

CONDITIONAL USE PERMIT

APPLICATION FOR NEW CUP OR A REVISION TO AN EXISTING CUP

Chatham County
Planning Department

P. O. Box 54, 80-A East St, Pittsboro, NC 27312
Telephone: (919) 542-8204 FAX: (919) 542-2698

Section A. APPLICANT INFORMATION

NAME OF APPLICANT: NNP-Briar Chapel, LLC

MAILING ADDRESS OF APPLICANT: 1342 Briar Chapel Parkway, Chapel Hill, NC 29516

PHONE NUMBER/E-MAIL OF APPLICANT: lbowman@newlandco.com

PROPERTY OWNER INFORMATION (If different from the applicant): *Owner Authorization Signature Required; See end of application.

Name(s) _____

Address: _____

_____ ZIP _____

Telephone: _____ FAX: _____

E-Mail Address: _____

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the rezoning request:

ADDRESS OF SUBJECT SITE: Boone St.

CHATHAM COUNTY PROPERTY PARCEL NUMBER (AKPAR #): 2177

CURRENT ZONING DISTRICT/CLASSIFICATION: R-1

TOTAL SITE ACRES/SQUARE FEET: Total acreage of Parcel No 2177 is approx.. 131 acres. CUP is requested solely for +/- 5.35 acres as depicted on the site plan.

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: **Please select the use/s category from Section 10.13 of Zoning Ordinance**

Recreation Area with a minimum lot area of five acres (under the 10.13 use category of "Golf courses, tennis and recreation clubs")

It is important that the applicant provide information to explain how the permit request or revision satisfies the following required five findings. **All applications shall contain the following information.** Please use attachments or additional sheets in order to completely answer these findings if necessary. If there is a finding that you feel does not apply to this submittal, please mark with "N/A" for not applicable. **Please use the "Materials Checklist" to complete each 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.**

See attached.

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

See attached.

3. **The requested permit or revision to the existing 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.**

See attached.

4. **The requested permit will be or remain consistent with the objectives of the Land Conservation and Development Plan.**

See attached.

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.**

See attached.

STOP!

You must meet with the Chatham County Appearance Commission and hold the Community Meeting BEFORE you can submit the application to the Planning Department. Please check the boxes below once these meetings have been held:

☒ Chatham County Appearance Commission

Date of Meeting August 24, 2016

☐ Held Community Meeting

Date of Meeting N/A

Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Sixteen (16) completed application packets and all supporting information shall be submitted to the Planning Department at least forty-five (45) days prior to the Public Hearing. A digital copy of the application packet shall be submitted pursuant to the Planning Department Digital Document Submission Guidelines.
 - (2) The Planning Department shall, before scheduling the public hearing, ensure that the application contains all the required information as specified in Section 5 of the zoning ordinance.
 - (3) The Planning Department shall have fifteen (15) days from the date of submittal to notify the applicant that the application is complete for scheduling the public hearing.
 - a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
 - b. The Planning Department shall take no further action on the application until the applicant submits the required information.
 - c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting, and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.
 - d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.
 - (4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.
-

Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION and REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). Please check the list below carefully before you submit:

- (1) The application shall include a **site plan**, drawn to scale, with supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:
 - ☒ a. Information showing the boundaries of the proposed property as follows: **See Tabs 1, 2 and 3.**
 1. If the entire parcel will be zoned, a GIS or survey map and parcel number of the subject property.
 2. If only a portion of the parcel will be zoned, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways,
 - ☒ b. Legal Description of proposed conditional zoning district; **See Tab 3 for metes and bounds description.**
 - ☒ c. All existing and proposed easements, reservations, and rights-of-way; **See Tab 3.**
 - ☒ d. Proposed number and general location of all building sites, their approximate location, and their approximate dimensions; **See Tab 3.**
-

- ☒ e. Proposed use of all land and structures, including the number of residential units and the total square footage of any non-residential development; **See Tab 3.**
- ☒ f. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; **(SECTION 12 LANDSCAPING & BUFFERING REQUIREMENTS). See Tab 5.**
- ☒ g. All existing and proposed points of access to public and/or private streets; **See Tab 3.**
 - h. Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County;
- ☒ i. Proposed phasing, if any; **N/A**
- ☒ j. Generalized traffic, parking, and circulation plans; **(SECTION 14 OFF STREET PARKING) See Tab 3.**
- ☒ k. Proposed provision of utilities; **See Tab 3 (Site Plan) and Tab 7 (Analysis of Five Findings).**
- ☒ l. The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old; **N/A**
- ☒ m. The approximate location of any cemetery; **N/A**
- ☒ n. Proposed number, location, and size of signs; **(SEC.15 SIGN REGULATIONS) See Tabs 2 and 6.**
- ☒ o. Location and description of any proposed lighting on the project site with a note that any lighting will comply with Section 13; **(SECTION 13 LIGHTING STANDARDS) See Tab 4.**
- ☒ p. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and **See Tab 3.**
- ☒ q. Environmental Impact Assessment pursuant to **Section 11.3** of the Zoning Ordinance, if applicable. **If you are or will be disturbing two or more acres in connection with this application, you are required to submit and EIA with this application. Failure to do so will result in the delay of scheduling your request for public hearing or may be returned completely for re-submission. N/A per Planning Staff.**

The above information is required to be shown on the site plan submitted with this application. If, for some reason, any of the required items above are not included on the site plan, reasons for excluding those requirements must be given.

- (2) In the course of evaluating the proposed use, the Zoning Administrator, Planning Board, Chatham County Appearance Commission, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:
- ☐ a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features;
 - ☐ b. Existing and general proposed topography;
 - ☐ c. Scale of buildings relative to abutting property;
 - ☐ d. Height of structures;
 - ☐ e. Exterior features of the proposed development;
 - ☐ f. A traffic impact analysis of the proposed development prepared by a qualified professional. The traffic impact analysis shall follow the NCDOT TIA Analysis Guidelines, and shall also include consideration for non-motorized and public transportation;
 - ☐ g. Any other information needed to demonstrate compliance with these regulations.

NOTE: The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.

SECTION D. SIGNATURE STATEMENTS

OWNER'S SIGNATURE*: In filing this application, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate Bradshaw & Robinson, LLP to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.

Signature: NRP- Briar Chapel, LLC
[Signature]

Date: September 1, 2016

APPLICANT SIGNATURE: I hereby acknowledge that I am making this application on behalf of the above owner's statement or myself as the owner and that all the information presented in this application is accurate to the best of my knowledge, information, and belief. I acknowledge understanding of the requirements set out in this application and in the ordinances and/or guidelines used to determine the completeness of this submittal and to proceed as determined.

Signature: NRP- Briar Chapel, LLC
[Signature]

Date: September 1, 2016

OFFICE USE ONLY:

DATE RECD: _____

BY: _____

APPLICATION #: PL20 _____

FEE PAID \$: _____

☐ Check No. _____ ☐ Cash ☐ CC ☐ Money Order

**REPORT OF COMMUNITY MEETING REQUIRED BY
THE CHATHAM COUNTY ZONING ORDINANCE**

Requirement Waived per Zoning Administrator

To: Chatham County ZONING ADMINISTRATOR

Date: _____

Proposed Zoning: N/A_____

The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the adjacent property owners set forth on the attached list by first class mail on (date) _____. A copy of the written notice is also attached.

