

GENERAL DESCRIPTION OF THE PROJECT

Location:

- (1) Public Highways. The property has access to Governors Drive (S.R. 1811).
- (2) Private Roads. A Declaration of Easement Recorded in Book 857, Page 845, Chatham County Registry, establishes access from the property to Governors Drive (S.R. 1811) and to the private portion of Moring in Governors Village.
- (3) Current Zoning. The current zoning of the site is R1, subject to the conditional use permit for the Governors Club planned residential development.
- (4) Watershed Classification. The watershed classification is WS-IV-PA. Density and impervious coverage analyses are attached.
- (5) Major Wildlife Areas. This site is not in any natural area. Parking areas and utilities are already constructed on the site.
- (6) Size in Acres of Site. The size of the site is 1.213 acres, more or less.
- (7) Utility or Other Easements. The property is served by access and utility easements. No easements encumber the property that will interfere with the proposed use and improvements.
- (8) Current Use. A site plan was approved in about 2000 for a 10,200 square foot medical office building. The parking area and utilities approved in that site plan were constructed and are still in existence. No active use is currently made of the property.
- (9) Current Contents of Site. Parking area and utilities as shown on the attached Existing Conditions Exhibit.
- (10) Other Conditional Use Permits Granted for the Site. The conditional use permit for the Governors Club planned residential development.

Description of Use:

The requested use of the property is up to 15 residential condominiums in a single building with associated garages and parking.

Start and Completion Projections:

The applicant estimates that construction of the project will begin sometime after January 2013 and be complete by the end of July 2017.

Reference to Existing County Plans:

The proposal 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 one-level condominiums, 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, 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.

Site Plan:

A detailed Site & Utility Plan Exhibit, Existing Conditions Exhibit, Landscape Plan Exhibit, Location Map, Survey Exhibit, Lighting Photometric Plan Exhibit and impervious coverage analysis are attached.

FINDINGS REQUIRED BY ZONING ORDINANCE

The Chatham County Zoning Ordinance requires that the Board of Commissioners make five affirmative findings to modify a conditional use permit. All five findings are supported by this application.

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 is to be located.

A. Validation of Use in Zoning Ordinance: Pursuant to Section 10.4A of the Chatham County Zoning Ordinance, planned residential developments are permitted subject to the issuance of a conditional use permit in the R1 zoning district.

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

A. Need and Desirability: The principal of the applicant, Chris Ehrenfeld, is the owner of Domicile Realty, a general real estate brokerage firm that specializes in residential and commercial real estate in northern Chatham County. In this area, there are many residents seeking to downsize to one-level living. Unfortunately, there is no housing available in the Governors Club planned residential development to meet these needs. Governors Club and Governors Village have over 1,000 homes and several hundred townhomes. However, there are no one-level condominiums available for purchase. Residents looking for this type of housing are forced to go outside of the County.

Parcel B-3 has been approved for commercial purposes since 1995 and has had a "for sale" sign on it for many years. It was originally expected to be developed for office use. The Bold Building, located in front of Parcel B-3, has 55,000 square feet of Class A office space. This building has never been fully occupied. It currently has an occupancy rate of 45% with over 30,000 square feet of available office space. Unfortunately, there is not much of a need for additional office space in Governors Village.

A 1997 amendment to the Governors Club conditional use permit authorized up to 358,000 square feet of commercial development in Governors Village. The existing (about 123,500 square feet) and projected (about 49,000 square feet) area of commercial development in Governors Village is expected to total only about 172,500 square feet. The applicant intends to build additional commercial space on Governors Village Parcels C and D over the next several years. This majority of this space, approximately 30,000 square feet, is expected to be constructed for retail use. This should satisfy the need for additional retail space in the area. Parcel B-3 is not desirable for retail use due to its location in the back parking lot behind a large office building.

GV Commercial, L.L.C. and its principals have a strong vested interest in and fondness for Governors Village, Governors Club and northern Chatham County. Developing this vacant piece of land would create another positive element for our County in Governors Village. Since Parcel B-3 is almost entirely surrounded by apartments, residential seems like the most logical use for the property. With the excess of available office space and the planned increase in

available retail space, residential units have the most immediate and future need. Given the lack of similar housing anywhere in the area, residential condominiums are the best immediate and long term use of the property.

