

**MASTER PLANNED  
DEVELOPMENT  
CONDITIONAL ZONING  
(MPD-CZ)**

**SETTLERS POINT**

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# **I. – OVERVIEW AND INTRODUCTION**

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**I. – OVERVIEW AND INTRODUCTION**

**SECTION 1-1 INTRODUCTION, PURPOSE AND INTENT:**

Settlers Point is a proposed mixed use development intended to encompass a variety of retail, service, office, light industrial/manufacturing, research, residential (continuing care community), and ancillary support industries designed to serve as an economic generator for Orange County and southern Hillsborough.

Given the scope of the project, we believe it is appropriate to submit the project through the County's Master Plan Development (MPD) Conditional Zoning process, the purpose of which is to:

*... provide for unified large scale subdivisions, non-residential, and mixed use developments that promote economical and efficient land use, improved level of amenities, appropriate and harmonious variety, creative design, and a better environment through the approval of a general Master Plan.*

To that end, and in accordance with the provision of Section 2.9.2 of the Orange County Unified Development Ordinance (UDO), we are proud to submit the request to rezone the properties identified herein as being part of the Settlers Point project to MPD-CZ and allow for the development of the project consistent with recommended development standards.

This document contains the various standards and guidelines we propose be utilized by the County to evaluate various development projects submitted proposing the development of various land uses associated with the subject property. This includes listings of allowable land uses, land use intensity standards, open space requirements, signage regulations, and parking standards.

Settlers Point has been designed to mirror existing development in the area with a primary focus on the location and development of non-residential land uses serving as both an income and job generator for the region as a whole. The scale of the planned uses not only complement each other, but have the potential to attract valuable interstate market.

From our perspective, the quality of life in this area of the county will be enhanced through business development and job creation, and the proximity of a full range of services we are proposing to provide. Settlers Point is designed with consideration to the continuity and protection of surrounding land uses and existing, on-site, environmental features by employing generous land use buffers and a layout promoting the protection of the natural environment. Significant road and traffic improvements are proposed to serve the new development activities and maintain acceptable levels of service in the area, taking into consideration that presently the scope of the I-40 widening project, I3306A, does not include any widening or construction on either Old NC86 (SR 1009), or the off ramps for I-40 at this interchange. Furthermore, it is our intent to interconnect the

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development via sidewalks and trails and to study the possibility to extend sidewalk along NC86 to Waterstone.

We believe Settlers Point offers a unique opportunity for the County to promote the development of residential (continuing care community) land uses designed to serve an often overlooked population base, specifically seniors. As part of this proposal, the application is proposing the development of a continuing care community to broaden available options for seniors who desire to live in the area. It is our understanding that the total population of 60 years or older in Orange County in 2014 is 24,443. By 2025, that number will increase to 36,731 outnumbering those 17 years old and younger. As most older adults prefer to live independently for as long as possible until they require additional care, the demand for private pay continuing care retirement communities is increasing dramatically. At present, Carol Woods in Chapel Hill is the only option available. Waiting lists there depending on home model can go up to 14 years. For HUD-funded senior housing, wait lists are over a year already. Currently Orange County only has 1,481 housing units designated for senior living. This development will start addressing the shortfall now to accommodate the future need.

If approved, development within Settlers Point shall have to abide by the regulatory standards and limitations approved by the County elected officials.

We view this project, and this process, as the ultimate opportunity to work with the local officials to promote purposeful development designed to achieve the goals enumerated within the adopted Comprehensive Plan focusing on promoting the development of high intensity economic development land uses while at the same time protecting the integrity of the physical landscape.

If approved, and upon buildout, Settlers Point is poised to bring approximately \$6 million in annual ad valorem property taxes, sales taxes, and lodging fees. See ***Exhibit A – Projected Orange County Tax Benefits.***

The area intended for the development of Settlers Point is currently primarily zoned Economic Development, specifically:

- Economic Development Hillsborough Limited Office (EDH-2)
- Economic Development Hillsborough Office (EDH-4)
- Economic Development Hillsborough Office/Flex (EDH-5)

There is also a large area, proposed as part of this master plan that is intended to be a continuing care community, currently zoned Rural Residential (R-1) and known as “Settler’s Ridge Sub-Division. It is the intent to have the units in this district be ‘age restricted’ and promote the area as a continuing care community. To that end the district is intended to allow a multitude of residential options from patio homes (independent living), assisted living, and finally nursing home care. The district will allow residents to ‘age in place’ and provide the necessary services they may need to accommodate that goal.

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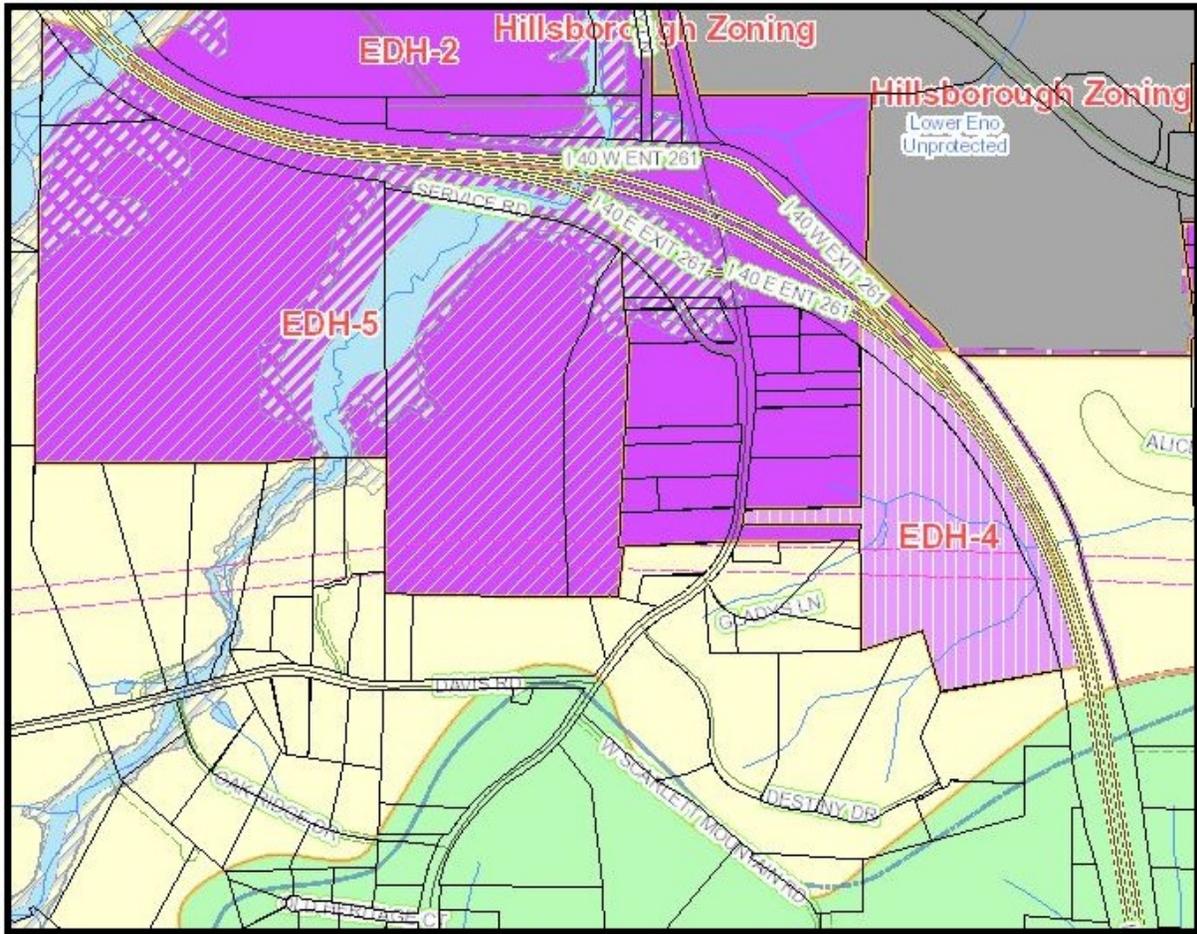


IMAGE 1.1 – County Zoning Atlas Map of Area

**SECTION 1-2 PROJECT SIZE AND LOCATION:**

The Settlers Point project is located within Orange County, North Carolina and is situated primarily on some two hundred seventy-two (272) acres of property to be developed within the designated Hillsborough Economic Development District, south of I-40 and east of Old NC 86, specifically:

1. A 90.37 acre tract of land PIN# 9863-71-8857
2. A 58.56 acre tract of land PIN# 9863-91-6573
3. A 1.36 acre tract of land PIN# 9873-11-4636
4. A 1.65 acre tract of land PIN# 9873-11-5415
5. A 0.50 acre tract of land PIN# 9873-11-7506
6. A 1.75 acre tract of land PIN# 9873-11-9450
7. A 1.46 acre tract of land PIN# 9873-11-7247

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8. A 4.50 acre tract of land PIN# 9873-10-7937
9. A 34.58 acre tract of land PIN# 9873-20-2388
10. A 2.45 acre tract of land PIN# 9873-10-4310
11. A 4.21 acre tract of land PIN# 9873-10-4230
12. A 3.27 acre tract of land PIN# 9873-10-8103
13. A 3.27 acre tract of land PIN# 9872-19-6844
14. A 10.09 acre tract of land PIN# 9872-19-3549
15. A 10.01 acre tract of land PIN# 9872-19-8336
16. A 10.01 acre tract of land PIN# 9872-29-2222
17. A 10.01 acre tract of land PIN# 9872-29-8289
18. A 4.00 acre tract of land PIN# 9872-28-6779
19. A 10.01 acre tract of land PIN# 9872-18-7626
20. A 10.06 acre tract of land PIN# 9872-09-8324