The meeting was held at the following time and place: _____

The persons in attendance at the meeting were: _____

The following issues were discussed at the meeting: _____

As a result of the meeting, the following changes were made to the rezoning petition: _____

Date: _____

Applicant: _____

By: _____

Please submit this Report to the Chatham County Planning Department located at 80-A East Street, Dunlap Building or mail it to Angela Birchett, Zoning Administrator, PO Box 54, Pittsboro, NC 27312.

ADJOINING PROPERTY OWNERS

1. NNP-Briar Chapel, LLC (Parcel AKPAR No. 2177)
1342 Briar Chapel Parkway
Chapel Hill, NC 27516
 2. NNP-Briar Chapel, LLC (Parcel AKPAR 82829)
1342 Briar Chapel Parkway
Chapel Hill, NC 27516
-

Recreational Amenity CUP
US Steel Conservation Subdivision
September 2, 2016
Applicant and Owner: NNP-Briar Chapel, LLC

TABLE OF CONTENTS

Application Form (and list of adjoining property owners)

Tab 1: Tax Map

Tab 2: CUP Parcel Image

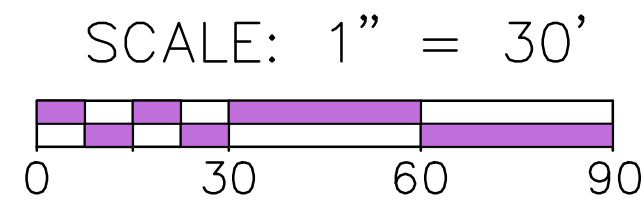
Tab 3: CUP Site Plan and Property Description

Tab 4: Lighting Plan

Tab 5: Landscape/Planting Plan

Tab 6: Signage Plan

Tab 7: Analysis of Five Findings

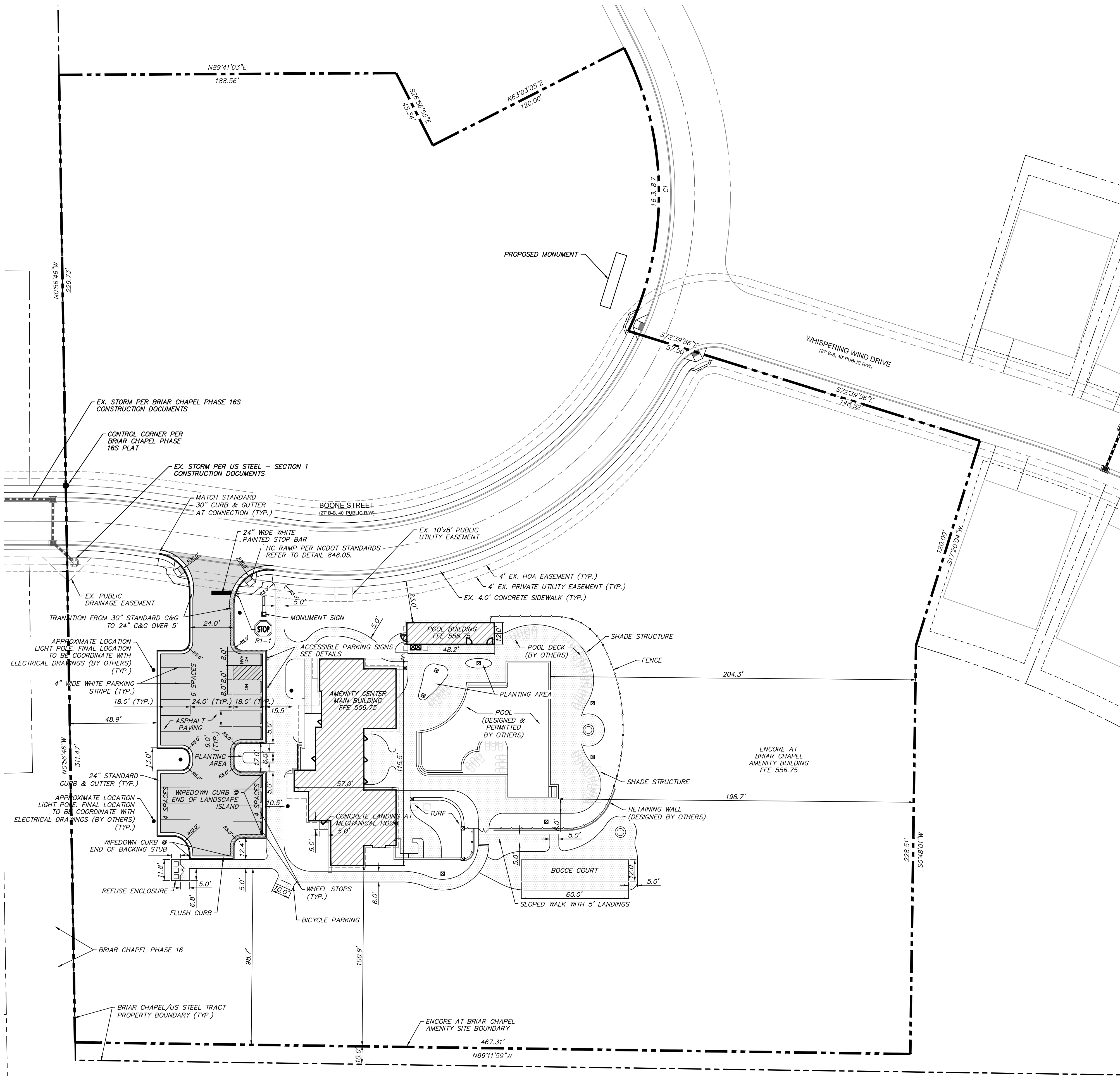


DATE: SEPTEMBER 1, 2016

NNP/WEEKLY AMENITY CUP EXHIBIT A

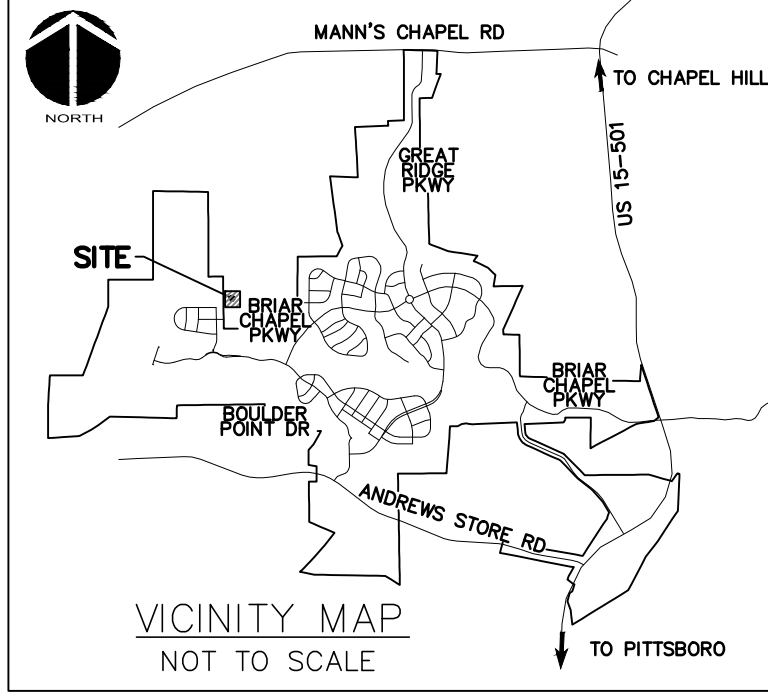
CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	BEARING	CHORD	DELTA
C1	180.00	163.87	88.10	S0°52'05.81"E	158.27	52°09'37"





CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	BEARING	CHORD	DELTA
C1	180.00	163.87	88.10	S0°52'05.81"E	158.27	52°09'37"

LEGEND	
	ROADWAY CENTERLINE
	EX. ROW
	4' H.O.A. EASEMENT
	4' PRIVATE UTILITY EASEMENT
	PROPERTY BOUNDARY
	SIGN
	NEW ASPHALT PAVEMENT
	NEW CONCRETE SIDEWALK



- SITE GENERAL NOTES:**
- ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY OWNER IF ANY DISCREPANCIES EXIST PRIOR TO CONSTRUCTION. NO ADDITIONAL COMPENSATION WILL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
 - A PORTION OF THIS PROPERTY IS LOCATED IN SPECIAL FLOOD HAZARD AREA "AE" AS SHOWN ON FEMA FIRM MAP #3710976500J DATED FEBRUARY 2, 2007.
 - PROPOSED DIMENSIONS AS SHOWN ARE MEASURED FROM FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - BEFORE STARTING ANY CONSTRUCTION OF IMPROVEMENTS WITHIN ANY NCDOT STREET OR HIGHWAY RIGHT-OF-WAY, CONTACT NCDOT DISTRICT OFFICE AND OBTAIN ALL PERMITS AND ENCROACHMENTS. KEEP COPIES ON CONSTRUCTION SITE. ALSO CONTACT NCDOT DISTRICT OFFICE 24 HOURS IN ADVANCE BEFORE PLACING CURB AND GUTTER AT 436-628-1423.

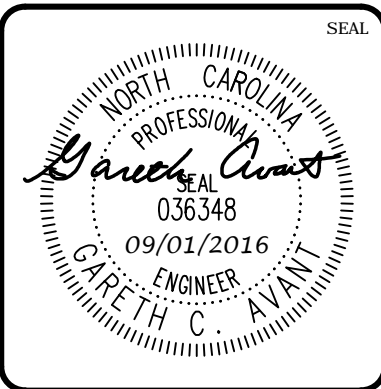
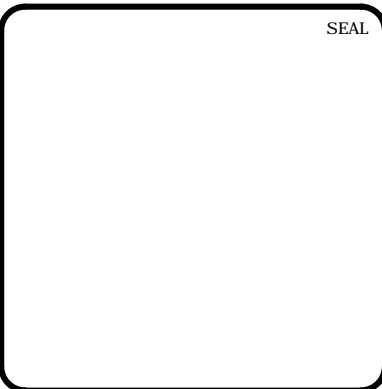
CHATHAM COUNTY REQUIRED SITE NOTES

- DEVELOPER/APPLICANT:
WEEKLEY HOMES, LLC
15401 WESTON PARKWAY, SUITE 175
CARY, NORTH CAROLINA 27513
PHONE: (919) 659-1502
- SITE PARCEL NUMBER #: 2177
- ZONING: R-1 CONSERVATION SUBDIVISION
- PROPOSED BUILDING FOOTPRINTS:
MAIN BUILDING: 4,175 SQUARE FEET
PUMP HOUSE: 585 SQUARE FEET
- PARKING CALCULATIONS
PROPOSED USE: RECREATION FACILITY
PARKING REQUIRED: 1 SPACE / 25 MEMBERSHIPS
MEMBERSHIPS: 384 (2 PER LOT)
384 MEMBERSHIPS * 1 SPACE / 25 MEMBERSHIPS = 16 SPACES
PARKING PROVIDED:
19 SPACES (2 ACCESSIBLE SPACES INCLUDING 1 VAN ACCESSIBLE SPACES)
- BUILT UPON AREA CALCULATIONS
CURRENT DEVELOPMENT:
-DRIVEWAYS/PARKING 7,645 SF 0.18 AC
-POOL DECK 6,947 SF 0.16 AC
-SIDEWALKS 3,998 SF 0.09 AC
-MAIN BUILDING 4,280 SF 0.10 AC
-POOL BUILDING 587 SF 0.01 AC
-OTHER (GENERAL) 2,244 SF 0.03 AC
TOTAL IMPERVIOUS: 25,701 SF 0.59 AC
IMPERVIOUS PERCENTAGE: 11.10%

STORMWATER BMPs DESIGNED AND PERMITTED AS A PART OF BRIAR CHAPEL DEVELOPMENT - PHASE 16 WERE DESIGNED TO TREAT IMPERVIOUS BUILDOUT OF THIS PROJECT..



REV. NO.	DESCRIPTIONS	DATE
2	REVISED FOR CUP AMENDMENT	2016.09.01
1	SUBMITTAL TO CHATHAM COUNTY FOR APPEARANCE COMMISSION REVIEW	2016.08.17



MCKIM & CREED
1730 Varsity Drive, Suite 500
Raleigh, North Carolina 27606
Phone: (919)233-8091, Fax: (919)233-8031
F-1222
www.mckimcreed.com

Encore
by David Weekley Homes

ENCORE @ BRIAR CHAPEL
DAVID WEEKLEY HOMES
CHATHAM COUNTY, NORTH CAROLINA

SITE PLAN

DATE: AUGUST 17, 2016	SCALE: 1" = 20'	M&C FILE NUMBER: C1.X
M&C PROJ. #: 07129-0001	HORIZONTAL: 1" = 20'	DRAWING NUMBER: C1.0
DRAWN: BSS	VERTICAL: N/A	
DESIGNED: GCA		
CHECKED: CHS		
PROJ. MGR: GCA		

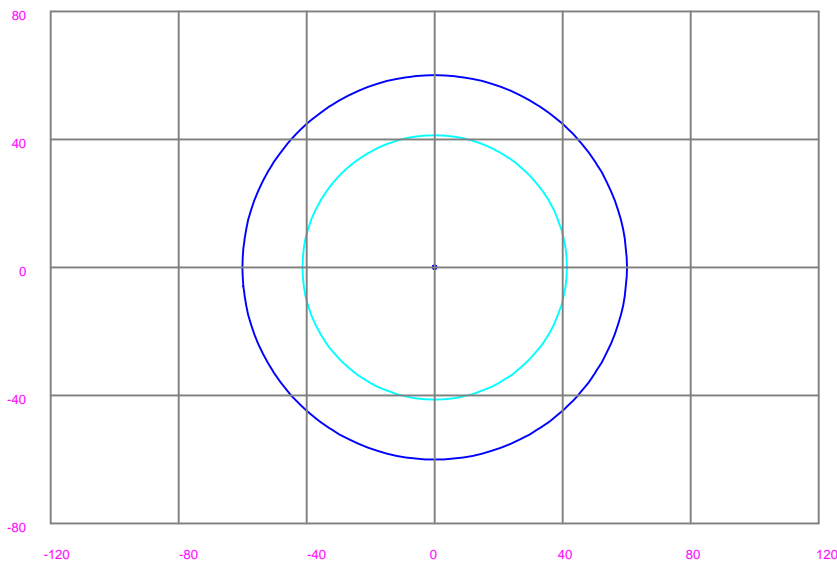
STATUS: FINAL DRAWINGS FOR REVIEW PURPOSES ONLY
REVISION: 2

