in excess of 150 linear feet will most likely require mitigation by the NC-DWQ. The USACE may require mitigation for any wetland/jurisdictional waters impacts. Actual mitigation requirements are typically determined on a case-by-case basis. Wetland mitigation is a complex process that requires planning and monitoring. S&EC will discuss mitigation issues with you if we believe your project may require mitigation. Impacts to channels containing "significant aquatic function" in excess of the notification thresholds may require mitigation. Channel mitigation is typically intended to replace lost significant aquatic functions and values. Relocating channels is considered to be an adverse impact and typically results in mitigation within the new channel. Therefore, this type of mitigation usually requires that meanders be created within constructed channels. Side-slopes and beds be vegetated; riprap is discouraged.

A complete NC-DWQ 401 Water Quality Certification application for a Nationwide Permit has a maximum 60-day processing period. A complete USACE Nationwide Permit application has a 45-day processing period, while Individual Permit applications submitted to the USACE have no maximum processing periods. **The USACE requires that all impacts to wetlands or Waters of the US, less than 1/10 acre, be reported to the USACE within 30 days of the completion of construction.**

Nationwide Permits can potentially be utilized if the project is designed to impact up to 1/2 acre of jurisdictional wetlands or waters of the US including a maximum of 300 linear feet of important stream channel impact under NWP 39. Cumulative impacts per project over these nationwide thresholds will require an individual permit. Individual Permits require an analysis to determine that the proposed impact is the least environmentally damaging practical alternative, typically require compensatory mitigation, notification to adjacent property owners, a public notice, and may require a public hearing. All impacts greater than 1/10 acre require written justification.

ADDITIONAL SERVICES

If you choose to have us perform additional work, the following is a listing of additional services: (1) Request that the USACE verify our delineation, and (2) Notification to the USACE and NC-DWQ regarding impacts to jurisdictional areas and riparian buffers and permitting issues, if required. This additional work can be completed at our hourly rates or a proposal can be generated. Please advise.

Please call David Gainey if you need further explanation of the information provided.