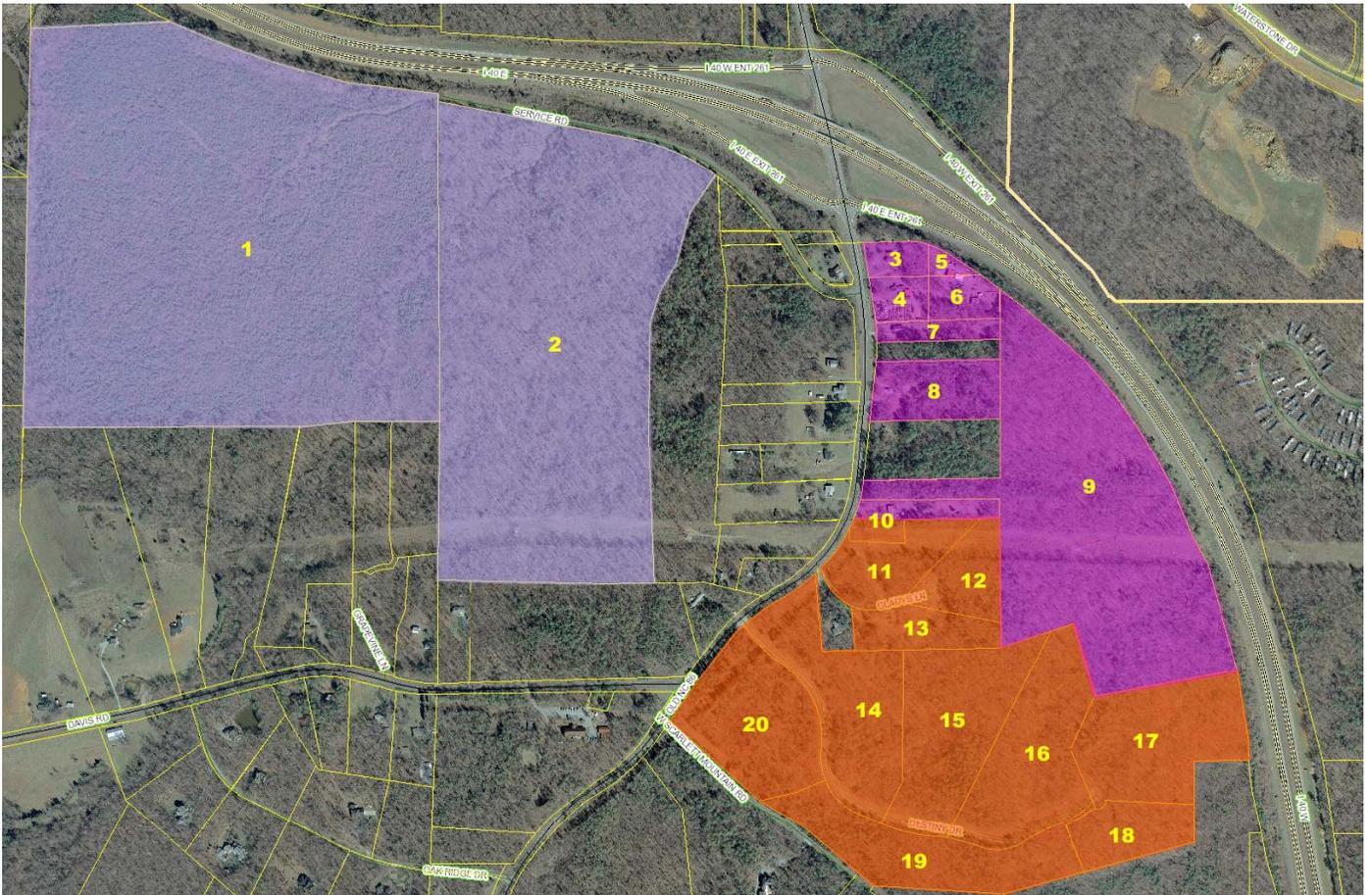


IMAGE 1.2 - Overall Map

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### SECTION 1-3 CURRENT LAND USES:

As indicated above, Settlers Point will be located on multiple properties totaling 272 acres of land area.

A breakdown of existing land uses and zoning is as follows:

• PIN – 9863-71-8857	Undeveloped	EDH-5, R1
• PIN – 9863-91-6573	Undeveloped	EDH-2, EDH-5, R1
• PIN – 9873-11-4636	Residential	EDH-2
• PIN – 9873-11-5415	Office/Commercial	EDH-2
• PIN – 9873-11-7506	Commercial	EDH-2
• PIN – 9873-11-9450	Commercial	EDH-2
• PIN – 9873-11-7247	Residential	EDH-2
• PIN – 9873-10-7937	Residential	EDH-2
• PIN – 9873-20-2388	Undeveloped	EDH-4, R1
• PIN – 9873-10-4310	Residential	EDH-2, R1
• PIN – 9873-10-4230	Undeveloped	EDH-2, R1
• PIN – 9873-10-8103	Undeveloped	EDH-2, EDH-4, R1
• PIN – 9872-19-6844	Undeveloped	EDH4, R1
• PIN – 9872-19-3459	Undeveloped	R1
• PIN – 9872-19-8336	Undeveloped	R1
• PIN – 9872-29-2222	Undeveloped	R1
• PIN – 9872-29-8289	Undeveloped	EDH-4, R1, RB
• PIN – 9872-28-6779	Undeveloped	R1, RB
• PIN – 9872-18-7626	Undeveloped	R1, RB
• PIN – 9872-09-8324	Undeveloped	R1, RB

### SECTION 1-4 ADJACENT PROPERTY INFORMATION:

Settlers Point is adjoined by several individual parcels ranging in size from 1 acre to 90 acres. The predominant use of property in proximity to Settlers Point is residential and agricultural activities. There is also a large scale electric utility line running through the project as well. Appendix A provides a listing of all property owners within 1,000 feet of the project as currently laid out.

The properties surrounding Settlers Point are comprised of both lower density developed and large undeveloped areas. The adjacent parcels to the North and East are opposite the right-of-way of Hwy 40, being that of Waterstone. Durham Technical Community College and UNC Health Care Hillsborough Campus being the main developments. The parcels to the South and West are largely vacant with the exception of a few residential and small local businesses.

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As previously indicated, Settlers Point is designed to accommodate and protect adjacent properties and their current uses through the use of land use buffers and the protection of existing natural features. Please refer to SECTION V. OPEN SPACE for a detailed explanation of our proposed land use buffer program.

In conjunction with anticipated thoroughfare improvements, detailed roadway design will involve efforts to maintain, combine, and/or relocate existing access points in a manner that not only protects existing land uses but preserves to the greatest extent practical existing, mature, vegetation.

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## **II. – LAND USE PROGRAM**

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## **II. – LAND USE PROGRAM**

This request involves the rezoning of the aforementioned parcels to what County planning staff refers to as the Settler Point Master Planned Conditional Zoning District. As we understand the process, if approved, the various parcels making up the project are going to have a zoning designation of MPD-CZ and will abide by the development standards adopted as part of the process.

This development is comprised of 272 acres consisting of 20 parcels located in the southwest and southern quadrant of the intersection of NC 86 and US I-40, in the Hillsborough EDD. A portion of the property in question is the site of the undeveloped subdivision known as Settlers Ridge, containing lots that average 10 acres in size.

- Growth System Map Designation: Urban & Rural
- Future Land Use Map Designation: Economic Development Transition
- Orange County/Town of Hillsborough Joint Planning Land Use Map Designation: Employment, Neighborhood Mixed Use, & Suburban Office
- WASAMPBRA Map Designation: Hillsborough Primary Service Area

This new development is compatible with the purpose and intent of the Orange County Comprehensive Plan. We feel this project meets the objectives and goals of the plan in the following areas:

### *Economic Development – Objective ED-2.1 & ED-2.2:*

- *Encourage compact and higher density development in areas served by water and sewer. Encourage mixed use projects that support walkable communities.*

### *Housing – Goal B: Housing and Shelter, Key Issues, Objective H-1.5, & Goal LU-1.1:*

- *Promote an adequate supply of safe, affordable, and suitable housing options for older residents to age in place.*
- *Improvement of opportunities for the County’s elderly population to age-in-place.*
- *Ensure that a variety of housing types can be developed throughout the County in a sustainable manner that locates housing near employment centers and commercial centers and that efficiently uses existing and planned public services.*
- *Coordinate the location of higher intensity / high density residential and non-residential development with existing or planned locations of public transportation, commercial and community services, and adequate supporting infrastructure...by increasing allowable densities and creating new mixed-use zoning districts where adequate public services are available.*

### *Land Use – Objective LU-3.5 & LU-3.9:*

- *Create new zoning district(s) which allow for a mixing of commercial and residential uses, a mixing of housing types, and creates a more pedestrian friendly development pattern.*
- *Encourage energy and water use in an efficient manner by industries and encourage energy efficient industries to locate or expand in the County in Rural Industrial, Commercial/Industrial, and Economic Development Nodes.*

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To that end the following general development regulations are respectfully being proposed for the project:

## SECTION 2-1 – SETTLERS POINT DEVELOPMENT AREAS:

Development of all permanent structures and support facilities, including parking facilities, constructed within each established District shall be in accordance with the Design/Architectural Criteria as contained in Section 2-4 – Design Standards.

Settlers Point shall be broken down into 3 distinct development areas/districts, namely:

1. Industrial/Manufacturing and Research – The district is located west of Old NC 86 accessed via Service Road and south of Interstate 40 intended to provide for light industrial/manufacturing and research operations.



IMAGE 2.1 – Development District 1 Map

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2. Commercial – The district is located within the central most portion of the property, along Interstate 40 intended to provide for high intensity office uses and supporting retail and services.

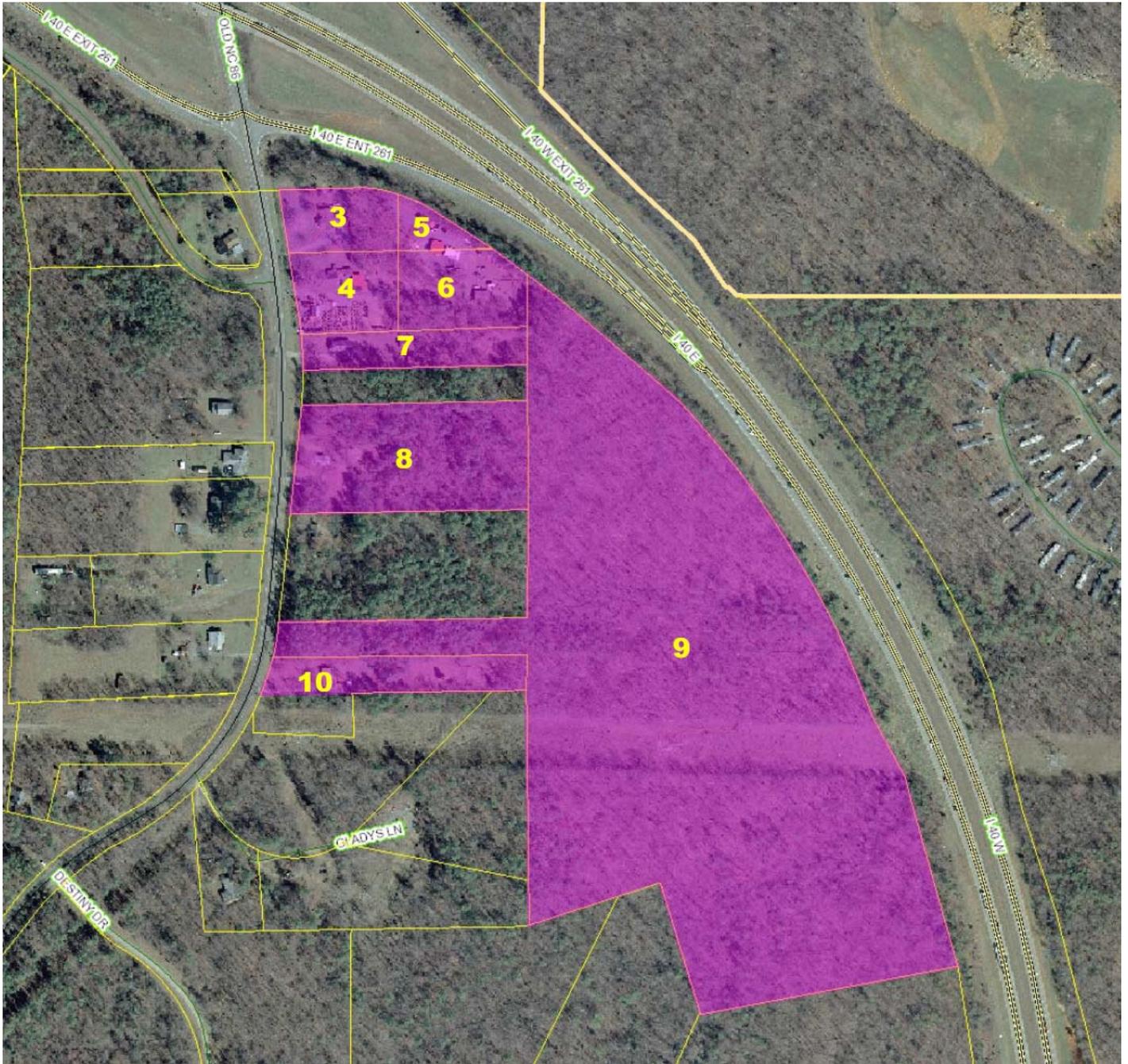


IMAGE 2.2 – Development District 2 Map

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3. Residential: Continuing Care – The district is broken down into 2 distinct areas, namely:
  - a. The Multi-Family District: Located within the southern portion of the project along Old NC 86, and Gladys Lane intended to provide for low to moderate intensity office uses as well as multi-family residential uses with a maximum allowable density of 10 units per acre.
  - b. Single Family District: Located within the southeastern most portion of the project along Old NC 86 and north of Destiny Drive, intended to provide for single family residential (continuing care) uses.