ISOFOOTCANDLE CURVES

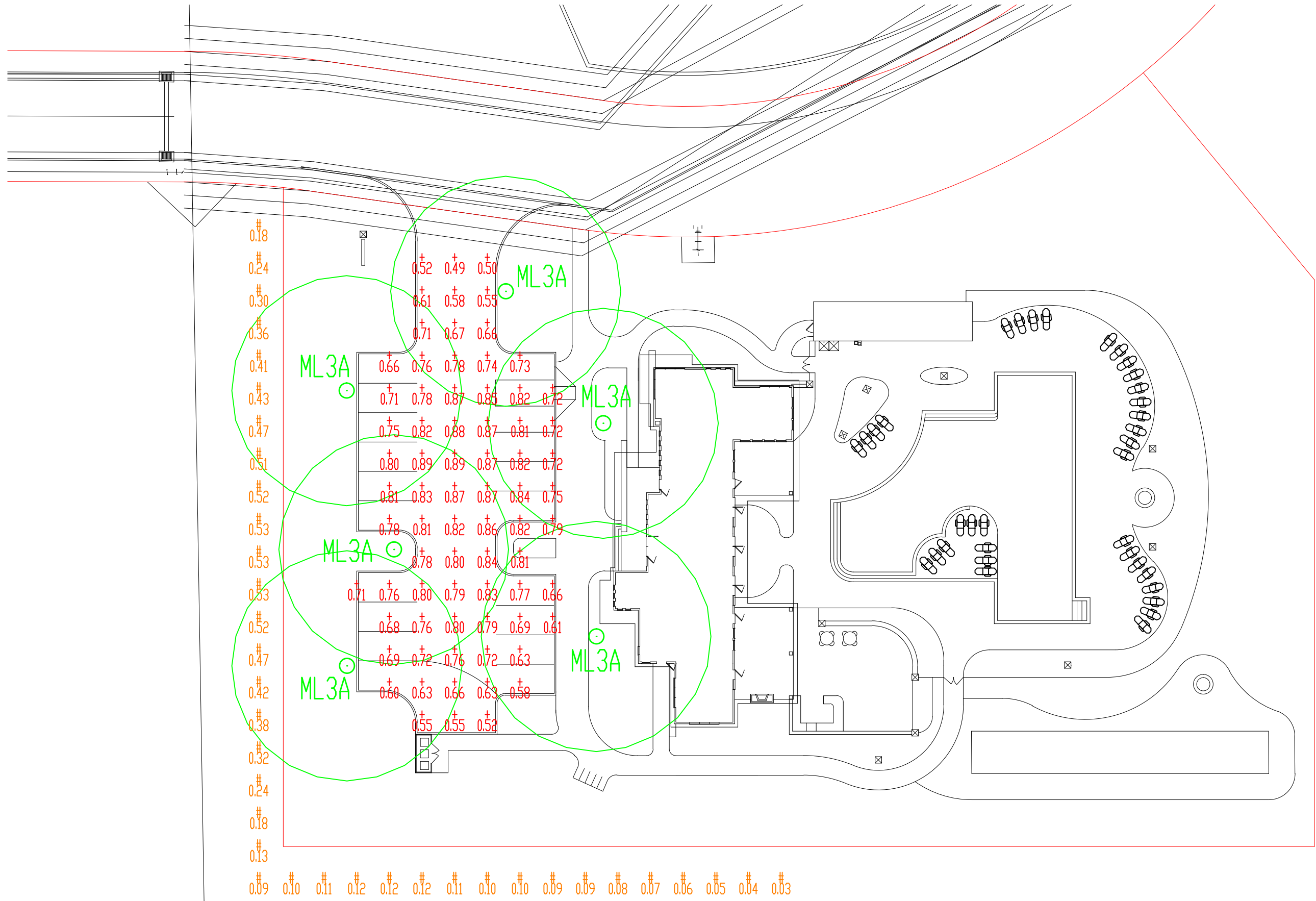
FIXTURE: MITCHELL LED W/TOP HAT
MOUNTING HEIGHT: 16 FT
LIGHT SOURCE: 50W LED'S, 4000K
PATTERN: TYPE V, B3-U3-G3

ASSY # L48LED05MTBLMC

NOTE: THE FOOTCANDLE READINGS BELOW ARE MAINTAINED AND HAVE BEEN DEPRECIATED FOR LAMP LUMEN DEPRECIATION AND LUMINAIRE DIRT DEPRECIATION. FOR INITIAL FOOTCANDLES, DIVIDE THE READINGS BELOW BY .85.



LEGEND (OUTER to INNER): 0.100 , 0.200 , 0.300



CALCULATION SUMMARY										
AREA NAME	DIMENSIONS		GRID / TYPE		# PTS	SPAC	GROUP	AVE	MAX	MIN
Parking	405.63x318.31ft		PARKING TRESPASS		74 37	10.00 10.00	<+> <#>	0.74 0.25	0.89 0.53	0.49 0.03
								1.81	1.50	15.58
								7.25		

Amenity Ctr. LUMINAIRE SCHEDULE						
TYP	SYMBOL	DESCRIPTION	LAMP	LUMENS	MOUNTING/BALLAST	LLF
ML3A	o	Holophane MCHLED_TH_1/PST (1) "ML03" MCHLED_TH	(1) LED 4000K	4773	16' MT HT 50W LED	0.85
						6

LIGHTING DESIGN TOLERANCE

The calculated footcandle light levels in this lighting design are predicted values and are based on specific information that has been supplied to Duke Energy Progress. Any inaccuracies in the supplied information, differences in luminaire installation, lighted area geometry including elevation differences, reflective properties of surrounding surfaces, obstructions (foliage or otherwise) in the lighted area, or lighting from sources other than listed in this design may produce different results from the predicted values. Normal tolerances of voltage, lamp output, and ballast and luminaire manufacture will also affect results.