Maximilian Merrill
Environmental Scientist/Hydrologist

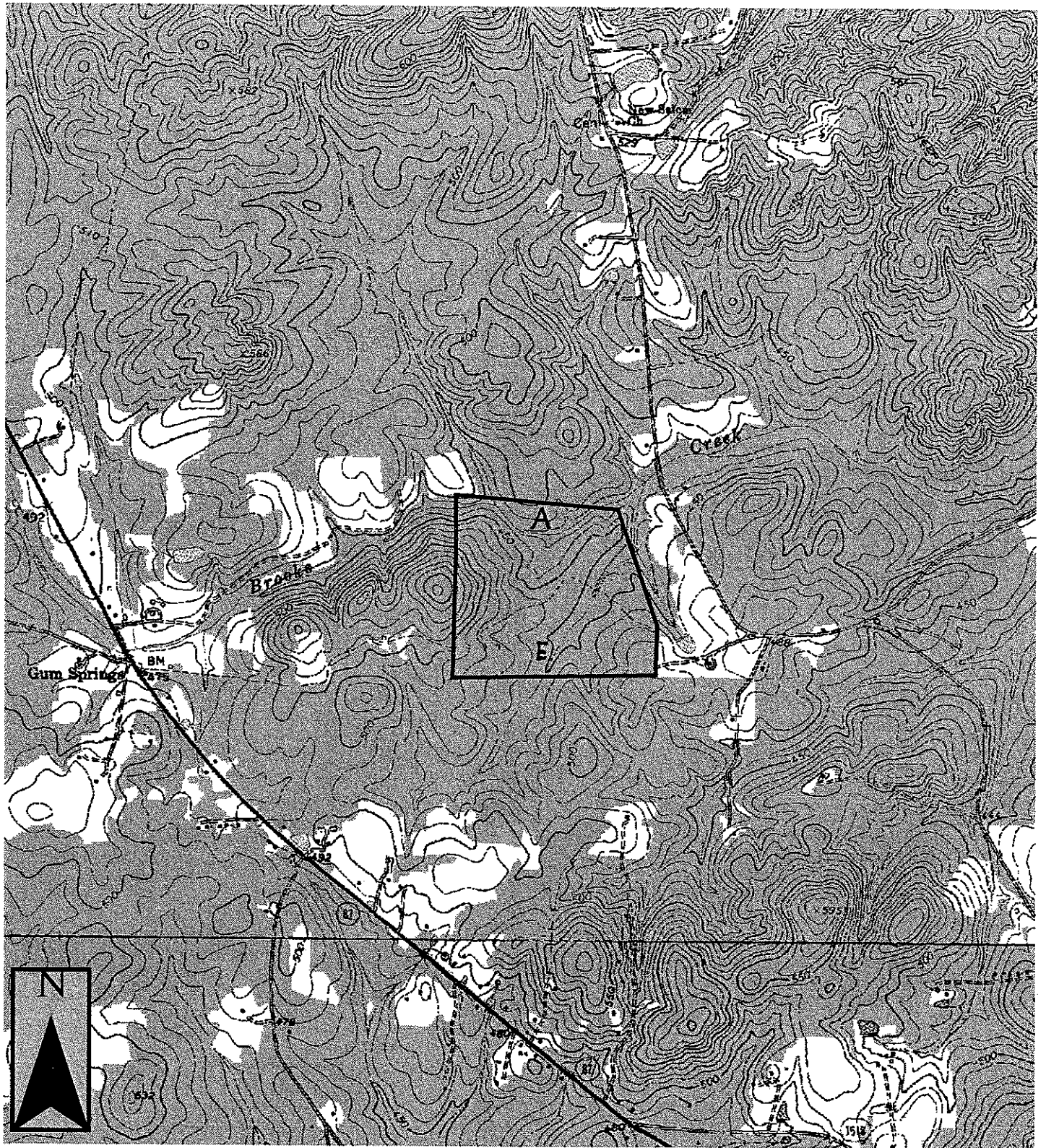
Sincerely,



David Gainey
Environmental Scientist

Attachments

- c: Figure 1. USGS Vicinity Map
- Figure 2. Soils Vicinity Map
- Wetlands Sketch Map
- Standard Plat Requirements
- Agent Authorization



Project Number:
10089.W1

Project Manager:
DG

Scale:
1" = 2,000'