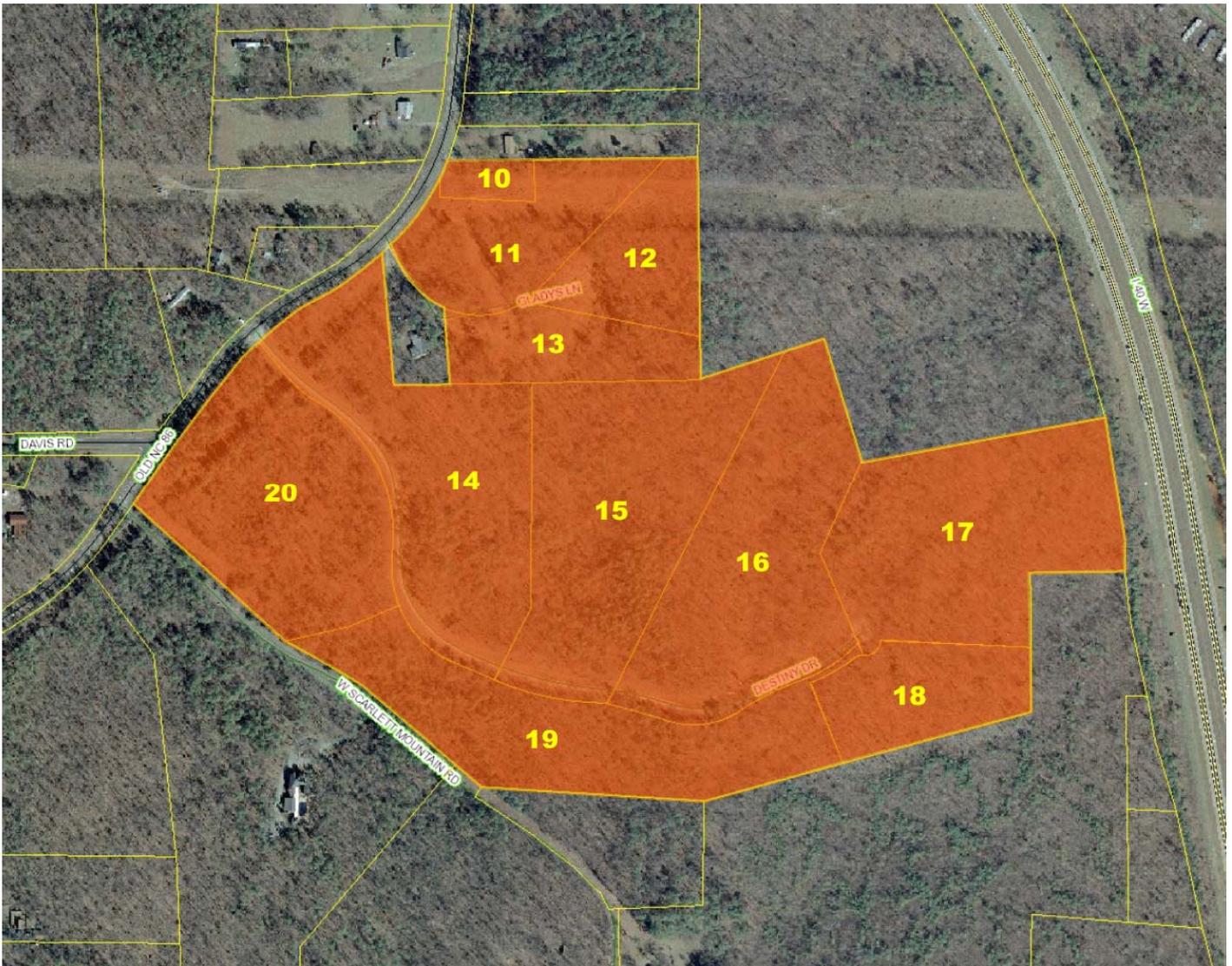


IMAGE 2.3 – Development District 3 Map

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**SECTION 2-2 - PERMITTED LAND USES**

A list of permitted land uses, per identified development area, has been compiled from existing County regulations contained within the UDO. An ‘X’ denotes the use is permitted. If blank, the use is not permitted within an identified district. Settlers Point will follow Orange County set of definitions for the proposed uses.

Recommended uses in each district are:

Use Type	Industrial/Manufacturing and Research	Commercial	Residential (Continuing Care Community)
<b>Assembly</b>			
Religious Facilities		X	
Social Club/Lodge		X	X
Movie Theater		X	
Banks and Financial Institutions		X	
Bank – Automated Teller Machine as standalone use	X	X	
<b>Child Care/Educational Facilities</b>			
Childcare Facilities		X	
Libraries		X	X
Schools: Elementary, Middle and Secondary	X	X	
Schools: vocational	X	X	
Schools: Dance, Art, Music, Physical Fitness, etc.		X	

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Housing			
Single-family			X
Duplex			X
Multi-family (apartment)			X
Health and Personal Care (i.e. family care, retirement home, assisted living, group care, nursing home, etc.)			X
Health Services (i.e. licensed practitioners and/or specialists, outpatient surgical centers, medical and diagnostic laboratories, etc.)	X	X	
Hotel/Motel/Convention Center	X	X	
Motor Vehicle Service Station (Gas Station)	X	X	
Light Industrial/Manufacturing/Research:			
Apparel Manufacturing,	X		
Assembly and Packaging Operations Including Distribution and Mail Order Houses, But Excluding On-Premises Retail Outlets,	X		
Clay Product and Refractory Manufacturing	X		
Computer and Electronic Manufacturing,	X		

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Fabricated Metal Product Manufacturing,	X		
Food and Beverage Manufacturing/Bottling,	X		
Furniture and related Product Manufacturing,	X		
Glass and Glass Product Manufacturing,	X		
Machinery Product Manufacturing,	X		
Pharmaceutical/medical product research and manufacturing,	X		
Plastic Product Manufacturing,	X		
Printing and related support activities,	X		
Research Facility,	X		
Research and Manufacturing Facility,	X		
Rubber and Plastics, Hoses and Belting, Manufacturing,	X		
Storage/Warehousing Inside of a Building,	X		
Textile Mills and Textile Product Mills,	X		
Accessory Uses to principal uses of property.	X		

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Professional Offices and Services (i.e. attorney, realtor, accountant, insurance agents, financial consultant/financial securities brokers, etc.)		X	
Retail (i.e. goods oriented shopping)		X	
Restaurant	X	X	
Recreation			
Indoor gym/physical fitness center		X	
Arcade		X	
Indoor/outdoor Swimming pool		X	X
Telecommunication towers (under 75 ft. in height)	X		

In addition to the uses allowed within Section 5.1.2 *Uses Permitted As a Matter of Right* of the Orange County Unified Development Ordinance (UDO) the following shall be permitted in all of Settlers Point’s development districts:

- a. Government Facilities and Office Buildings,
- b. Government Protective Services,
- c. Bus Passenger Shelter,
- d. Surface and structure parking as principal use (When associated with a local or regional transportation goal such as mass transit or park- and-ride),
- e. Mail kiosks for central mail pick-up,
- f. Elevated Water Storage Tanks.
- g. Public Parks.
- h. Natural and man-made pedestrian/bicycle paths.

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**SECTION 2-3 – PERFORMANCE STANDARDS:**

**SECTION 2-3-1 LAND USE INTENSITY:**

Land use intensity for the Settlers Point shall be regulated in accordance with the following:

1. Settlers Point shall not be subject to any specific impervious area restrictions, except those necessary to meet or exceed the goals of the Falls Lake Watershed,
2. Settlers Point shall maintain a minimum percentage of open/landscaped space of twenty percent (30%) for the entire project, approximately **eighty acres**. All areas restricted from development such as mapped flood plains, wetlands, stream, stream buffers and required Land Use Buffers shall count towards this requirement.
3. Settlers Point shall allow for a Maximum Building Height of six (6) stories with the incorporation of more restrictive front, side, and rear yard setbacks for all buildings constructed within the project.
4. All floodplain (i.e. floodway and the 100-year floodplain) and streams within the Project shall be buffered and maintained in accordance with applicable County regulations as contained in Article 6 of the UDO.
5. Each site plan submitted proposing the development of an individual district, or a single building within a district, shall supply documentation outlining the cumulative total of impervious surface and open/landscape area for the district as well for the Settlers Point project as a whole in order to verify acceptable levels of developmental intensity and being an essential component denoting compliance with stormwater management standards as enforced by the County and as detailed in Section 6.15 of the UDO,

**SECTION 2-3-2 ENVIRONMENTAL FACTORS:**

Environmental factors for the Settlers Point shall be regulated in accordance with the following and are consistent with the Orange County enforced standards as detailed within Section(s) 6.4.2 through 6.4.7 of the UDO:

1. **NOISE:**
  - a. Noise generated by construction activities shall be regulated in accordance with the provisions of the Orange County Noise Ordinance, including adherence to establish standards for the commencement, and cessation, of construction activities,
  - b. Maximum permitted sound/noise levels for all land uses shall be regulated in accordance with the provisions of the Orange County Noise Ordinance.

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2. **VIBRATION.**

Settlers Point shall comply with any and all applicable Orange County vibration ordinance and requirements.

3. **AIR POLLUTION.** Settlers Point shall comply with any and all applicable air quality standards established by the State Environmental Management Commission and with any and all Air Quality permits issued for the project.

4. **ELECTROMAGNETIC INTERFERENCE.** Settlers Point shall comply with any and all applicable standards established by the State as well as the Federal Communications Commission (FCC) concerning electromagnetic interference,

5. **HAZARDOUS MATERIALS.** Individual tenants shall be required to demonstrate compliance with any and all applicable Federal, State, and local regulations governing the storage, use, and disposal of hazardous materials,

6. **SOLID WASTE.** The following standards shall be observed with respect to the management of solid waste:

- a. The developer shall enter into a **Memorandum of Agreement** with the County and the Town of Hillsborough outlining the proper disposal methodology for solid waste management. This agreement will outline the necessary interim and long-term solid waste needs of the development and identify the various agencies that will be responsible for monitoring and enforcing acceptable waste management practices,
- b. The developer shall demonstrate compliance with the Orange County Regulated Recyclable Materials Ordinance (RRMO) **regardless of permitting jurisdiction** (Chapter 34 Article III of the Orange County Code of Ordinances),
- c. The applicant shall develop a Solid Waste Management Plan for each portion of the project for review and approval by Orange County Solid Waste (**regardless of permitting jurisdiction**) for the life of the project.

