

PUBLIC HEARING REMARKS OF NNP-BRIAR CHAPEL, LLC  
WITH REGARD TO PROPOSED AMENDMENT TO  
SECTION 12.3 OF THE CHATHAM COUNTY COMPACT COMMUNITIES  
ORDINANCE

Public Hearing: May 21, 2012

Good evening Honorable Commissioners, County Manager, Staff and County Attorney. My name is Nick Robinson and I practice law in Pittsboro at Bradshaw & Robinson, LLP, 128 Hillsboro St. 27312. I am here on behalf of NNP-Briar Chapel, LLC.

As has been summarized, the proposed amendments offered by the County introduce a “payment in lieu” option as a third way to meet the Moderately Priced Dwellings provisions of Section 12 of the Compact Communities Ordinance.

As the sole developer of the only compact community in Chatham County, Briar Chapel is uniquely qualified to offer input on this proposal. As part of its Conditional Use Permit, Briar Chapel agreed to meet the Moderately Priced Dwellings requirements in two ways: (1) by contributing \$1,100,000 over the life of the development to Chatham County for use in ameliorating housing needs in Chatham County and (2) by donating to the County 60 lots within Briar Chapel as affordable housing lots.

Briar Chapel has fulfilled all of its obligations in this regard to date. With regard to the lots to be donated, Briar Chapel has already platted 19 such lots. The County has only requested to take title to three of those lots so far but Briar Chapel stands ready and willing to convey the remaining 16 lots to the County upon its direction. In addition, Briar Chapel stands ready, willing and able to fulfill the balance of the requirements as it continues to develop the project.

However, recognizing the various challenges of the program to date, Briar Chapel is willing to help where it can to be a part of the overall program solution. If a fee in lieu option is created and approved by the County, of course Briar Chapel would be willing to consider that option, if it makes sense under all of the circumstances and assuming no additional financial obligations would be imposed.

Thanks.