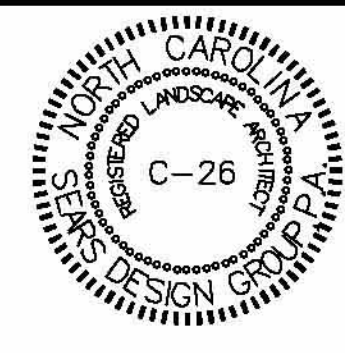
Customer approval _____ Date _____



PROPRIETARY & CONFIDENTIAL

This document together with the concepts and designs presented herein, presented as an instrument of service, is the sole property of Duke Energy Progress, and is intended only for the specific purpose and prospective client as stated in the title block of this drawing. Any use, copying, reproduction or disclosure of the drawing, design or any information contained herein by the prospective customer or other entities, including without limitation, architects, engineers, or equipment manufacturers is hereby expressly prohibited and shall not be permitted absent prior written consent from, and payment of compensation to Duke Energy Progress. Duke Energy Progress disclaims any liability or responsibility for any unauthorized use of or reliance on this document.

Amenity Ctr Briar Chapel		
Chatham Cty, NC		
SITE LIGHTING PLAN		
Designed by	DEP LIGHTING SOLUTIONS	
Reviewed by	R. Whitaker	Scale 1" = 30'
Date	08/14/2016	Size "Arch D"
Description	Mitchell Top Hat LED	
Drawing No.	16-0180A	EL1.0 Sht. 1 OF 1

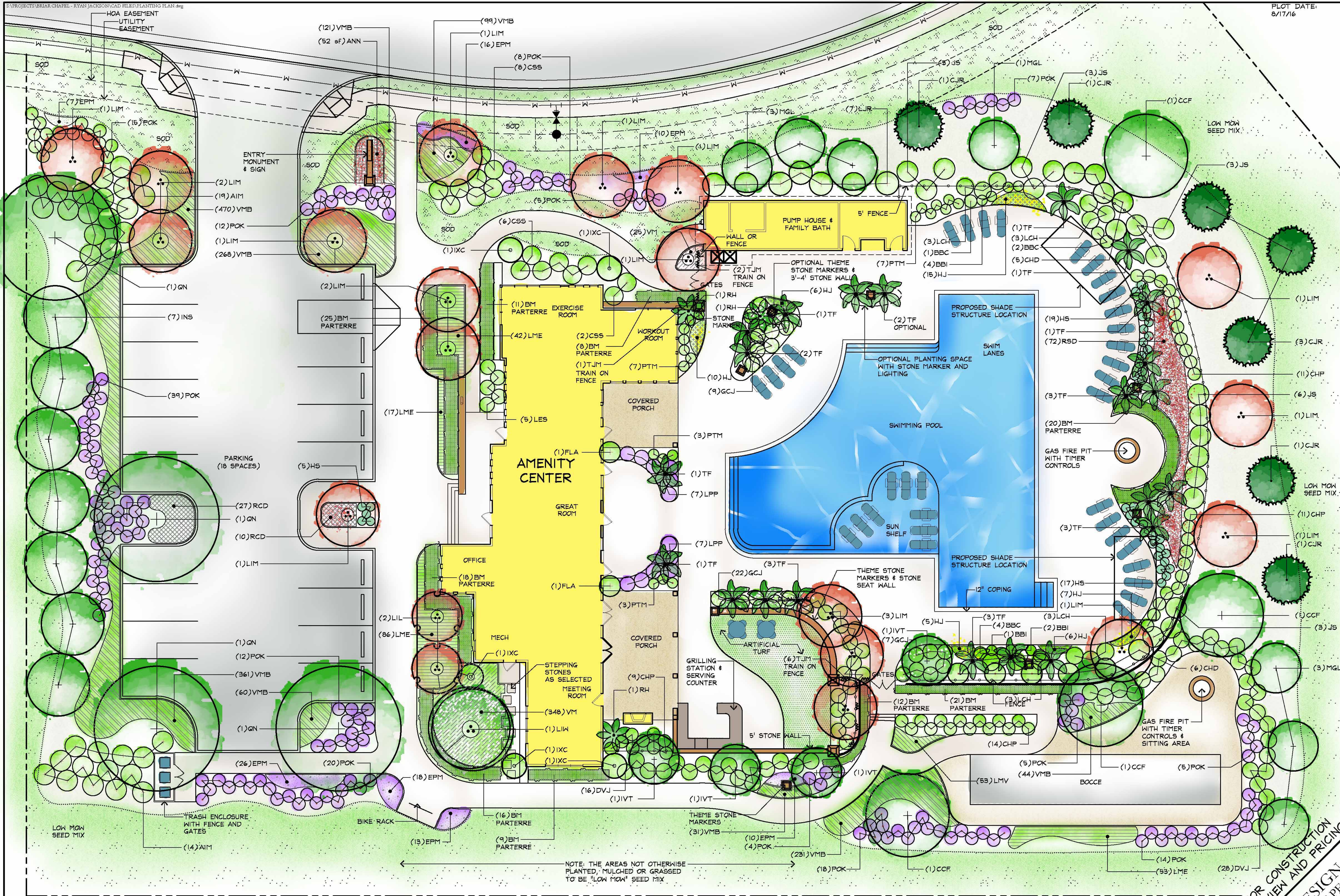


DAVID WEEKLEY HOMES
15401 WESTON PARKWAY
CARY, NC 27513

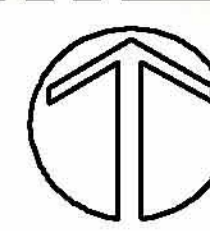
Encore
by David Weekley Homes

Proj. RLP
Coord. 17 August 2016
Date:
Revisions:

NOT FOR CONSTRUCTION
FOR REVIEW AND PRICING ONLY
SEARS DESIGN GROUP, P.A.
625 W. Jones Street Raleigh, NC 27603
(919) 832-7000 Fax (919) 832-8140
Email: searsdesign@searsdesigngroup.com
Sheet No. **PL1**
Of 3

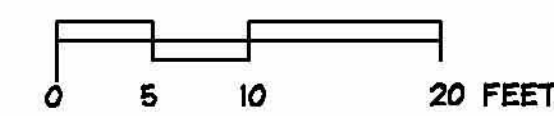


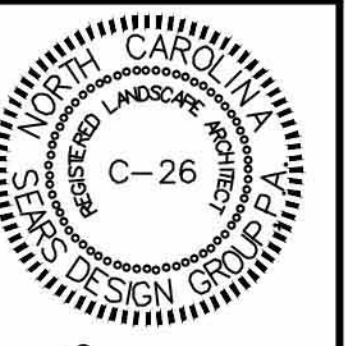
NOTE: THE AREAS NOT OTHERWISE PLANTED, MULCHED OR GRASSED TO BE 'LOW MOW' SEED MIX



PL1-1 PLANTING PLAN

SCALE: 1"=10'





DAVID WEEKLEY HOMES
15401 WESTON PARKWAY
CARY, NC 27513

Encore
by David Weekley Homes

Proj. RLP
Coord. 8/17/2016
Date:
Revisions:

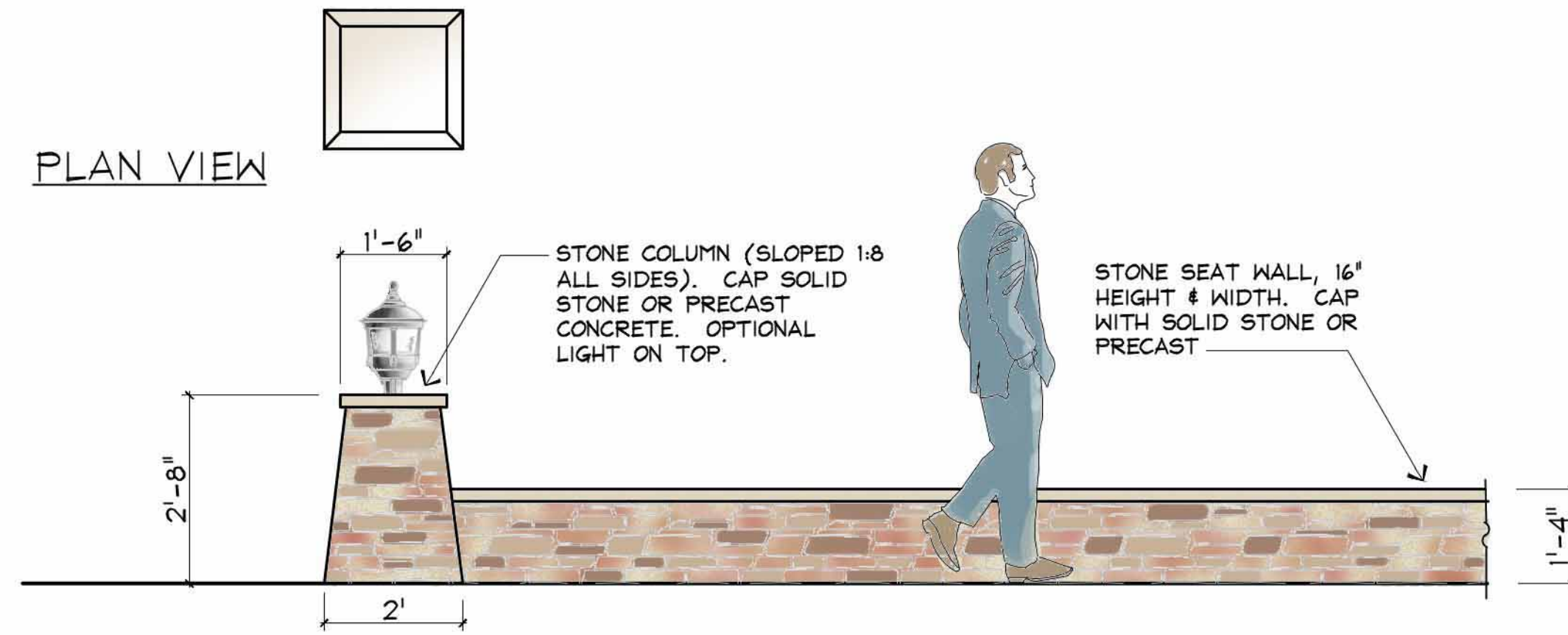
NOT FOR CONSTRUCTION
FOR REVIEW AND PRICING ONLY
SEARS DESIGN GROUP, P.A.
625 W. Jones Street Raleigh, NC 27603
(919) 852-7000 Fax (919) 852-8140
Email: searsdesign@searsdesigngroup.com
Sheet No. **PL3**
Of 1

ENCORE - BRIER CHAPEL

MATERIALS:

STONE: SHALL MATCH NATIVE
STONE MATERIAL CURRENTLY USED
WITHIN THE BRIER CHAPEL
COMMUNITY.