Specifically, this plan shall address how land clearing, demolition, and construction wastes will be disposed of and that recyclables and waste generation rates be considered in planning for waste collection services regardless of waste or recycling provider,

- d. Prior to the commencement of earth disturbing activities on the property, the developer shall hold a deconstruction assessment meeting with Orange County staff concerning the removal of existing buildings from the property.
- e. All site plans shall contain a note indicating the following: “Prior to any demolition or construction activity on the site the applicant will hold a

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- deconstruction assessment conference with the County's Solid Waste staff concerning buildings to be removed from this site.”
- f. The applicant shall provide both internal and external space for collection of solid waste and recyclable materials. Materials collected shall be at least equivalent to the services provided by Orange County Solid Waste.
  - g. Waste collection areas shall be located in such a manner as to provide convenient access for users of the facility and safe passage for service vehicles.
  - h. The developer shall be required to place the following additional notes on any approved site plan:
    - i. ‘Any gate design will include gate retainers.’
    - ii. ‘The user will be responsible for opening gates to the dumpster area on collection days of any material(s) to be collected from this location.’
    - iii. ‘If any vehicles are parked in the refuse or recyclables collection vehicle access area, the containers will not receive service until the next scheduled collection day.’
    - iv. ‘Orange County will not be responsible for any pavement damage that may result from service vehicles.’
    - v. ‘By Orange County Ordinance, clean wood waste, scrap metal and corrugated cardboard, all present in construction waste, must be recycled.’
    - vi. ‘By Orange County Ordinance, all haulers of construction waste must be properly licensed.’ And
    - vii. ‘Prior to any demolition or construction activity on the site the applicant will hold a pre-demolition/pre-construction conference with the County's Solid Waste staff. This may be the same meeting held with other development officials’
  - i. In cases where waste collection areas are located across property lines or district lines for shared areas, the developer shall prepare and record a joint access agreement (and a shared dumpster agreement) to assure that (both parties may use) the proposed trash/recycling area and that it can be serviced across property lines.
  - j. The developer shall reserve space within all solid waste collection areas for segregated grease rendering/recycling collection facilities and shall provide space for segregated food waste collection near the delivery entrance for any building that houses, proposes to include, or may at some future date incorporate a restaurant, cafeteria, bar, or other food service facility at any time.
  - k. The developer shall ensure that all phases of the development shall comply with House Bill 1518 (ABC Recycling) (NCGS 18B) for all portions of the development, which contain or may contain establishments requiring an ABC License.

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- l. A note shall be required on all site plans reading as follows: ‘The burning or burial of construction debris, trees, limbs, stumps, is prohibited.’
  - m. All solid waste containers, dumpsters, recycling bins, etc. shall be located within an enclosure, buffered in accordance with the standards contained herein, and meeting the following criteria:
    - i. Loading areas shall be designed and situated not to negatively affect adjacent properties.
    - ii. Solid waste enclosures shall be so located as to not impact internal traffic flow,
    - iii. Loading zones shall not be located within areas designated as housing for solid waste facilities.
7. **EROSION CONTROL.** The development will fully comply with Orange County Soil Erosion Sedimentation Control Ordinance and requirements dated October 23, 2007.
8. **STORMWATER MANAGEMENT.** The following standards shall be observed with respect to stormwater management activities for the project:
- a. Riparian areas (stream buffers) shall be maintained in compliance with the Orange County *Stormwater Ordinance for Lands within the Neuse River Basin* (Neuse Rules) adopted March 9, 2001, and as amended October 23, 2007.
  - b. Impacts to the Neuse stream buffers on site shall comply with the uses listed in the Neuse Rules and the Orange County Unified Development Ordinance. Examples of listed uses include utilities, roadways, etc.  
  
If Neuse stream buffer mitigation is required, preference should be given to on-site mitigation such as stream buffer enhancement and/or restoration.
  - c. The project shall comply with the stormwater requirements listed in the Falls Lake Rules. This includes:
    - i. No net increase in peak flow leaving the site from the predevelopment conditions for the 1-year, 24-hour storm;
    - ii. Nitrogen and Phosphorus load contributions leaving the site must be held to 2.2 lbs per acre per year and .33 lbs per acre per year respectively.
  - d. A Master Stormwater Management Plan (SMP) shall be developed to address stormwater runoff for the entire development even though individual parcels may be responsible for installing stormwater best management practices (BMPs).

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- e. Innovative stormwater BMPs and practices shall be utilized that meet or exceed the requirements of the current version of the North Carolina Division of Water Quality *Stormwater Best Management Practices Manual* (Latest Edition).
- f. The developer shall collaborate with County staff during the SMP design process. To encourage this, a minimum of three meetings with stormwater staff will be conducted prior to submittal of the SMP.
- g. Stormwater facilities will be designed to meet current Ordinances with each development within the project.

9. **WATER SUPPLY AND SEWAGE DISPOSAL.** Please refer to Section Six (6) Utilities and Other Public Services.

### **SECTION 2-3-3 GENERAL PERFORMANCE STANDARDS:**

#### **1. ENVIRONMENTAL:**

The following additional performance standard shall be adhered to in addressing the environmental impact of the Settlers Point project:

- a. Settlers Point shall comply with the requirements for the EPA - Construction General Permit (CGP) and the Phase I and Phase II of the National Pollutant Discharge Elimination System (NPDES) program.
- b. Settlers Point shall not propose to develop buildings, hardscape, roads or parking areas on portions of sites that meet any one of the following criteria:
  - i. Previously undeveloped land whose elevation is lower than 5 feet above the elevation of the 100- year flood as defined by FEMA (Federal Emergency Management Agency),
  - ii. Land that is specifically identified as habitat for any species on Federal or State threatened or endangered lists,
  - iii. Within 100 feet of any contiguous wetlands, as defined by United States Code of Federal Regulations 40 CFR, Parts 230-233 and Part 22, and isolated wetlands or areas of special concern identified by state or local rule, OR within setback distances from wetlands prescribed in state or local regulations unless otherwise mitigated in accordance with US Army Corps guidelines/standards, and
  - iv. Previously undeveloped land that is within fifty (50) feet of a water body, defined as seas, lakes, rivers, streams and tributaries which support or could support fish, recreation or industrial use, consistent with the terminology of the Clean Water Act.

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- c. Settlers Point shall adhere to any and all applicable regulations contained within the Orange County Unified Development Ordinance addressing the protection of the natural area around identified streams or water bodies,
  - i. As previously indicated herein all floodplains, wetlands, streams, water bodies, etc. shall be required to observe applicable buffers as detailed within Section 6.13 *Stream Buffers* of the UDO.

### 2. WATER EFFICIENCY:

- a. The developer will utilize onsite runoff to the greatest extent practical for irrigation purposes and to provide regional stormwater ponds that will be available to individual site developers for irrigation purposes.

### 3. INDOOR ENVIRONMENTAL QUALITY:

Through lease agreements, covenants, and other similar deed restrictions the developer shall require that:

- i. Smoking be prohibited within a building or that there be designated smoking areas within a structure. If smoking areas are designated within a building, they shall be so located to effectively contain, capture, and remove ETS from the building,
- ii. That external smoking areas shall be a minimum of fifty (50) feet away from entries, outdoor air intakes and operable windows.

## **SECTION 2-4 – DESIGN CRITERIA:**

### **SECTION 2-4-1 ARCHITECTURAL DESIGN:**

Architectural design issues shall be regulated in the following manner for the Settlers Point project:

1. A Settlers Point Architectural Review Board (Settlers Point-ARB) shall be established prior to the submission of any site plan commencing the development of any land use within the three (3) Settlers Point Development Districts. The purpose of this review board is to oversee, comment, and guide the design of any and all proposed buildings, signage, additional landscaping, lighting, and other similar submittals to ensure compliance with all applicable standards as referenced herein.

Membership on the board shall include:

- i. The applicant(s),

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- ii. A landscape architect,
- iii. A civil engineer, and
- iv. Other building and design professionals as appropriate.

Once a submittal is deemed to be satisfactory, the ARB board shall issue a **Letter of Compliance** to the County indicating that the ARB members have found that, in their opinion, the project is consistent with the various guidelines, standards, and regulations governing development within the Settlers Point.

No government agency responsible for the permitting of any project within the development site shall accept a development application without this **Letter of Compliance**.

2. The following exterior finishes and/or siding materials shall be allowed throughout the project:



- a. Cement/concrete siding, such as Hardi-plank or equal material, shall be used to simulate wood and wood trusses where a rustic look is desired,
- b. Brick and/or stucco,
- c. Concrete in pre-cast or cast-in-place (CIP) applications shall be allowed. Where such material is utilized, large expanses will be broken-up and modulated with architectural variations like scoring, reveals, ornamental embellishments, etc.
- d. Dry-stack and/or ashlar stone may be used as an identifying characteristic,
- e. Concrete masonry units (CMU's). For this project, CMUs shall be:
  - i. Standard block, painted for service areas out of public view, rears of parapets, etc OR
  - ii. Split-face and/or ground face CMU's

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- f. All storefronts and glass walls shall utilize glazing. Reflective and/or mirrored glass is prohibited.
- 3. Streetscapes, for connected or individual buildings connected via a court yard or plaza, shall utilize similar design elements and compositions to ensure uniformity,
- 4. With respect to roof lines and design, the following standards shall apply:



- a. Roof designs that serve to enhance the capture of natural light shall be encouraged,
  - b. All rooftop HVAC equipment, elevator overrides, and other similar devices will either be:
    - i. Clad in exterior materials that are not reflective or illuminated and are stealth-like in their appearance, OR
    - ii. Are designed as an architectural feature, OR
    - iii. Screened through some vegetative buffer or fencing.
  - c. Solar panels shall be allowed to be installed along roof tops, including raised panels to allow for tracking of the sun's rays, so long as:
    - i. The panels do not create sufficient glare to create a public safety hazard, and
    - ii. The panels are screened from view at street level,The installation of these devices shall be reviewed and approved by the Orange County Planning Department on a case-by-case basis.
  - d. Sloped standing seam metal roofs shall be permitted as long as they are designed to blend in with the architecture of the building and the district,
  - e. Flat roofs comprised of TCP, EPDM, rubber single-ply membrane and other similar products shall be permitted as long as the applicant demonstrates that the roof shall be hidden or shielded from the public's street view through the use of parapets, railings, or balusters.
5. Any and all accessory buildings and enclosures whether attached to or detached from the main building, including automatic teller machines, shall be designed to complement the site architecture and shall be integrated with the same scale, texture, color and detailing of adjacent architectural design,

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6. Maximum slopes between two percent (2%) and eight and one-third percent (8.33%) shall be maintained across all parking and pedestrian spaces to guarantee compliance with the Americans with Disabilities Act (ADA),
7. Any required deviation to address NC DOT drive slope requirements shall be limited to occur along access drives and/or between individual districts to avoid internal District slope conflict creating accessibility issues,
8. Setbacks for any and all structures located within the Settlers Point project shall be as follows:

Setback from Internal Property Lines	Freestanding Buildings and Structures	In-line Shops and Buildings	Vehicular Use Areas	Storage Areas	Signs
Front	Ten (10) feet	One (1) foot *	Zero	Zero	Zero
Side	Ten (10) feet	Zero	Zero	Zero	Zero
Rear	Ten (10) feet	One (1) foot *	Zero	Zero	Zero

\* When proposed use is adjacent to common ownership property such as a private street, alley, and parking area. When this is not the case, then the setbacks for freestanding buildings shall be used\*

Setback from Perimeter Property Lines	Freestanding Buildings and Structures	In-line Shops and Buildings	Vehicular Use Areas	Storage Areas	Signs
Front	Twenty-five (25) feet	Ten (10) feet	Ten (10) feet	Ten (10) feet	Ten (10) feet
Side	Twenty-five (25) feet	Ten (10) feet	Ten (10) feet	Ten (10) feet	Ten (10) feet
Rear	Twenty-five (25) feet	Ten (10) feet	Ten (10) feet	Ten (10) feet	Ten (10) feet

9. Principal entrances shall have a front façade serving as the primary means of public ingress and egress that faces either a public space/court yard or a street,

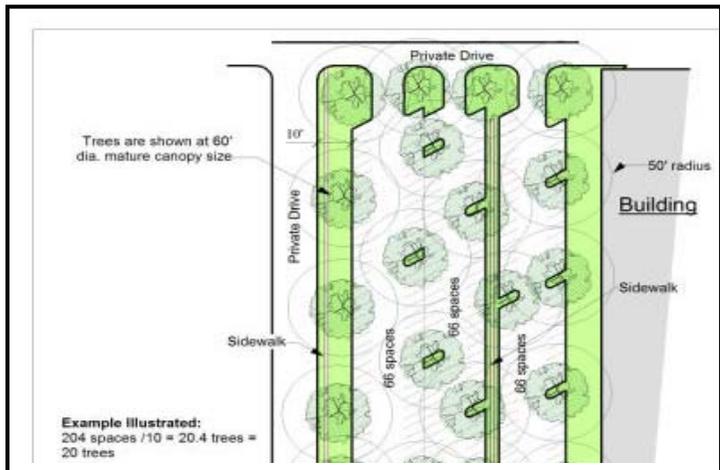
Parks, green plazas, squares, court yards, etc shall have a minimum area of at least one – tenth (1/ 10) of an acre. These areas shall be located, at a maximum, within one-sixth (1/6) of a mile of at least seventy-five percent (75%) of any and all dwelling units and/or business entrances,