Date:
01/23/06

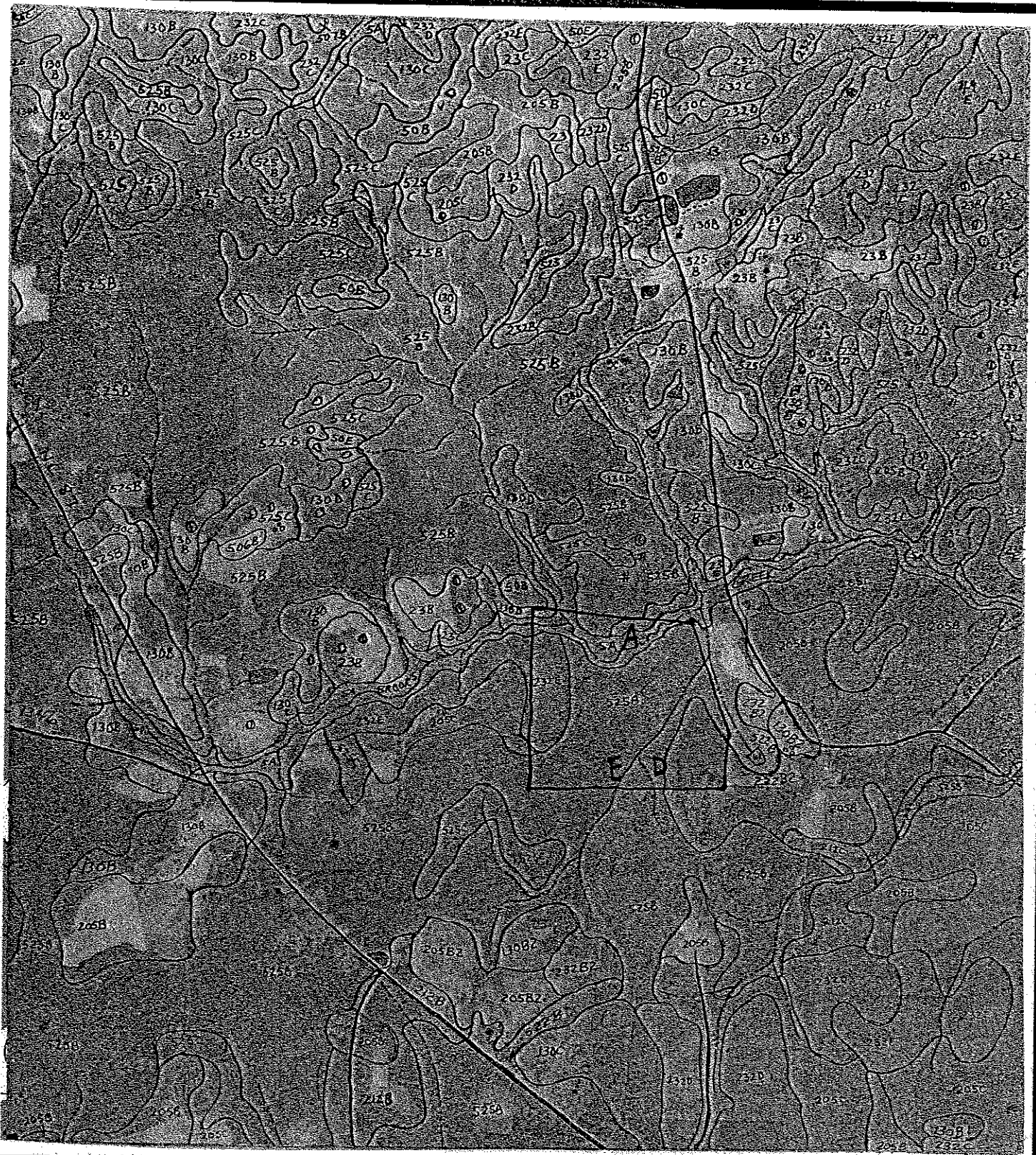
Map Title:
Figure 1 - USGS Map

Harris Tract
Chaham County, NC

Source:
Bynum & Pittsboro Quadrangles



Soil & Environmental Consultants, PA
11010 Raven Ridge Rd. • Raleigh, NC 27614
(919) 846-5900 • (919) 846-9467
Web Page: www.SandEC.com



Project Number:
10089.W1

Project Manager:
DG

Scale:
1" = 2,000'