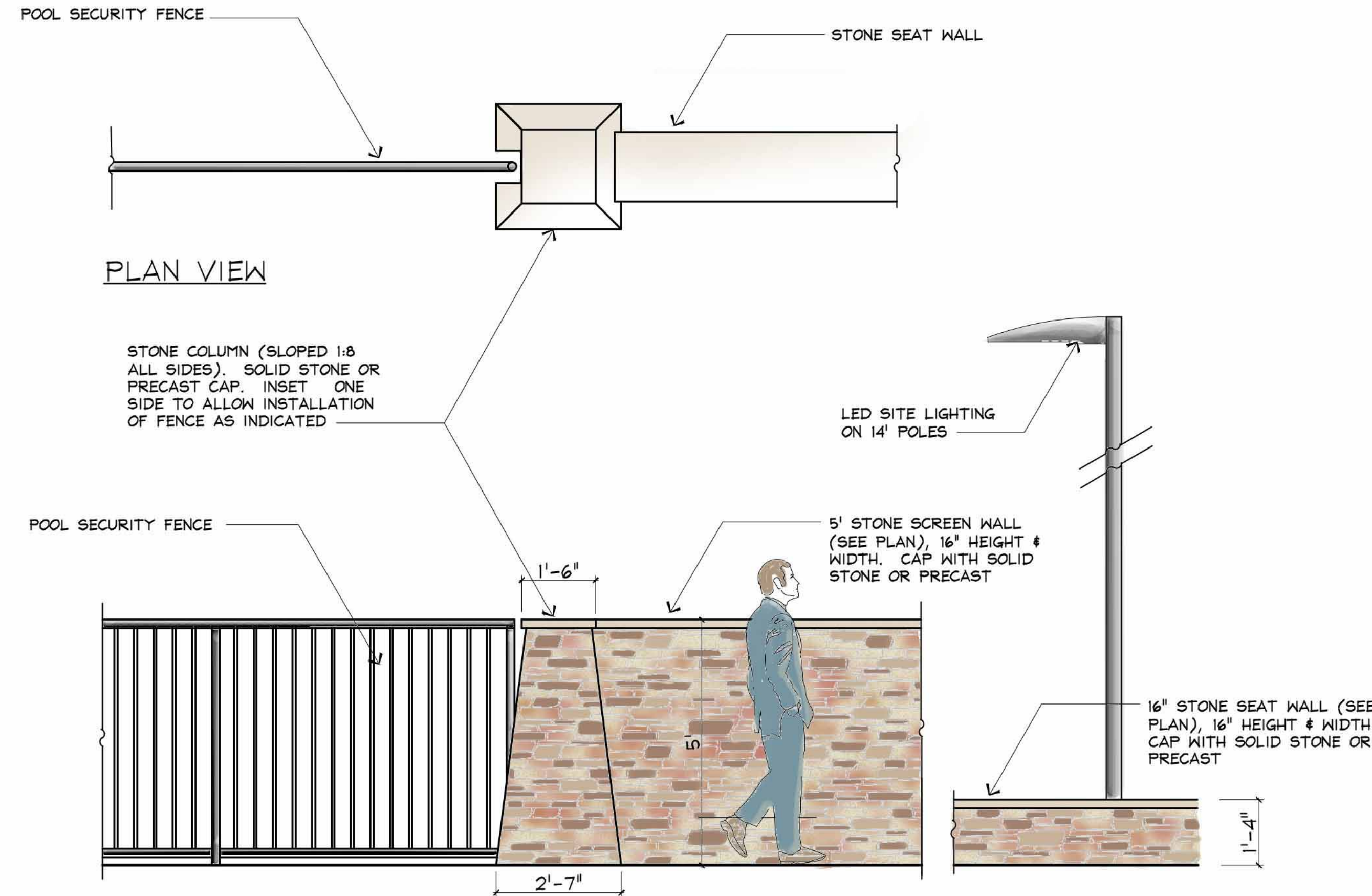
FENCING: ALUMINUM PICKET
FENCING WITH BLACK POWERCOAT
FINISH



ELEVATION

PL3-3 WALL / 2'-8" COLUMN

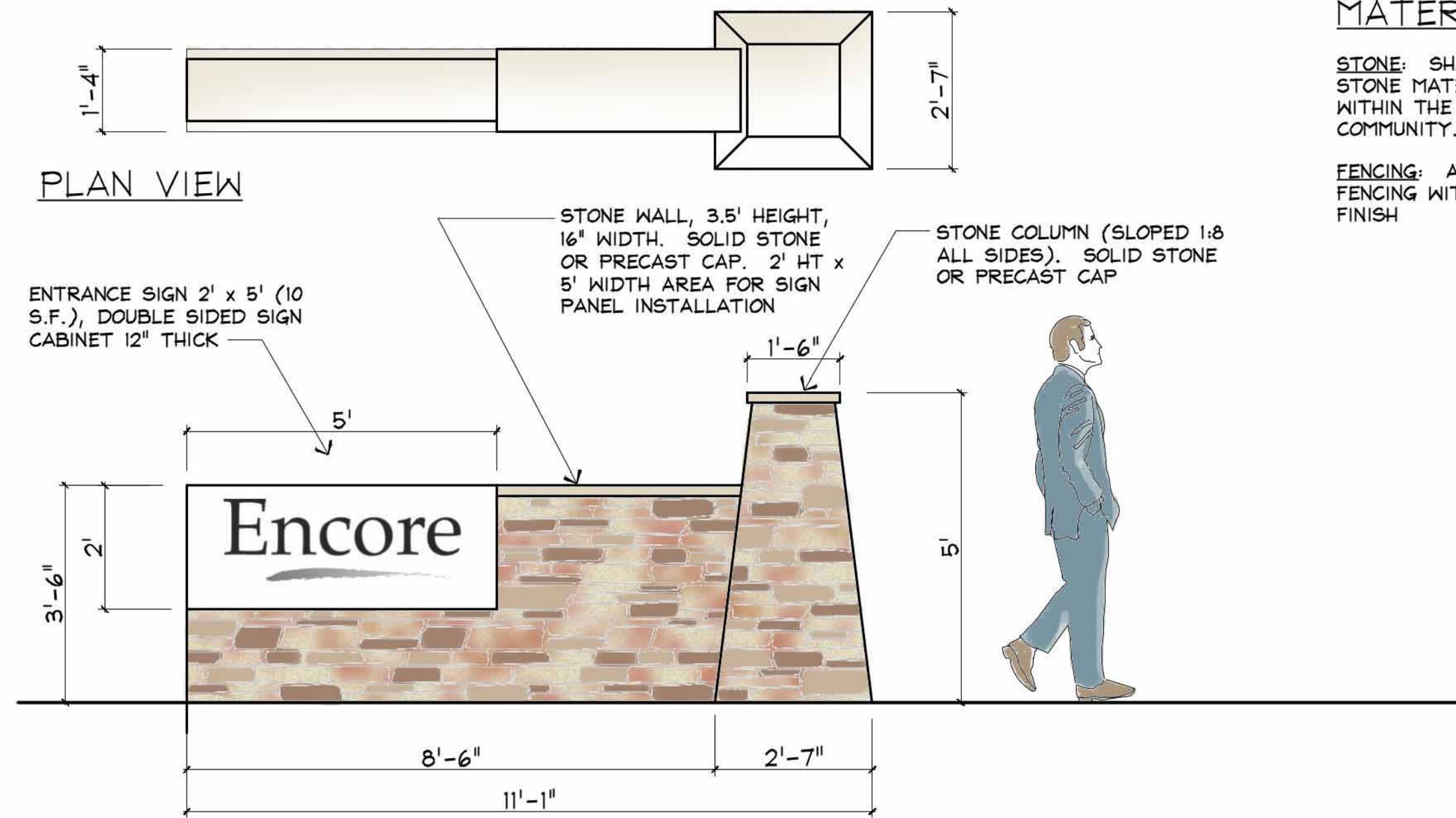
SCALE: 1/2"=1'-0"



ELEVATION

PL3-4 POOL FENCE / WALL / 5' COLUMN

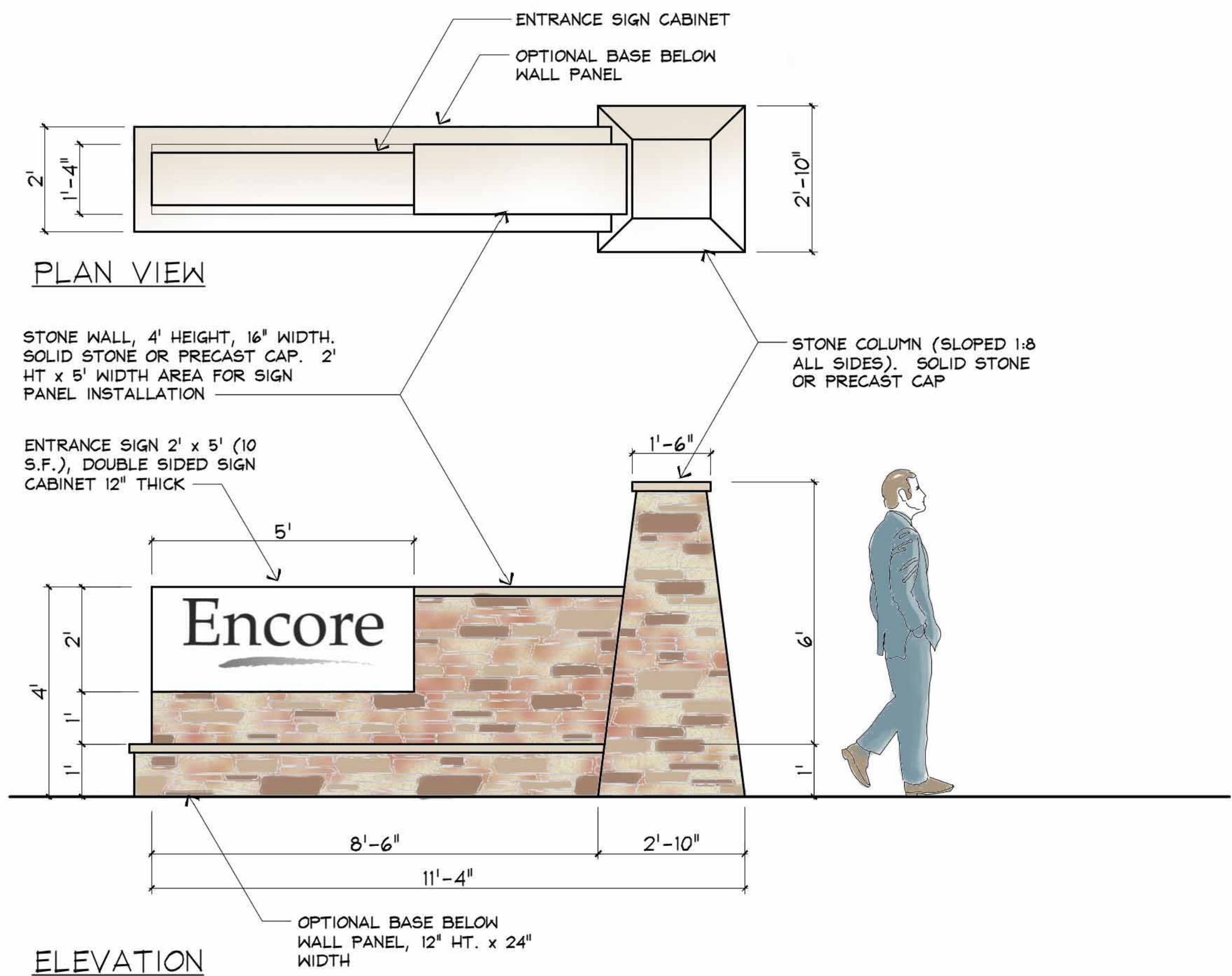
SCALE: 1/2"=1'-0"