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**SECTION 2-4-2 LANDSCAPING AND PRESERVATION DESIGN:**

1. All required internal and external landscaping shall be installed, or bonded, and maintained by the developer or their successor in perpetuity,
2. All internal landscaping associated with the development of an individual land use shall be installed or bonded prior to the issuance of a Certificate of Occupancy allowing for the occupancy of any building within the development site,
3. All landscaping, excluding grassed/sodded areas, shall be comprised primarily of indigenous, drought resistant, vegetation,
4. A comprehensive, and detailed, landscaping plan shall be submitted to the Orange County Planning Department prior to any internal or external earth disturbing activity or road work for review and approval by members of the staff as well as the following Planning partners, including:
  - a. Cooperative Extension (staff arborist),
  - b. NC DOT if encroachments are needed,
  - c. Local utility companies (i.e. power, cable, phone, etc)
5. Developer shall demonstrate compliance with all applicable local and State regulations within the submitted landscaping plan as well as the approved Settlers Point Master Plan,
6. Required buffers along the eastern portion of District 1 abutting Economic Development zoned property shall be consistent with the provisions of Section 6.8 of the UDO.
7. All external landscaping, if needed, shall be watered through reclaimed stormwater, or on-site wells in the event that stormwater is unavailable, as proposed by the developer within the approved Master Plan. Detailed plans showing the anticipated method of care (i.e. underground sprinklers, maintenance personnel, etc) shall be submitted as part of the Landscape plan for review and approval by staff.
8. Limits of disturbance shall be in accordance with the approved Master Erosion Control and Grading Plan approved by the County prior to any earth disturbing activity.
9. The required landscaping within parking areas shall be in accordance with the following:

- i. Parking lot shade trees shall be provided at a ratio of one (1) three-inch (3”) minimum caliper tree for every ten (10) parking spaces as shown in the following diagram:



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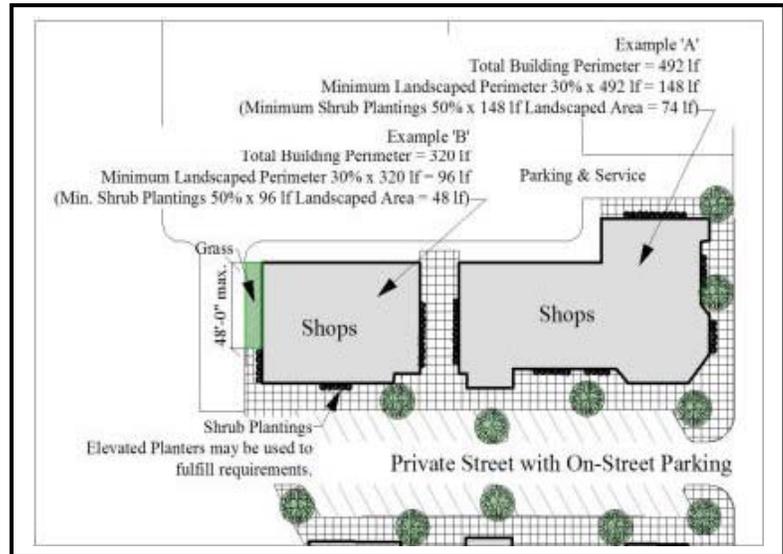
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The applicant/developer is required to demonstrate that ninety percent (90%) of the parking spaces are within fifty (50) feet of the center of a shade tree. If not, additional landscaping shall be required.

- ii. The minimum tree planting area shall be nine (9) feet by eighteen (18) feet except where tree grates are provided,
  - iii. Where trees are planted within tree grates, and surface paving encroaches into the planting area, then the minimum planting area shall be sixty-four (64) square feet in area by two (2) feet in depth,
  - iv. Where parking lots and drives abut interior property lines, the ten (10) foot required landscaped area may be split among the two (2) adjoining property owners.
10. Screening of parking areas along the perimeter boundary of the project shall maintain a minimum tree spacing of sixty (60) feet and provide the required thirty-six inch (36") screening, required to be a minimum of twenty-four inches (24") at initial planting, adjacent to proposed parking spaces,

Landscaping along a buildings perimeter shall be in accordance with the following standards:

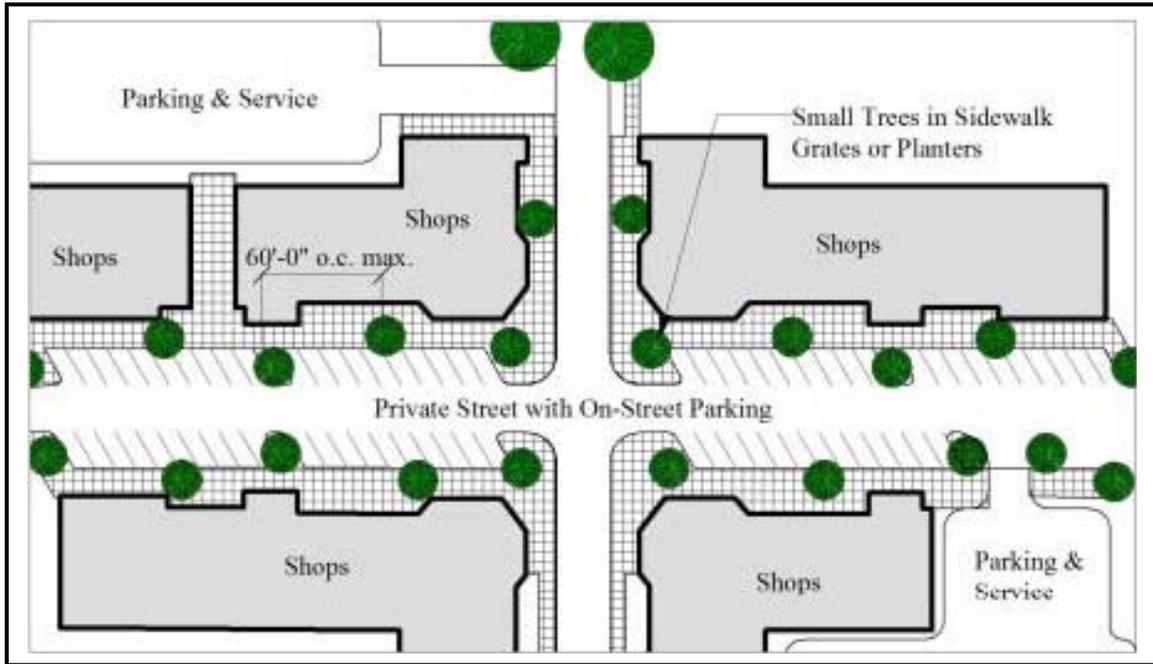
- i. Thirty percent (30%) of a buildings perimeter shall be landscaped while maintaining the necessary sidewalk area as shown in the following diagram:



- ii. These areas may consist of lawn, planters, or shrub areas so long as the shrub areas, that have to be twenty-four inches (24") minimum in width, comprise a minimum of fifty percent (50%) of the total linear dimension along the building's perimeter.

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11. With respect to internal street landscaping, there shall be one (1) tree at a three-inch (3") caliper provided every sixty (60) feet as shown in the following diagram:



12. All ground level HVAC, mechanical equipment cabinets, etc. shall be screened from view through the use of landscaping, walls, and or fencing,

13. All solid waste containers, dumpsters, recycling bins, etc. shall be enclosed within a screened area with shrubs or plants placed along the base. In cases where the enclosure is connected to a building, then plantings shall not be required but the dumpster shall still be required to be enclosed.

### SECTION 2-4-3 SIGNS AND LIGHTING:

#### SIGNS:

**1A. Architectural Landmark – Providing the visual identifier for the development. The primary location will take advantage of the topography to give visual guidance for motorist along the interstate. This would appear to be more of an architectural feature than a sign.**

**Maximum Number:** One (1) sign,

**Maximum Height:** Fifty (50) feet,

**Maximum Size:** Four hundred (400) square feet each side of the structure.

**1B. Entry Portal Marker** – providing the name of the development and identifying the names of major tenants. These signs are primarily intended for location at the main entrances to the project.

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**Maximum Number:** Eight (8) signs,

**Maximum Height:** Eight (8) feet,

**Maximum Size:** Three hundred (300) square feet each.

**Style of Sign:** Internally illuminated cabinet style signs shall be prohibited. Entry portal markers shall be either raised/blocked lettering or a wall style sign that is externally illuminated.

**Sign Allocation:** For Entry Portal Markers, the name of the project shall occupy at least sixty percent (60%) of the sign area.

**Setback from right-of-way:** Ten (10) feet

**Setback from private road:** Five (5) feet

1. **Development Sign Criteria** - providing the name of the tenant that will be wall or building mounted. These signs are reserved for tenants occupying freestanding buildings or who are part of a multi-tenant, single-story, freestanding building. **Maximum Number:** One (1) wall or building mounted sign per façade or per individual retail space,

**Maximum Height:** The sign cannot extend above the building/parapet height,

**Maximum Size:** Two (2) square feet of signage for every one (1) square foot of frontage not to exceed three hundred (300) square feet.

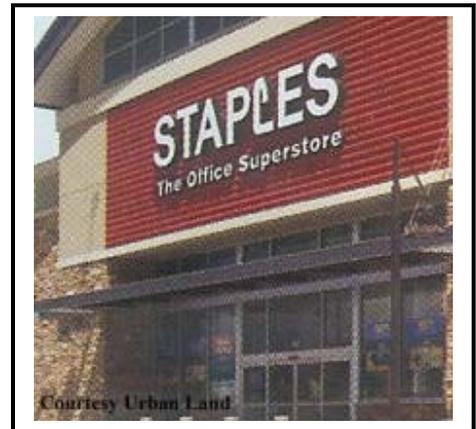
In cases where a building contains multiple tenants, wall signs shall be allowed as follows: thirty-two (32) square feet of sign are per tenant not to exceed three hundred (300) square feet per building. Sign must fit above tenant space and can only occupy two-thirds (2/3) of the building façade

**Style of Sign:** No internally illuminated cabinet style signs shall be permitted within the development.

Tenants are allowed to install a sign with individual letters that can be internally illuminated

**Setback from right-of-way:** Not Applicable

**Setback from private road:** Not Applicable



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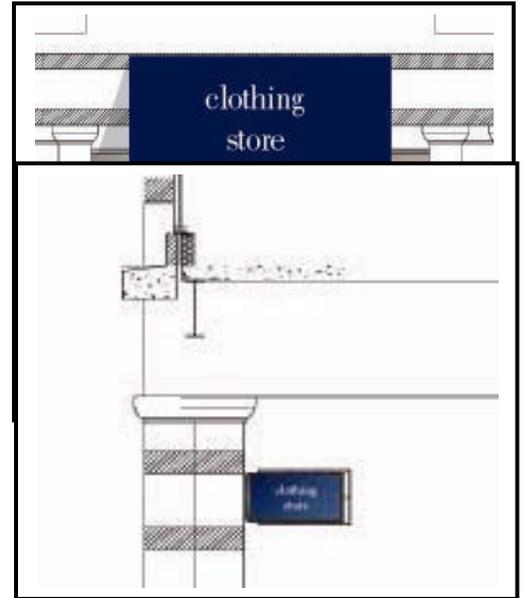
2. **Style of Signs:** No internally illuminated cabinet style signs shall be permitted within the development. Tenants are allowed to install a sign with individual letters that can be internally illuminated

**Projecting Signs:** In cases where projecting signs are utilized, the sign shall be mounted a minimum of ten ( 10) feet above the sidewalk/pedestrian area. Projecting signs includes the following:

- i. Awnings,
- ii. Bracket signs (depicted)

**Setback from right-of-way:** Not Applicable

**Setback from private road:** Not Applicable



3. **Directional Monuments, Location Maps, Car Pool lot signs** – providing tenant location information to motorists and pedestrians along streets to manage traffic flow throughout the project.

