

Since 1979

THE JOHN R. McADAMS COMPANY, INC.

MEMORANDUM

To: Lynn Richardson
Chatham County Planning

From: Mike Sanchez, PE
Director, Land Development

Date: January 15, 2010
(Revised January 27, 2010 per Chatham County comments)

Re: Briar Chapel Phase 5 South Section 2
Conditional Use Permit Stipulations
NEW-09007

The following are our responses to the Conditional Use Permit Stipulations which are in italics. The Phase 5 South Section 2 responses are in bold print.

ZONING

#1 Construction Deadlines

Phase 5 South Section 2: A schedule titled 'Briar Chapel Phase 5 - Start and Completion Projections' has been provided under separate cover.

#2 Land Use Intensity

CUP Gross Land Area 1,589 acres

CUP Max Impervious surface area 24%
Phase 5 South Section 2: Impervious surface area 0.23%

CUP Maximum No. of Dwelling Units 2,389
Phase 5 South Section 2: Number of Dwelling Units 32

#3 Watershed Management.

Phase 5 South Section 2: Prior to Final Plat, the Developer shall submit evidence of compliance satisfactory to the Planning Department.

Research Triangle Park, NC

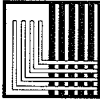
Post Office Box 14005
Research Triangle Park,
North Carolina 27709
2905 Meridian Parkway
Durham, North Carolina 27713
800-733-5646
919-361-5000
919-361-2269 Fax

Charlotte, NC

6701 Carmel Road
Suite 205
Charlotte, North Carolina 28226
800-733-5646
704-527-0800
704-527-2003 Fax

Wilmington, NC

3904 Oleander Drive
Suite 200
Wilmington, North Carolina 28403
800-733-5646
910-799-8181
910-799-8171 Fax



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#4 Stormwater Management.

Phase 5 South Section 2: A Stormwater Management Plan for this section has been designed and approved by DWQ. In addition, Jeremy Finch, P.E., of the The John R. McAdams Company, Inc. has been in communication with Fred Royal, Chatham County Environmental Resources Director regarding the approved Stormwater Management Plan for this section. An engineer's certification that the stormwater management control measures for the phase have been constructed will be prepared once approval is received from the Chatham County erosion control officer that the erosion control basins can be converted to stormwater management facilities and the conversion is completed.

#5. Fire Flow

Phase 5 South Section 2: The proposed water line design, which included fire flow modeling and calculations was approved by Chatham County and NCDENR DEH. Permits have been submitted as part of this Preliminary Plat submittal.

#6 Lighting Plan.

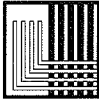
Phase 5 South Section 2: The Developer shall place note on the Final Plat stating that lighting will conform to the Chatham County Lighting Ordinance.

#7 Utility and Access Easements.

Phase 5 South Section 2: All utility and access easements have been shown and approved on the construction documents.

#8 Unity of Development.

Phase 5 South Section 2: The residences projected for this phase, will be consistent with those approved in the previous sections.



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**#9 Permits:**

**Phase 5 South Section 2: All permits required for Preliminary Plat have been submitted and a list is available from the Planning Department.**

**#10. Improvements**

**Phase 5 South Section 2: The Developer shall be responsible for all off-site improvements required for Briar Chapel in accordance with this stipulation. No off-site improvements are necessary for Section 2.**

**11. Parking And Off-Street Loading Areas.**

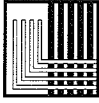
**Phase 5 South Section 2: Sidewalks are shown throughout this phase to provide for pedestrian and bicycle circulation. As per the approved Briar Chapel Conditional Use Application, locations for park-and-ride spaces and transit stops will be located within or near the Town Center, the Village Center and the Community Center and/or where any authorized transit authority may determine necessary. The Community Center is currently being used as a school bus stop.**

**12. Streets.**

**Phase 5 South Section 2: Serenity Hill Circle is being extended from Phase 5 South Section 1 and will end in a cul de sac per the approved Master Plan. The roadway will be constructed in accordance with the NC DOT approved section and design standards. The NC DOT permit is included with the permits submitted for this preliminary plat.**

**13. Utilities.**

**Phase 5 South Section 2: The Developer has paid the required water availability fee for the 32 lots that are part of Phase 5 South Section 2. Permits from NCDENR regarding the reclamation facility and spray area for Phase 5 South Section 2 were previously submitted with the preliminary plat for Phase 4. The same permits apply for Phase 5 South Section 2.**



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14. Public Facilities:

**Phase 5 South Section 2:** These Public Facilities are not present in this phase and will be addressed in the future phases in which they are planned.

15. Landscaping:

**Phase 5 South Section 2:** (a) The road adjacent to the Tripp property was removed via zoning modification in 2006. (b). The pedestrian bridge connecting to Polks Landing has been installed and meets the Chatham county Flood Ordinance and was field located for minimum impact.

16. Archaeological Survey.

**Phase 5 South Section 2:** The overall Briar Chapel Archaeological Survey findings were previously submitted with the Phase 4 Preliminary Plat.

17. Solid Waste Management Plan.

**Phase 5 South Section 2:** This was previously submitted with the Phase 4 Preliminary Plat.

18. Detailed Site Plan

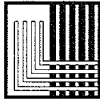
**Phase 5 South Section 2:** The Site Plan included with this Preliminary Plat submittal conforms with the intent of the approved Master Plan.

19. Stages

**Phase 5 South Section 2:** Briar Chapel is being constructed in phases.

20. Moderate Income Housing.

**Phase 5 South Section 2:** Currently, there are 12 Affordable Housing Units (AHUs) designated in Briar Chapel for the previous residential phase (Phase 4) platted. That phase contains 364 lots including the clubhouse and information center. Therefore, the current AHU percentage rate equals 3.30%, which exceeds the 2.5% required by



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the approval conditions. Since the AHU lots for Phase 5 are to be dedicated for Phase 5 North, which will be developed in the future, no lots in Phase 5 South Sections 1 or 2 were to be designated for AHU. With the addition of the proposed 60 lots for Phase 5 South Sections 1 and 2, the total number of lots will increase to 424 thereby an AHU percentage rate of 2.83% will still be maintained.

#21. Environment:

Phase 5 South Section 2: As previously noted in the Phase 4 Preliminary Plat submittal, all lots were previously removed from Bennett Mountain. The Developer will comply with the requirements of this stipulation.

#22. Erosion Control:

Phase 5 South Section 2: The approved plan and permit were submitted with the Preliminary Plat.

#23. Silt Control:

Phase 5 South Section 2: This was submitted in order to gain the Erosion Control Permit referred to in #23 above..

#24-#28

Phase 5 South Section 2: So Noted.