ELEVATION

PL3-1 SITE ENTRANCE SIGN - 5' COLUMN

SCALE: 1/2"=1'-0"



ELEVATION

PL3-2 SITE ENTRANCE SIGN - ALT. 6' COLUMN

SCALE: 1/2"=1'-0"

PL3-ENTRANCE SIGN & POOL WALL/FENCE DETAILS

ANALYSIS OF FIVE REQUIRED FINDINGS FOR CUP

The requested conditional use permit should be granted because the Five Findings are met as follows:

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.**

Recreational uses are allowed conditional uses within the R-1 district pursuant to the table of uses found at Section 10.13 of the Zoning Ordinance.

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

Need and Desirability. The requested conditional use permit is essential and desirable for the public convenience and welfare. This 5.35 acre of the US Steel Conservation Subdivision was always planned for lots or active Open Space. It is located immediately adjacent to Briar Chapel. This amenity location will have no impact at all on the +/- 43 acres of undisturbed Natural Space shown on the approved plan for the Conservation Subdivision. The recreation area will create an amenity for the Encore age-qualified community which will complement the entire recreational landscape for Briar Chapel and the US Steel Conservation Subdivision. Provision of community recreation areas benefit association members (by providing accessible and local recreation opportunities) as well as those living outside the community by reducing pressure on existing County recreation facilities and on the exterior roadway system. Walkable amenities enhance the convenience and welfare of the community and the public.

Survey of Similar Uses. This recreational facility will complement the clubhouse and swimming facility existing within the Briar Chapel Compact Community. Careful thought has been put into the allocation of amenity resources for both Briar Chapel and the US Steel Conservation subdivision such that said resources will be allocated in a most functional way in accordance with private covenants applicable to the lots to be sold within the two communities.

Public Provided Improvements. There will be no improvements that the County will be required to provide in support of this site. Public water facilities will be made available to the site by the developer. Also, the public roadway traversing the permit area will ultimately be turned over to the NC DOT but the roadway will be constructed by the developer.

Tax Benefit. While the ultimate tax valuation of the amenities to be constructed is not known at this time, the tax value is likely to be considerably higher than a residential structure but will not incur any significant additional expense to the County in the form of services.

Employment. Construction of the facilities and staffing of the completed facilities will create temporary and some permanent job opportunities.

3. **The requested permit or revision to the existing 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 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 surrounding districts are all owned by the Applicant as part of either the Briar Chapel or US Steel developments. The two communities have been designed by the Applicant with an integrated approach that has created a seamless character of community design. The permit area will be the site for a recreational amenity which has been reviewed and approved by the Appearance Commission. It will blend harmoniously with the US Steel Conservation Subdivision and with the adjoining Briar Chapel community. Of course, the Conservation Subdivision elements set out in Section 7.7 of the Subdivision Ordinance are all met and specifically contemplate use of Open Space in this location for active recreation areas such as the one proposed by this permit. The structures will conform to the setback and other requirements of the Subdivision Ordinance and will therefore be consistent not only with the character of the adjoining districts but also with the applicable contemplated plan of development under the regulations.

Emergency Services. The permit area will be readily accessible by fire, police and rescue services.

Traffic. The roadway through the permitted area and by which access to the recreational amenity will be had has been approved by NC DOT. No offsite traffic improvements will be needed. No changes to speed limits and no additional traffic loads are anticipated in connection with the proposed use.

Impact to Surrounding Land Values. All of the surrounding land is within communities owned by the Applicant. The developer is tremendously concerned with preserving values throughout US Steel and Briar Chapel. The addition of this amenity area will enhance property values and help to achieve the anticipated sales velocity. There will be no negative impact on surrounding values.

Visual Impact and Screening. The visual impact and screening approach is laid out carefully and in great detail in the Appearance Committee submittal and the attached landscape plan.

Lighting. With respect to lighting, the Zoning Ordinance provisions will be followed. Lighting has been reviewed and approved by the Appearance Commission.

Noise. The amenity site will generate the level of sound typical of any similar recreational/pool facility. The noise levels will not violate the County Noise Ordinance. There will be no lots immediately adjacent to the pool facility itself and the facility will have landscape buffers. Those purchasing lots and homes will be aware of the amenity facility location when purchasing.

Chemicals, Biological and Radioactive Agents. There will be no such chemicals or agents other than typical pool health and safety maintenance chemicals (chlorine, etc.) all of which will be stored and maintained in accordance with applicable regulations.

Signs. The signage information, including the monument sign for the amenity area is included in the plans approved by the Appearance Commission and are attached hereto.

4. **The requested permit will be or remain consistent with the objectives of the Land Conservation and Development Plan.**

The Land Conservation and Development Plan (the “Land Plan”) calls out the fundamental policy of “land development and conservation” that “reflect balanced growth.” *Land Plan, p. 1.* One of the six fundamental other policies of the Land Plan is to “develop an integrated approach to protecting and promoting high-quality open space [and] recreation.” *Land Plan, p. 1.* This recreation area amenity site is part of an integrated approach to the US Steel Conservation subdivision that sets out 40% of the acreage of the subdivision for Conservation Space, at least 80% of which is Natural Space. Integrated into the remaining 20% of the Open Space is the possibility of active recreation areas which are specifically encouraged under the Conservation Subdivision provisions. Thus, the proposal simultaneously brings to fruition the objectives of the Land Plan and the Conservation Subdivision regulations by creating an amenity area for recreation purposes. The proposed CUP is consistent with the intent of the objectives of the Land Plan.

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.**

Adequate utilities, access roads, storm drainage, recreation are being provided, consistent with County Plans. Water will be provided by the County water system and integrated into the water delivery system supplying Briar Chapel. Sewer will be supplied by the Old North State Water Company as it is provided for the Briar Chapel community. Roadways and storm drainage will be integrated into the Briar Chapel system of roadways and storm drainage to create a coherent, integrated system for each. Of course, since this permit is to allow a recreation facility, the recreation and open space requirement is readily satisfied with this project.