Maximum Number: As determined by staff during site plan review,

Maximum Height: Twelve (12) feet,

Maximum Size: One hundred (100) square feet each,

Setback from right-of-way (all classifications): Ten (10) feet,

4. **Secondary Directional Signage**– providing essential information to motorists and pedestrians with respect to services offered by the tenants (i.e. pick-up/drop-off areas, loading zones, drive thru lanes, do not enter, etc.). Secondary Directional Signage can contain advertising material, such as a logo or name of the tenant.

**Maximum Number:** As determined by staff during site plan review,

**Maximum Height:** As determined by staff during site plan review,

**Maximum Size:** Twenty-five ( 25) square feet

**Setback from right-of-way (all classifications):** Ten (10) feet



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5. **Window Signs, Menu Signs, and Individual Information Signs** - A sign erected on the interior side of a window of a place of business advertising any service, product, special, or sale conducted within the business where it is located. Window Sign's can also include the stenciling of the name of a non-residential establishment and may include hours of operation, phone numbers, and other pertinent information associated with the non-residential land use.

Window Signs shall be limited to occupying a maximum of thirty (30) percent of the total window area where the *sign* is to be erected. This includes signs advertising specials within the business, signs advertising sales, and signs advertising the name and other pertinent business information associated with the principal use that may be etched, attached, or otherwise made a permanent part of a pane of glass.

6. **Entertainment Center/Cinema:** For an entertainment center/cinema, a marquee, as a permanent canopy projecting over an entrance to a building, may be erected and displayed with the following limitations:
- A. A marquee may identify the name and trademark of the cinema and may include a changeable listing of movie titles;
  - B. A marquee shall not extend more than ten (14 feet) from the building nor be less than nine (12) feet above the ground or sidewalk at the lowest point;
  - C. The maximum display sign area on the marquee shall be four hundred (400) square feet; and
  - D. The marquee shall front on interior drives and streets, not on streets external to the development, but may be visible from those locations or from the interstate.
  - E. The cinema shall have one (1) poster box per movie screen. They shall be mounted on the façade of the building plus an additional two (2) poster boxes shall be placed for general information. The poster box shall be a maximum of fifty-six (56) inches high and forty (40) inches wide.

**Signs General:** Signs should be individual internally lit letters of a size, font and color in conjunction with the project Master Sign Permit. Logos are allowed in a box type fashion, if they are approved copyright logos: IE: American Express, State Farm Insurance, etc.

#### **LIGHTING:**

All outdoor lighting erected within the project shall be required to demonstrate compliance with all applicable County regulations including submission of any and all required lighting plans.

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## **III. – TRANSPORTATION**

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**III. – TRANSPORTATION:**

**SECTION 3-1 THOROUGHFARE (EXTERNAL) PLANNING:**

Thoroughfare improvements shall be completed in accordance with the following:

1. External roadway improvements will be constructed to NC DOT public road standards and shall be constructed in accordance with a phased construction/development plan in accordance with NC DOT requirements and guidelines, the approved Traffic Impact Analysis (TIA), the approved Master Plan, and the standards outlined herein,
2. The developer shall provide a Traffic Impact Statement stating that the proposed development is in accordance with the Master Plan TIA report that identified anticipated impacts of this development at the intersection of OLD US 86 and Interstate 40. The developer shall be responsible for constructing any and all improvements at those intersections that are recommended to mitigate direct impacts resulting from this development. A revised TIA shall be submitted if NCDOT or County Staff find that the proposed site specific use will adversely impact existing traffic operations at any of the new or existing roadway intersections or ramps.

The revised TIA shall also include weekend traffic counts at similar developments. The developer shall provide any additional facilities to accommodate traffic flow on weekends as required by NC DOT from review of the revised TIA.

The revised TIA, based on the overall final development buildout square footage, shall be submitted and approved prior to the approval of any site plan proposing development within any of the approved Districts,

3. Any required roadway improvements shall be accommodated within existing road rights-of-way. If additional right-of-way is required, the developer shall secure the necessary land via purchase agreements with affected property owners, in accordance with NCDOT right-of-way acquisition process,
4. All street signals shall be erected on metal poles.
5. The County, and NC DOT shall approve all metal utility poles allowing for the erection of street signals, both internal and external, prior to installation,
6. The developer shall identify and develop segregated entrances and exists for pedestrian and construction vehicular traffic during the development of the project to avoid conflict. These entrances shall be reviewed and approved by the Orange County Planning Department prior to the commencement of earth disturbing activities,
7. All traffic directional signage shall be installed at this time as well including, but not limited to:
  - i. Stop signs,
  - ii. Yield signs,

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- iii. Bus parking and unloading informational signs,
- iv. Lane ends, Merge signs,
- v. Caution Pedestrian Traffic – Yield Signs,
- vi. Traffic safety signs designed to direct construction traffic throughout the site,
- vii. Traffic warning signs indicating the location of private driveways and forbidding public access to the various properties,
- viii. Through traffic signs,
- ix. Any and all signs required by NC DOT for the project

### **SECTION 3-2 ALTERNATIVE TRANSPORTATION:**

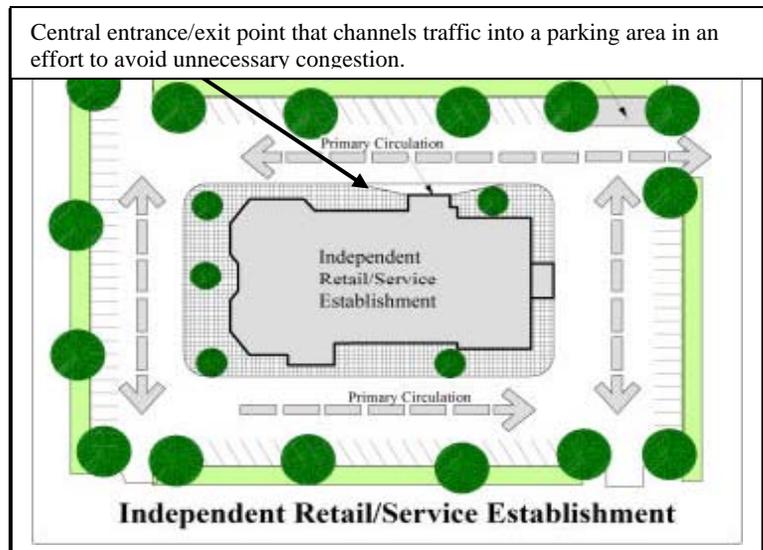
1. The developer shall construct bicycle lanes and sidewalks along roads adjacent to the property boundaries: along Interstate 40 and Old NC 86.
2. The developer shall construct four (4) bus pullouts and transit shelters at locations deemed appropriate by the County (2 either side of NC 86) as development patterns dictate within the development and as identified by an transit plans adopted by the county.
3. The developer will provide wide outside lanes (14') to accommodate bicycle traffic on Main Drives and Connectors within the development.
4. The developer shall construct sidewalks on both sides of all internal roads. The developer will provide sidewalks along both sides of the major access road through the development to adjacent property in the Economic Development District all the way to the eastern property boundary.
5. The developer shall provide crosswalks at all intersections within the development. Crosswalk improvements may include painting, pavement changes, curb extensions that narrow the crossing distance, or other measures that may be warranted to improve pedestrian safety including crosswalk signals that provide assistance to deaf and visually impaired individuals announcing when it is safe to cross at intersections on the major access road.
6. **The developer shall set aside for future use the following number of parking spaces:**

**The developer shall designate three percent (3%) of total parking spaces for all retail development as “Park and Ride”. However, no more than 100 park and ride spaces shall be required. These park and ride spaces shall be located at/near the transit stop off the major access road through the development. Park and ride spaces, for the purpose of this section, shall be defined as spaces to be occupied by vehicles left by individuals who transfer to other modes of transportation for the remainder of their trip to an off site location.**

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**SECTION 3-3 INTERNAL TRAFFIC CIRCULATION AND PARKING:**

1. The timeline for internal street improvements shall be as follows:
  - a. Internal thoroughfares/main roadways shall all be constructed at the same time allowing for ingress and egress from Old NC 86 and Interstate 40 or in accordance with an acceptable construction sequence as a phased construction plan similar to the phased Utility Plan detailed within Section 4-1 of this document, the improvements and phasing shall be in concert with the approved TIA.
  - b. Roadways and drive-cuts affording internal access within Districts shall only be constructed after detailed site plans are approved by the County.
2. All streets and sidewalks shall be designated as available for general public use through an easement(s), if not otherwise dedicated to a public entity,
3. In implementing the internal circulation traffic pattern, the following street shall be designed to accommodate the following maximum speed limits:
  - a. Alleys affording access to residential land uses and to the rear of various buildings for service delivery: Ten (10) Miles and Hour,
  - b. Streets serving the interior portions of District: Ten (10) Miles and Hour,
  - c. Streets serving as service roads to allow for the free flow of traffic between the various districts as well as Interstate 40 and Old NC 86: Twenty-Five (25) Miles and hour.
4. Crosswalks shall be painted, or otherwise delineated, within the roadways to signify pedestrian crossing points,
5. The developer shall cause crosswalk signals to be installed, where stoplights are located, providing assistance to deaf and visually impaired individuals announcing when it is safe to cross thoroughfares,
6. Entrances to parking areas for individual uses, whether it is a single, independent, land use or a multi-tenant building, shall be designed to channel traffic through central points off of interior thoroughfares in an effort to avoid unnecessary vehicular and/or pedestrian interaction as detailed in the following exhibit.



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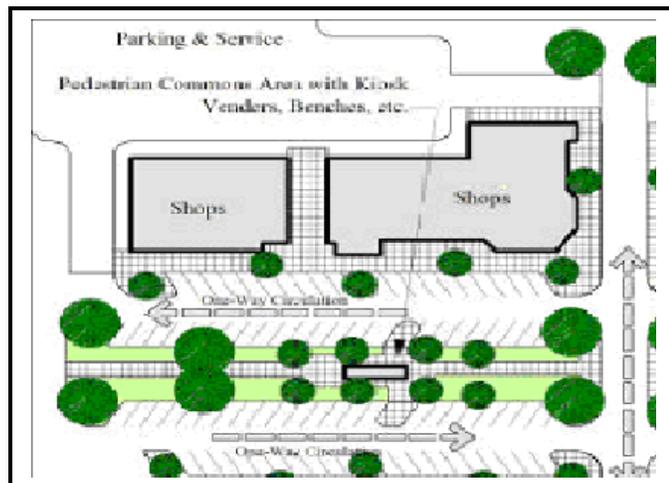
Access points shall be limited to ensure proper traffic flow throughout the development.

7. In cases where a corner lot is created within the development, parking shall not be located directly adjacent to the corner facing the intersection. Instead, the developer shall install landscaping, and/or a prominent building feature, within this area,
8. Any proposed land use making use, or needed, drop-off zones/areas shall be provided near building entrances and segregated from required parking spaces and/or vehicular travel lanes,
9. Parking areas shall be separated from structures by:
  - a. A raised concrete walkway,
  - b. A landscaped buffer/natural area, or
  - c. A segregated pedestrian walkway.