B. Survey of Similar Uses: The applicant is not aware of any one-level condominium residences in the northern Chatham County area.

C. Public Provided Improvements: No additional public improvements will be needed for this project.

D. Tax Considerations: If Parcel B-3 sits vacant waiting for additional demand for commercial real estate, it could be many more decades before the land will ever be developed. This would keep its current low valuation as raw land in place for a long time. Even if it were developed as office space, its tax value would only be a fraction of the value that will be created by residential condominiums. The adjacent Bold Building, which has 55,000 square feet of office space, sold for \$2.75 million. An office building on Parcel B-3 would be only a fraction of the size of the Bold Building. This would mean a tax valuation that would likely fall in the \$500,000 to one million dollar range. However, if 15 residential condominiums are built at approximately \$200,000 each, this would generate a tax valuation of nearly \$3 million, resulting in at least three times as much tax revenue for the county. The result is a substantial tax benefit to the County if this building is constructed for residential condominiums instead of the currently designated office use. Further, by allowing the property to be improved for a more desirable use that will be built in the near future, it will allow the County to start collecting on a fully developed property tax valuation which would increase tax revenues by over 20 times the current tax revenues from the property.

E. 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 existing and future commercial activities in the 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 community and will support and enhance the residential areas of that community as well as improving the market for, and encouraging the completion of, the Governors Village commercial area.

A. Traffic: This project will create no undue burden on the existing public road infrastructure adjacent to the project. The attached traffic impact summary shows that the proposed condominiums would generate only seven (7) morning peak hour trips, as compared to 23 for the medical office building for which a site plan has already been approved on the site, and eight (8) evening peak hour trips, as compared to 35 for the office building.

B. 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 community. A detailed Landscape Plan Exhibit is attached.

C. Lighting: Lighting within the project will be designed and installed to be consistent with lighting in the existing Governors Village community. Lighting in the project will comply with the County's requirements. A detailed Lighting Photometric Plan Exhibit is attached.

D. Noise: This residential project will not create any noise levels that are atypical of residential development 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 residential uses.

E. 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 storage areas that meet building code requirements. Storage will meet all applicable state and local regulations.

F. Signs: The project will have no free-standing signage, other than parking or other regulatory-type signs. Any project identification signage will be affixed to the building, and 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.

A. Land Conservation and Development Plan Reference: The proposal promotes the goals and policies of the Chatham County Land Conservation and Development 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 conservation area that is a part of Governors Club. The project, by offering one-level condominiums, 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, 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.

B. Watershed and Flood Considerations: The project will comply with the applicable watershed protection and flood prevention ordinances. Density and impervious coverage analyses are attached. There is no floodable area on the property.

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

A. Water Source and Requirements: Potable water will be provided by the Chatham County public water system. Water services will be installed by the developer.

B. Wastewater Management: Wastewater collection and treatment services will be provided by Aqua North Carolina, Inc., a regulated private utility that currently serves the Governors Village community.

C. Water/Sewer Impact Statement: Sufficient water supply and wastewater collection and treatment services are available from the respective suppliers to serve the project.

D. Access Roads: A Declaration of Easement Recorded in Book 857, Page 845, Chatham County Registry, establishes access from the property to Governors Drive (S.R. 1811) and to the private portion of Moring in Governors Village. The driveway connections already exist. No upgrades of public or private roads will be necessary to serve the property.

E. Stormwater 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. A stormwater quality summary is attached.

CONCLUSION

The information contained in this application is sufficient to support the five necessary findings. The proposed use will enhance the health, safety and welfare of the citizens of Chatham County by providing a desirable housing alternative, enhancing the County's tax base and fostering a well-planned and thriving community. The proposal is consistent with the County's ordinances and policies, and it offers no negative impacts, especially as compared to the use of the property that is already approved. The applicant respectfully requests approval of the project as submitted.