Date:
01/23/06

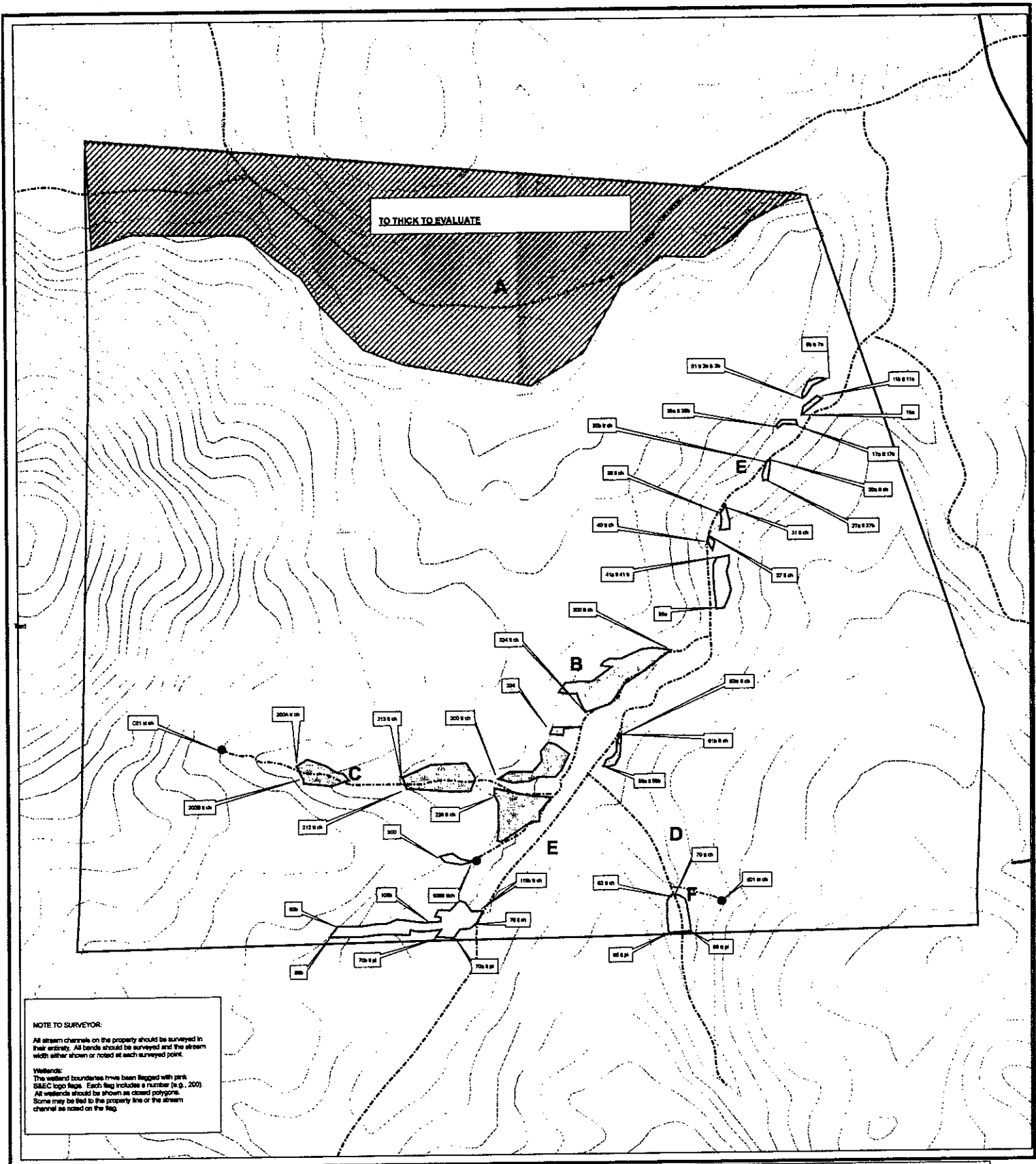
Map Title:
Figure 2 - Soil Survey

Harns Tract
Chatham County, NC

Source:
Chatham Co Soil Survey



Soil & Environmental Consultants, PA
11010 Raven Ridge Rd. • Raleigh, NC 27614
(919) 846-5900 • (919) 846-9467
Web Page: www.SandEC.com



TO THICK TO EVALUATE

NOTE TO SURVEYOR:

All stream channels on the property should be surveyed in their entirety. All bands should be surveyed and the stream width either shown or noted at each surveyed point.

Wetlands:
The wetland boundaries have been flagged with pink S&EC topo flags. Each flag includes a number (e.g., 200). All wetlands should be shown as closed polygons. Some may be tied to the property line or the stream channel as noted on the flag.



S&E Environmental Consultants, PA
11010 Seven Oaks Rd - Raleigh, NC 27614
(919) 848-5200 • (919) 545-9487
Web Page: www.SandEC.com

Project Name: Harris Tract
Project #: 10089.W1
Project Manager: Aaron Cooper
Site Location: Pittsboro, NC
Source: Chatham CO and DOT GIS
03/08/06
Map by: Maximilian Merrill



1" = 200FT

Legend

- WATERS OF THE U.S. SUBJECT TO THE PROPOSED CAPE FEAR RIVER 50 FT. BUFFERS (intermittent streams; must be confirmed by the USACE and DWM)
- WATERS OF THE U.S. SUBJECT TO THE PROPOSED CAPE FEAR RIVER 50 FT. BUFFERS (perennial streams; must be confirmed by the USACE and DWM)
- S&EC FLAG DENOTING THE STARTING POINT OF THE PROPOSED CAPE FEAR BUFFERS (must be confirmed by the USACE and DWM)
- JURISDICTIONAL WETLANDS (must be confirmed by the USACE)
- TIE TO
- CHANNEL
- PROPERTY LINE
- BOUNDARY OF EVALUATED AREA
- Topo Lines

BRADSHAW & ROBINSON, LLP

ATTORNEYS AND COUNSELORS AT LAW

HALL-LONDON HOUSE

128 HILLSBORO STREET

POST OFFICE BOX 607

PITTSBORO, NORTH CAROLINA 27312

PATRICK E. BRADSHAW
NICOLAS P. ROBINSON

(919) 542-2400
FAX 542-1319
robinson@bradshawrobinson.com

April 7, 2006

Ms. Jane Pyle
Chatham County Historical Association, Inc.
Post Office Box 93
Pittsboro, NC 27312

Dear Ms. Pyle:

Our clients, The Parks at Meadowview, LLC, Chatham Partners LLC and Polk Sullivan LLC, are planning to add a 155 acre parcel (Harris Tract, Chatham County parcel number 5985) to the previously approved subdivision known as The Parks at Meadowview. The subdivision adjoins the Chapel Ridge subdivision to the south off Old Graham Road. We are not aware of any structures of greater than 50 years of age or having historical significance on the property or within 100 feet of the property but, we nevertheless, wanted to notify the Chatham County Historical Association of our plans. We also would like to invite you, should you feel it necessary, to canvas the property to determine if you believe there are any such structures of historical significance on the property.

I have enclosed a boundary survey of the property referred to. Please let us know if we can assist in any way. Thank you very much for all you do for the County.

Very truly yours,



Nicolas P. Robinson

NPR:jbs

Enclosure

c: Ms. Kathy Smith
Mr. Allen S. Harrington

VI. MASTER PLAN

Crescent is planning to build an attractive community with maintained meadows and parks, walking trails, neighborhood parks, and a central community amenity. The Harris Tract portion will feature its own park. The central amenity (for the entire PUD) will include a community clubhouse, shelter, multi-sport court, playground, tennis and pool facilities. There will be 739 single-family homesites. The lots will range in size from approximately 1/3 of an acre to just over an acre. See attached Sketch Master Plan.