In no case will parking be allowed to directly abut a proposed structure at the same grade,

10. Parking areas shall be designed so that pedestrians walk parallel to moving cars in order to minimize the need for pedestrians to cross parking aisles and landscape areas,
11. All exterior lighting, including traffic signals and street lighting shall conform to ASHRAE / IESNA Standard 90.1-2004, Exterior Lighting Section, without addenda, for Zone LZ3 – Medium (Commercial/Industrial, High-Density Residential),
12. Mass transit stops and various support structures (i.e. bus shelters) shall be constructed within each district prior to the issuance of the Certificate of Occupancy allowing for the occupancy of and building within the subject district. Internal lighting of these structures shall be provided utilizing solar collectors, or any other accepted form of renewable power source that is available.
13. Street front parking shall be provided in accordance with the following standards:

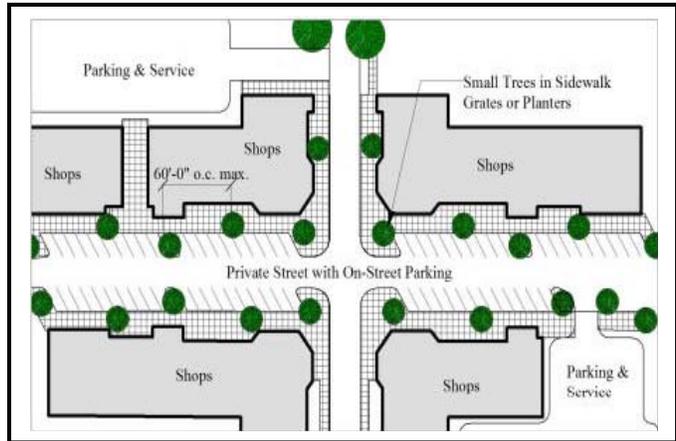
- a. In cases where angled parking is proposed, the parking space shall not exceed an angle of ninety (90) degrees in order to facilitate ease in backing out of spaces as detailed in the following exhibit:
- b. In instances where angled parking/street front parking is



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- c. utilized, the developer shall only allow for a one-way traffic flow pattern to be utilized in order to guarantee motorists and pedestrian safety or shall angle the parking in such a manner that there will be no conflict as detailed in the following exhibit:



- c. In cases where angled parking is utilized the required parking stall dimensions shall be: Nine (9) feet by Eighteen (18) feet.
14. Curb stops shall be required in all parking lots in cases where there is no proposed island, landscape area, or sidewalk to provide a traffic break,
15. Drive isles for parking areas shall meet the following minimum width requirements:
- a. One-way traffic: Minimum of twelve (12) feet of travel/drive isle,
  - b. Two-way traffic: Minimum of twenty-four (24) feet of travel/drive isle
16. Parking for individual land uses shall be based on the following standards:
- a. One (1) space for every three hundred (300) square feet of floor space within a **Retail Trade** (excluding Restaurants only when located within a stand-alone facility), **Service** (excluding Indoor/Outdoor Theaters), **Manufacturing, Assembly, and Processing**, and **Finance, Insurance, and Real Estate** land use,
  - b. One (1) parking space for each **Residential Dwelling, Multi-family** unit,
  - c. One (1) parking space for every three (3) seats in an **Indoor and/or Outdoor Theater**,
  - d. One (1) parking space for every shift employee within a **Retail Trade, Restaurant** facility, as well as one (1) parking space for every four (4) seats within the facility,
  - e. One (1) parking space for every three hundred (300) of floor area within a **Government** facility.
  - f. One (1) space per every room in a hotel plus one (1) per shift employee
  - g. One (1) space for every three hundred (300) square feet of floor area of office space plus one per 1,000 square feet floor area of laboratory + one per 5,000 square feet for greenhouses and other material or mechanical storage areas within a research development light industrial.

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- h. All other light industrial except as listed above shall have one space per 1,000 square feet of floor area.
  - i. All parking lot spaces, unless other wise designated, shall be: Nine (9) feet by Eighteen (18) feet.
  - j. The overall maximum amount of surface parking permitted for the entire development combined, shall be one (1) space for every two hundred (200) square feet of floor space.
17. Required parking spaces may be reduced by thirty percent (30%) within a given District or other development area if the developer adheres to the following:
  - a. The spaces allotted for each individual use shall be shown on the application for a Zoning Compliance Permit,
  - b. The distance from the farthest allotted space to the main entrance of a structure housing the use that it is intended to serve not to be more than four hundred (400) feet,
  - c. The spaces shall be located within the same District or within four hundred (400) feet of the proposed use to qualify for a reduction on the required parking,
  - d. Twenty percent (20%) may be compact car parking with a dimension of seven and a half (7 ½) feet in width and sixteen (16) feet in depth.
18. All required parking spaces shall be improved with asphalt, concrete or other similar material as approved by the County,
19. Handicapped parking shall be provided in accordance with the standards of the State of North Carolina Building Code.
20. All parties involved with this project shall sign a Memorandum of Agreement regarding transit service. The Agreement shall describe how the bus transit service shall be provided such that all building entrances are within one-quarter (1/4) mile of a transit stop. Further, service shall be phased such that it shall be provided prior to issuance of the last certificate of occupancy for each development phase. Each transit stop shall have a covered and at least partially enclosed transit shelters with kiosks and illuminated to five (5) average maintained footcandles. Information at each kiosk shall detail local transit information including basic schedule and route information,
21. All lease agreement, or individual sales documents, for future tenants shall include provisions requiring the installation and maintenance of bicycle racks or other similar secure location for the storage of bicycles within the development.
22. Parking areas within the project may be designated as park and ride lots.

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**SECTION 3-5 SERVICE AND STORAGE**

Off-street loading (loading berths) shall be provided in accordance with the following standards:

- a. One (1) space for each five thousand (5,000) square feet of floor area not to exceed three (3) berths,
- b. A loading berth shall adhere to the following dimensional requirements:
  - i. A minimum width of twelve (12) feet,
  - ii. A minimum depth of sixty (60) feet, and
  - iii. A vertical clearance of sixteen (16) feet above finished grade of the space.

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### **SECTION 3-6 TIA IMPROVEMENTS SUMMARY**

The following roadway improvements below is a Summary of proposed improvements from the Traffic Impact Analysis (TIA) as submitted to NCDOT and they are subject to change based in NCDOT approvals.

#### Assumption for 2020 No Build

- No signals at either of the ramp intersections, as NCDOT has no commitments

#### Improvements for 2020

- Construct additional lane on I-40 EB on-ramp to accommodate dual left turns onto ramp.
- Re-stripe the SB lanes at the I-40 EB ramps for dual left turns.
- Construct one SB and one NB lane on Old NC 86 between I-40 EB ramp and Service Rd.
- Stripe the NB left turn lane on Old NC 86 for the Service Rd., with 150 feet of storage.
- Construct a right turn lane on Service Rd. at Old NC 86 to separate rights and lefts, with 200 feet storage.
- Install three (3) traffic signals on Old NC 86, one at each I-40 ramp, and at Service Rd.

#### Improvements for 2022

- Construct additional SB lane on Old NC 86 from Service Rd. to Retail Dr., stripe to accommodate dual left turns into Retail Dr. with 250 feet of storage.
- Construct Retail Dr. (new) with dual lane entrance, and dual lane exit (one WB left and one WB right).
- Revise location of concrete median island on Old NC 86 between I-40 ramps to allow 225 feet of storage for NB lefts at I-40 WB ramp, and 200 feet of storage for SB lefts at I-40 EB ramp. (island shifts 50 feet further south)
- Construct Thru-Right lane at Retail Dr. (200 feet storage) that carries through intersection northbound to Service Rd.
- Construct Residential Dr. (new) in area of power line crossing with single lane entrance, and one WB left turn lane (150 feet of storage) and one WB right turn lane
- Construct SB left turn lane on Old NC 86 for Residential Dr. with 125 feet of storage.
- Construct Residential Dr. #2 opposite Davis Rd., with single lane entrance, and one WB left turn lane (125 feet of storage) and one WB right turn lane.
- Construct an EB left turn lane on Davis Rd. with 150 feet of storage.
- Construct NB and SB left turn lanes on Old NC 86 for Davis Rd./Residential Dr. #2 with 125 feet of storage for each lane.
- Install a traffic signal on Old NC 86 at Davis Rd

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## **IV. – UTILITIES AND OTHER PUBLIC SERVICES**

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**IV. – UTILITIES AND OTHER PUBLIC SERVICES:**

A written, signed agreement between the applicant and the Orange County and/or the Town of Hillsborough shall be executed, which describes the timing, phasing, design, and financing of public water distribution and public sanitary sewer collection mains for the project. Furthermore, no applications shall be accepted for development in the **Residential District** until additional efforts have been successfully made to revise the Urban Services Boundary Line to align with the southernmost extents of the proposed master plan. Water and sewer services shall be made available consistent with the following:

**WATER:**

**Commercial District; Light Industrial/Manufacturing and Research District; Residential District**

As part of the development project, the developer shall submit a detailed Utility Master Plan for review and approval to the Town of Hillsborough and Orange County outlining the appropriate steps that will be taken to provide water service to the remaining Districts. A proposed 8” water line to be directional drilled parallel to Interstate 40 with a stub out at the intersection of Service Road and Old NC 86 will provide connection services to the project. Final hydrant location shall be review and approved by the Town and County Fire Marshal’s offices as part of the typical site plan review process.

**SEWER:**

Sewer Collection will be supplied to the Settlers Point project in a phased format consistent with the District phasing outlined herein.

The following sewer improvements have been preliminary identified as being necessary to support the project:

**Commercial/Retail/Service District; Multi-Family District; Single Family District**

The existing pump station and force main will be replaced and upgraded. A new 12” sanitary sewer outfall pipe to be located alongside a creek crossing under Interstate 40 just west of the Town of Hillsborough’s Alice Street Pump Station. The pipe will be designed to carry the potential sewer flow (120 gallons per day per bedroom for residential and 880 gallons per acre for non-residential daily sewage flow volumes) from the development which is an area located on the south eastern quadrant of the I-40 and Old NC 86 Hwy interchange.

It is currently under consideration for Orange County to extend a 12” Sanitary Sewer Line from the Northwest quadrant of I-40 to the proposed Industrial district

## Settlers Point Master Planned Development Conditional Zoning (MPD-CZ)

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and along the service road to Old NC 86. If installed, this line would be sufficient for the sewer needs of this development and it is likely that the Alice Street pump station will not be impacted or affected. Extension of sewer service to Districts 2 and 3 has to be approved by the Town of Hillsborough prior to the submittal of any development application(s).

Additional improvements to serve Settlers Point may be required upon the submission and review of comprehensive utility management plans by Orange County and the Town of Hillsborough. Water and wastewater treatment services will be provided in the event public water/swer cannot be extended. Utilities shall be designed in accordance with the Town of Hillsborough standards.

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## **V. – OPEN SPACE**

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**V. – OPEN SPACE:**

The Open Space management plan differs from the Landscape Design standards outlined within **PART FOUR** of this document in the following manner: The preservation of Open Space is designed to address off-site impacts that may be experienced on adjacent properties versus the need to address the internal aspect of the development (i.e. landscaping) to provide relief from internal development issues.