LAND ALLOCATION

The following is a detailed summary of each land use, the associated approximate acreage as well as the percentage each use comprises of total acreage:

CLUBHOUSE & AMENITIES		± 7.4 Acres (0.8%)
SINGLE FAMILY HOMESITES		± 323.4 Acres (34.1 %)
Average Homesite Size = 0.52 Acres		
ROAD RIGHT OF WAY		± 79.1 Acres (8.3 %)
Public Roads	± 5,098 l.f.	
Private Roads	± 53,675 l.f.	
OPEN SPACE		± 538.5 Acres (56.8 %)
Meadows	± 261.2 Acres (27.5 %)	
Passive Open Space	± 277.3 Acres (29.3 %)	

Approximately 57% of the project area will be left in open space, of which over 50% will be left passive with little disturbance. Open space meadows within the project will be utilized to enhance the viewshed from the residential lots and roadways. Passive open space has typically been provided to further enhance protection of natural drainage courses found within the project.

RESIDENTIAL SPECIFICATIONS

Restricted Covenants will be recorded at the time of final plat approval and will include building setback, square footage restrictions, etc.

Net Land Area Computation

948.46	acres	Gross Land Area
11.1	Acres	100 Year Floodplain, Wetlands, Ponds > 1 Acre
<u>79.1</u>	acres	Right of Way
858.26	acres	Net Land Area Available
37,385,805	s.f.	Net Land Area Available for Dwelling Units
934	Units	40,000 s.f. per Dwelling Unit
<hr/>		
739	Units	Proposed Dwelling Units
0.78	Units	Dwelling Units per Gross Acre
1.28	Acres	Area per Dwelling Unit

VII. ROADWAY DESIGN

All roads within the Harris Tract will be private roads, constructed to NCDOT standards and maintained by the property owners association. Entrance gates may be provided to access Phase 5. All roadways will have a right-of-way width of at least 50' with curb and gutter. Entrance gates may be provided to access Phase 5. All road signs will be located within the right of way and will be intended to comply with applicable Chatham County standards.

The impact on traffic will be identical to the impacts previously reported. The combined number of dwellings located within The Parks at Meadowview and Chapel Ridge, after the various additions (Harris Tract) and subtractions (Meadowview reduced by 115 units and Chapel Ridge reduced by 23 units), is only one greater than the original number proposed and studied by Ramey Kemp & Associates, Inc. See attached letter.

April 7, 2006

Robert D. Swain
Community Properties, Inc.
1000 St. Albans Drive, Suite 400
Raleigh, North Carolina 27609

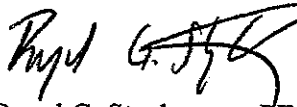
Subject: Traffic Assessment - Proposed Meadowview PUD Revision

Dear Mr. Swain:

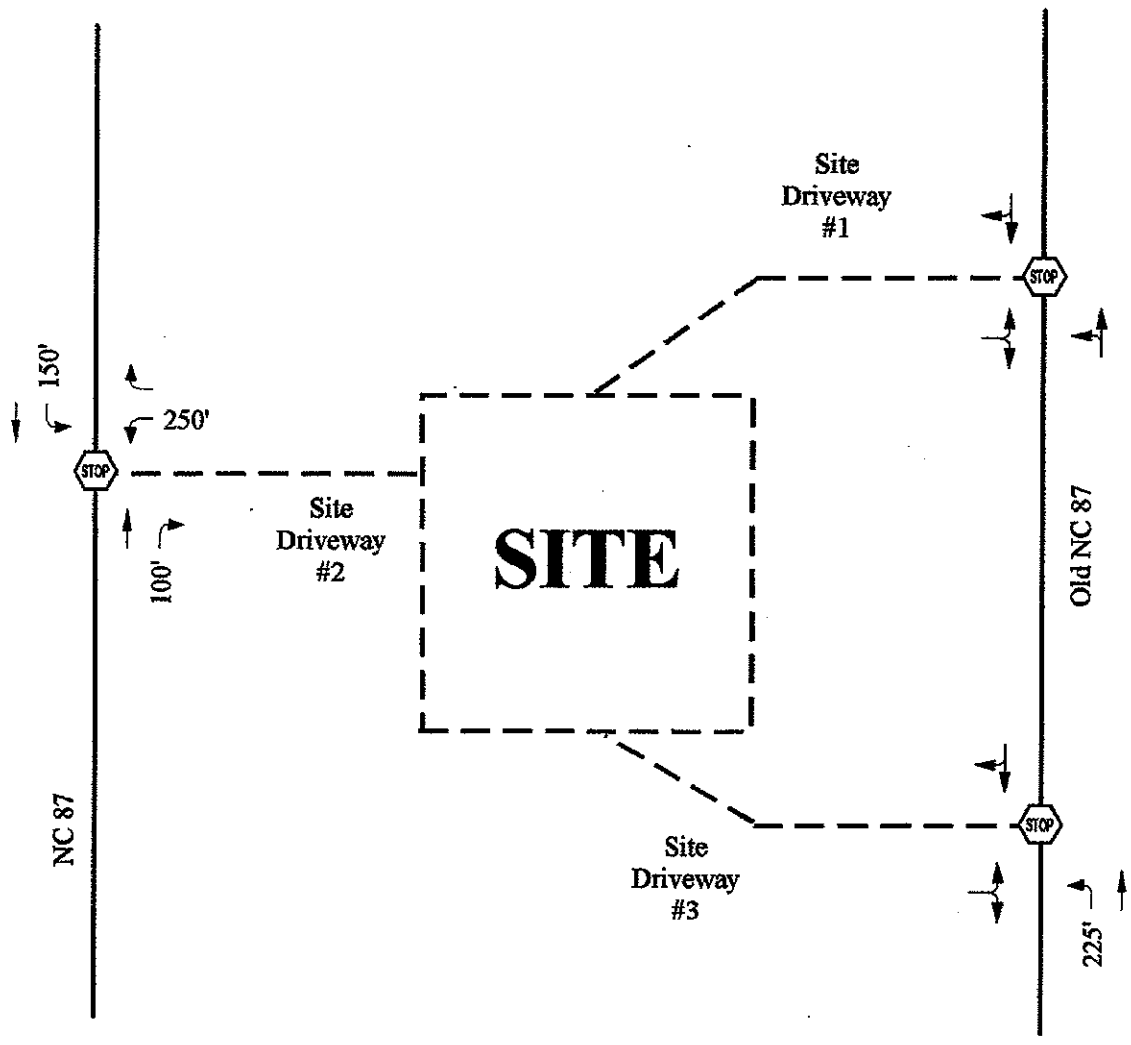
This letter provides a summary of the updated traffic assessment (TA) prepared by Ramey Kemp and Associates, Inc. (RKA) for the proposed Meadowview PUD to be located on the west side of Old NC 87 approximately four miles west of US 15-501. A TA was prepared on April 8, 2005 for the development that considered Meadowview would include 715 single family homes and Chapel Ridge would include 700 single family homes and a golf course. The updated Meadowview PUD plan indicates full build out would include a total of 739 single family homes. Chapel Ridge has been approved with 677 single family homes and a golf course. The previous TA considered a total of 1,415 single family homes and a golf course, which included both the Meadowview and Chapel Ridge developments. With the revisions to the Meadowview PUD plan and the approved Chapel Ridge development, a total of 1,416 single family homes and a golf course would now be built at these sites.

Since there is a net increase of only 1 single family home (1,415 homes versus 1,416 homes) between the previously completed TA and the currently approved and proposed developments, an updated TA and analysis was not necessary. Intersection operations and analysis results would be expected to be the same as in the previous TA report. The improvements recommended in the previous TA will be sufficient for the revised Meadowview PUD. Refer to Figure 1 for the recommended improvements at study intersections as shown in the previous TA. If you should have any questions, or comments, please free to contact me at (919) 872-5115.

Sincerely,
Ramey Kemp and Associates, Inc.


Rynal G. Stephenson, PE

cc: Mr. Mark Ashness, PE, ASLA, CE Group, Inc.



LEGEND

- Existing Lane Configuration
- Improvement by Developer



MEADOWVIEW DEVELOPMENT Chatham County, North Carolina	
RECOMMENDED LANE CONFIGURATIONS	
Scale: Not to Scale	Figure 1

VIII. STORMWATER MANAGEMENT

The closest significant stream to the project is Brooks Creek, a tributary to the Haw River. Brooks Creek flows for approximately 4 miles to the east from the site prior to reaching the Haw River. The current classification within this area is WS IV Protected Area. All of the proposed uses are allowed within this watershed classification. A small portion of 100 Year floodplain along Dry Creek is located within the project. All floodplain lies within the passive open space. The recently released FEMA flood maps show that no regulated 100 year floodplain exists within the new property (Harris) addition.

In addition to the natural buffers previously mentioned along wet weather draws and intermittent streams, ample water quality structures are planned throughout the project. Wet ponds, extended dry detention basins, or shallow created wetlands will be sited at the head of many of the buffered channels as well as adjacent (off-line) to the buffered channels where smaller wet weather draws meet. All water quality features will meet the minimum County and State requirements.

Based upon an estimated maximum impervious footprint of 10,000 square feet per lot (walks, drive, home, etc.), the total impervious area for the project at final build out will be approximately 23.8% of the entire site.

Maximum Potential Impervious Calculation

	Residential Lots	Impervious Area	Total
Current PUD	600	10,000 s.f.	6,000,000 s.f.
PUD Addition	139	10,000 s.f.	1,390,000 s.f.
Total	739		7,390,000 s.f.

Item	Impervious Area
1. Homesites	
Current PUD	6,000,000 s.f.
PUD Addition	1,390,000 s.f.
Sub-total	7,390,000 s.f.
2. Roadways	
Current PUD	1,487,824 s.f.
PUD Addition	331,122 s.f.
Sub-total	1,818,946 s.f.
3. Water Booster Pump Station	
Current PUD	4,000 s.f.
PUD Addition	0 s.f.
Sub-total	4,000 s.f.
4. Amenity	
Current PUD	161,172 s.f.
PUD Addition	0 s.f.
Sub-total	161,172 s.f.
5. Sidewalks & Trails	
Current PUD	320,632 s.f.
PUD Addition	131,280 s.f.
Sub-total	451,912 s.f.
TOTAL IMPERVIOUS	9,826,030 s.f.
TOTAL TRACT AREA	948.46 Ac.
	41,314,918 s.f.
IMPERVIOUS PERCENTAGE	23.8 %

IX. UTILITIES

Potable water supply will be provided by Heater Utilities. The water will be purchase in bulk from the Town of Pittsboro. A 16" and 12" line has been extended to the project. An elevated tank is currently being constructed within Chapel Ridge to provide adequate water pressure and fire flow capacity to both projects. All proposed water lines will be designed to meet Heater Utility standards and specifications following the same guidelines required of Chapel Ridge Golf Community. The applicant has no plans to utilize ground water as a potable water source for this project.

All wastewater will be treated at the adjacent Chapel Ridge WWTP to a tertiary level and effluent will be discharged by a spray irrigation system on both the Chapel Ridge golf course and meadows within Meadowview residential community. The Chapel Ridge WWTP has been sized and permitted to accommodate the development of both projects. A preliminary report evaluating the adequacy of the on-site soils (hydrogeology) is attached.

Electrical Service will be provided by Progress Energy.

Telephone Service will be provided by Bell South.

It is anticipated that cable television service will be supplied by Time-Warner Cable.

Solid waste and recycling collection will be accomplished by curbside service utilizing a licensed hauler.

WASTEWATER PROJECTION

<u>USE</u>	<u>TYPE</u>	<u>FLOW RATE</u>	<u>DAILY RATE (GPD)</u>
AMENITY SWIM / TENNIS SUB-TOTAL	180 Participants	10 Gal/Person	<u>1800</u> 1,800
RESIDENTIAL	739 Lots	360 Gal/Residence	<u>266,040</u>
PERMITTED FLOW			<u>267,840</u>

POTABLE WATER DEMAND

<u>USE</u>	<u>TYPE</u>	<u>FLOW RATE</u>	<u>DAILY RATE (GPD)</u>
RESIDENTIAL	739 Lots	400 Gal/Residence	<u>295,600</u>
RECREATION			<u>2,000</u>
TOTAL PERMITTED DEMAND			<u>297,600</u>

WASTEWATER PLANT CAPACITY

<u>ITEM</u>			<u>(GPD)</u>
WWTP Permit # WQ0022870			<u>500,000</u>
Chapel Ridge Phase 1 & 2 Chapel Ridge Non-Residential	700 Lots	250 GPD	<u>175,000</u> 8,640
Meadowview PUD Meadowview Non-Residential	739 Lots	250 GPD	<u>175,000</u> 2000
Remaining Capacity			<u>139,360</u>

X. DEVELOPMENT SCHEDULE

YEAR

2006	Sketch Plan Approval
2006	Phase 1 Plat Approval, Horizontal Construction
2008	Phase 2 Plat Approval, Horizontal Construction
2010	Phase 3 Plat Approval, Horizontal Construction
2012	Phase 4 Plat Approval, Horizontal Construction
2014	Phase 5 Plat Approval, Horizontal Construction

	HOMES COMPLETED (per year)	TOTAL
2007	72	72
2008	72	144
2009	72	216
2010	72	288
2011	72	360
2012	72	432
2013	72	504
2014	72	576
2015	72	648
2016	72	720
2017	19	739

XII. COMPLIANCE WITH SUBDIVISION ORDINANCE

The proposed revision to The Parks at Meadowview planned unit development meets all of the standards and goals of the Chatham County Subdivision Ordinance (the "Subdivision Ordinance"). An analysis of the purposes of the Subdivision Ordinance, the minimum standards of development and the special standards imposed for planned unit developments reveals that this Project meets all of the relevant purposes and meets or exceeds applicable standards. Because the Project is located in an area of the County that is unzoned, a conditional use permit is not required. Nor is any rezoning request necessary. The Subdivision Ordinance specifically allows for planned unit developments that include lots smaller than 40,000 square feet so long as the master plan meets the special development standards for planned unit developments set out in the ordinance.

Under the Ordinance, Applicant could obtain approval for a subdivision of over 900 one-acre lots with no available open space, no dedicated property and no amenities to offer to the residents. Instead, Applicant proposes a carefully crafted planned unit development that calls for fewer lots and proposes to dedicate approximately 539 acres to meadows or passive open space.

A review of the purposes of the Subdivision Ordinance leads to the conclusion that this Project should be approved. The purposes are set forth below along with a discussion of each.

To protect and provide for the public health, safety and general welfare of Chatham County. (Subdivision Ordinance, Section 1.3A)

The Project satisfies this purpose by converting commercially managed timber property into a beautiful residential community preserves trees and protects watersheds that could otherwise be eliminated or harmed. The pool and recreational facilities available for residents of the Project certainly provide health and welfare opportunities that are currently sparse or unavailable in the central part of the County. Further, the connectivity of this Project to the adjoining Chapel Ridge ensures that more residents will have access to the Chapel Ridge golf course without having to resort to driving on Old Graham Road or Highway 87. The existence of private pool and tennis facilities within the Project makes it unlikely that residents of the Project will tax similar public recreational facilities in the area. The welfare of the County is enhanced by streamside buffers that equal or exceed County requirements. The impervious surface amounts are well within limits. The amount of open space retained (approximately 57%) ensures protection and preservation of beautiful Chatham County land while simultaneously increasing the tax base and tax revenue to the county.

To provide for the orderly growth and efficient development of the County, to avoid overcrowding of the land and extreme concentration of population. (Subdivision Ordinance, Sections 1.3B, H and K)

The Project meets this goal by subjecting a large unzoned tract of property to the strictures and requirements of a planned unit development rather than subjecting the property to unplanned, piece-meal development. As a result, careful attention has been given in this proposal to elements that make residential development orderly and efficient. The roads, water, wastewater, erosion control, stormwater management and schedule of development have all been carefully planned precisely in order to make the development orderly and efficient. For example, the density of the development is less than would be the case if the Project were not a planned unit development. As a further example, the provision of potable water to the Project through the Town of Pittsboro and Heater Utilities presents an enormous benefit that prevents the drilling of 739 ground water wells and the resulting harsh demand on the water table.

To provide for coordination of subdivision streets with existing and/or planned streets and to insure an adequately planned street system avoiding sharp curves, steep grades and hazardous intersections. (Subdivision Ordinance, Sections. 1.3C, D and L).

The Project provides direct, public access from Highway 87 and Old Graham Road. It has minimal impact on any other existing roads. Coordination with the developers of Chapel Ridge has ensured that there will be connectivity between the adjacent subdivisions, as well as a connection for both subdivisions to highway 87. Traffic flow on Old Graham Road is anticipated to be orderly and safe. None of the new roads include steep grades or sharp curves. The only significant intersection is the intersection with Old Graham Road, the design of which has been or will be approved by the NC DOT. See road information attached above.

To provide for safe and adequate water and sewer systems (Subdivision Ordinance, Section 1.3E).

The water system source is Heater Utilities with water provided by the Town of Pittsboro. The wastewater will be treated by the Heater wastewater treatment plant at Chapel Ridge. The water and wastewater systems have been professionally designed. A detailed description of each can be found above or in prior applications for this project.

To provide for the dedication of rights of ways for streets and utilities (Subdivision Ordinance, 1.3F)

All rights of way for streets and utilities will be dedicated and/or conveyed to the property owners association, as applicable.

*Environmental Impact
(Subdivision Ordinance, 5.2A(1))*

The development program provides for the construction of up to 739 lots upon land much of which has previously been managed as timber land. The proposed use is compatible with the existing land condition. The lack of zoning enforcement within this area could allow more aggressive development of this property inclusive of mining, and other industrial applications. Additional buffering (100' each side in total) of all significant intermittent and perennial streams is proposed. Both dry and wet water quality structures will be constructed to detain and filter initial runoff from paved surfaces. There will be no irreversible or irretrievable environmental changes which would be involved should the Project be approved.

Economic Impact
(Subdivision Ordinance, 5.2A(2))

The economic impact analysis is provided above under the section entitled "Fiscal Impact Analysis."

Recreational Amenities
(Subdivision Ordinance, 6.5A(2))

Applicant intends to meet the recreational amenities requirements of the ordinance by paying the recreation fee contemplated by Section 6.5A(2)(b).

Special Development Standards for PUDS
(Subdivision Ordinance, Section 8)

The required information itemized in Section 8.2 is set forth above. All of the design standards of Section 8.3 are met as set out in the narratives and plans included herewith.

CONCLUSION

The Parks at Meadowview subdivision is positive growth for Chatham County. Taking all factors into consideration, Applicants request that the application be approved in all respects.