To that end, the Settlers Point project shall adhere to the following Open Space management standards:

1. The eastern portion of the project shall abide by the following Open Space requirements:
  - a. There shall be a fifty (50) foot undisturbed, natural buffer along the perimeter of the Settlers Point property directly adjacent to any other residential uses **not within the EDD zoning**, no clearing allowed except as required for access, utilities, grading and stormwater facilities. Where clearing occurs the buffer shall be re-planted to the specifications required for a Type “C” Buffer (50%-75% evergreens) for a minimum of 50% of the proposed buffer width except where essential utility easements prohibit plantings.
  - b. There shall be a twenty-five (25) foot vegetated buffer along the Old NC 86 Right of Way with intermittent breaks. The eastern boundary shall observe a 75’ setback for buildings, however allowing amendments up to 50’ of the standard 100’ MTC Buffer. These amendments to the buffer shall be permitted upon the submission of a buffer plan specifically showing a cross section of the buffer and I-40 area to be impacted. The goal of these exhibits will be to confirm to the planning department that due to the topography, the sight lines from the interstate would not be adversely impacted by the clearing of the buffer for parking lots, walkways, stormwater features, etc. that are placed within the first 50’. The developer reserves the right to request a reduction of this required Open Space if the adjacent properties are developed for non-residential purposes. No clearing allowed except as required for access, utilities, grading and stormwater facilities. Where clearing occurs the buffer shall be re-planted to the specifications required for a Type “C” Buffer (50%-75% evergreens) for a minimum of 50% of the proposed buffer width except where essential utility easements prohibit plantings.
  - c. The developer shall be allowed to thin existing vegetation along NC 86 and I-40 to create visual breaks within these buffers in approximately sixty percent (60%) of the required Buffer Space, in accordance with the Orange County regulations and the following standards:

## Settlers Point Master Planned Development Conditional Zoning (MPD-CZ)

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- i. These areas shall only be utilized to develop stormwater retention ponds. There shall be no permanent structure erected within this area that are intended to provide a service consistent with the Settlers Point project (i.e. a commercial business). Structures that are acceptable for development within this area shall be those intended to support stormwater retention operations (i.e. pump houses) or utility structures,
  - ii. Disturbed vegetation will be replaced with indigenous, drought resistant vegetation that will achieve a height of six (6) feet within five (5) years,
  - iii. Within the remaining area of Buffer Space, the developer will 'hand clear' any existing vegetation of nuisance, scrub, or dead foliage so long as a minimum of fifty-four (54) trees per acre is maintained at all times.
2. The western portion of the project, running parallel with Interstate 40, shall abide by the following Open Space requirements:
  - a. The same criteria as the eastern portion of the development applies, however the breaks in the buffer space shall be limited to 30%.

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## **VI. – OWNERSHIP AND MANAGEMENT**

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**VI. – OWNERSHIP AND MANAGEMENT:**

The Settlers Point infrastructure, improvements, offsite road improvements and right of way modification(s) and alteration(s) will be constructed in accordance with the various standards, policies, and plans included, and as referenced, herein. With respect to the overall management and upkeep of the property, the following standards shall apply:

1. **Bonds/Letters of Credit:** Settlers Point Developers shall post bonds, or provide letters of credit, in sufficient amount to cover the cost for all facets of the development project including, but not limited to:
  - a. Offsite road improvement work, if that work does not commence immediately after receiving approval from NC DOT or if the work is connected to a future phase of the project and is not intended to commence until construction of that phase of the project commences.
  - b. Internal and external landscaping and Open Space management,
  - c. Internal road improvements where construction of roadways within a specific District is not completed as demand does not warrant the expense,
  - d. Regional Erosion Control/Grading/Stormwater facilities,
  - e. Utility systems (i.e. water and/or sewer lines) on a case-by-case basis,

Settlers Point Developers will post bonds or have its contractor post bonds for work in an amount sufficient to cover the cost of the work if required at time of approval to do the work plus ten percent (10%).

Settlers Point Developers will continue to maintain the bond until the designated, agreed upon expiration date of the bond, subsequent to final approval of the work.

2. **Dedications and Easements:** Settlers Point Developers shall establish all necessary cross access easements to allow for unfettered public use/access to local roadways and sidewalks. Settlers Point Developers shall also establish any and all necessary easements for the utility systems and provide access points to any and all necessary parties for maintenance and service related activities.
3. **Agreements, Contracts and Deed Restrictions:** Settlers Point Developers will incorporate any and all restrictions, as outlined herein, into the leases or individual sale documents for either tenant lease areas or sale of out parcels, or land leases that will insure that the approved design and use of buildings and common areas will be maintained through the intended life of this project.

The design and intent of this project is to be maintained as originally approved, and will survive re- leasing of spaces or buildings, sale of out parcels or buildings and on renewal of land leases. The maintenance of the project and the parcels owned by the developer and those owned by other tenants or developers will be maintained in a comprehensive, uniform manner, under the same guidelines of uniformity and design, as approved at the projects inception.

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# EXHIBIT A – PROJECTED ORANGE COUNTY TAX BENEFITS

**SALES AND PROPERTY TAX PROJECTION  
SETTLER'S POINT AND SAGEFIELD BUSINESS PARK  
I-40 and Old NC 86 Orange Co. NC**

	Total	70% Usable											
	<u>Acres</u>	<u>Acres</u>	<u>Anticipated Improvement</u>	<u>Projected Density/Acre</u>	<u>Total Improvements (sf)</u>	<u>Average Total Value per Unit</u>	<u>Total Value of Land &amp; Improvements</u>	<u>City/County Tax Rate Per \$100 Assessed Value</u>	<u>Projected Annual Real Property Taxes</u>	<u>Project Sales /sf</u>	<u>Projected Sales Tax Revenues*</u>	<u>Projected Annual Real Property and Sales Taxes at Full Buildout</u>	
<b>COMMERCIAL</b>	16	11	Medical Office Retail/Flex	9,891	108,800	\$200	\$21,760,000	\$1.558	\$339,021	\$100	\$244,800	\$583,821	
<b>OUTPARCELS</b>	32	13	Financial Auto Service Restaurant Hotel*	N/A	N/A**	\$1,500,000	\$9,000,000	\$1.558	\$140,220	\$0	\$270,000	\$410,220	
				200		45,000	\$9,000,000	\$1.558	\$140,220		\$360,000	\$500,220	
<b>RETIREMENT</b>	76	65	Retirement Center Apartments Townhomes Rehab Clinic	11.69	760	\$250,000	\$190,000,005	\$1.558	\$2,960,200	\$0	\$0	\$2,960,200	
<b>INDUSTRIAL</b>	148	104	Warehouse Light Assembly	12,000	1,248,000	\$80	\$99,840,000	\$1.558	\$1,555,507	\$0	\$0	\$1,555,507	
<b>Total</b>	<b>272</b>	<b>193</b>					<b>\$329,600,005</b>		<b>\$5,135,168</b>		<b>\$874,800</b>	<b>\$6,009,968</b>	

\* Hotel Occupancy Tax Computed at \$200/night X 300 nights X 200 rooms X 3%  
Orange County Net Sales Tax Rate of 2.25%; Outparcel Sales Computed at \$2,000,000/yr. X 2.25% Net Sales Tax

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**EXHIBIT B –  
ADJOINING PROPERTY OWNERS LIST**

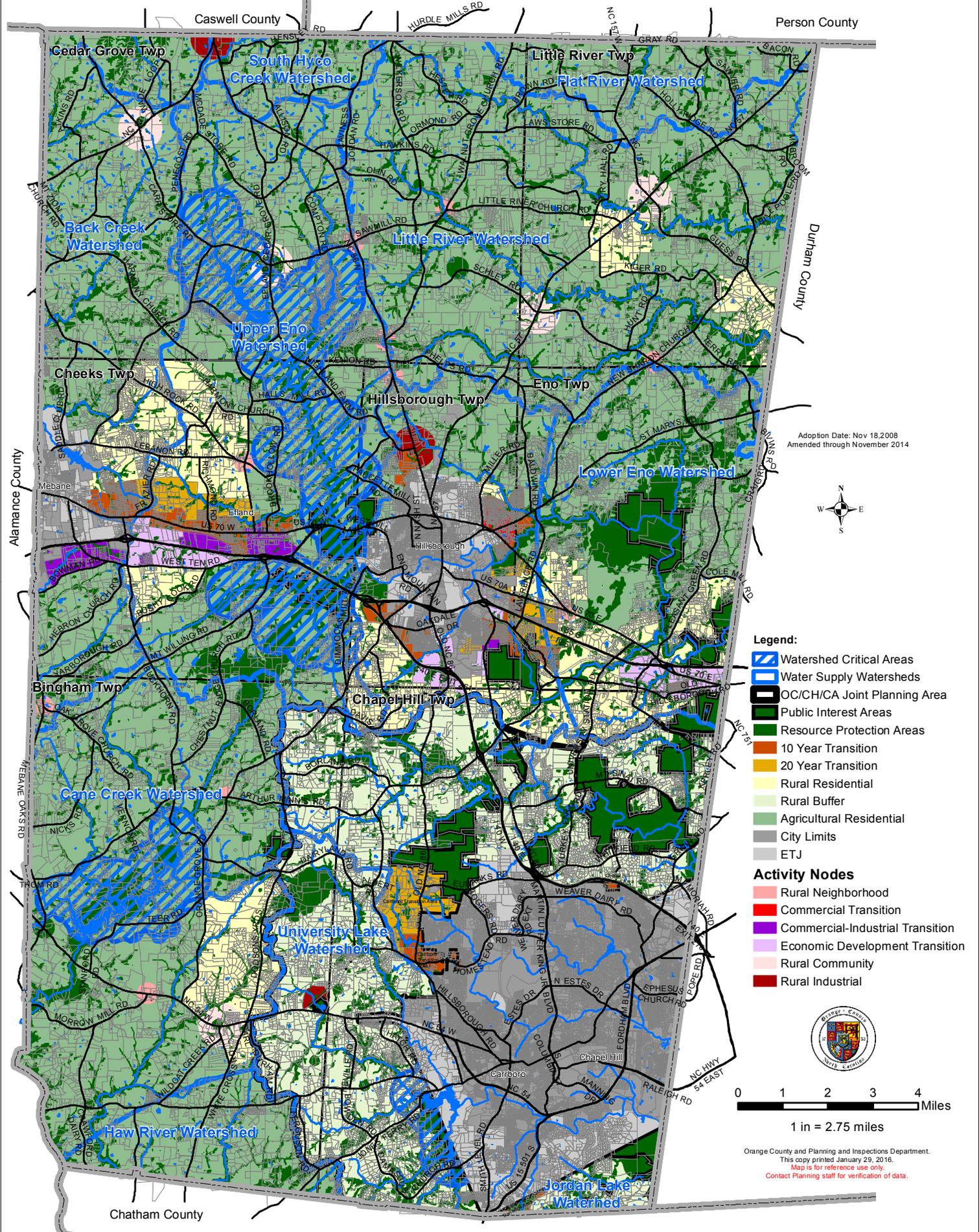
PIN	OWNER1_LAST	OWNER1_FIRST	ADDRESS1	ADDRESS2	CITY	STATE	ZIPCODE	SIZE	LEGAL_DESC	DEEDREF
9873402548	WOODSEGE PROPERTIES	LLC	4522 LITTLE RIVER CH RD		HURDLE MILLS	NC	27541	50	WOODSEGE P56/11	1852/224
9873320287	UNIVERSITY OF NORTH CAROLINA	#319	SCHOOL CB7600		CHAPEL HILL	NC	27514	57.7	22 REV UNC HOSPITALS P108/150-151	4832/301
9873116137	BARLOW	RANT B JR	3315 OLD NC 86		HILLSBOROUGH	NC	27278	1	24 HOFLER	
9873111777	SCARLETT	LOUISE J	RD		HILLSBOROUGH	NC	27278	1	TR 3 STATE OF N C W/S SR 1009	5089/206
9873110739	SCARLETT	LOUISE J	RD		HILLSBOROUGH	NC	27278	0.29	TR 2 STATE OF N C W/O SR 1009	5089/206
9873110686	SCARLETT	LOUISE J	RD		HILLSBOROUGH	NC	27278	1.04	W/O SR 1009	5089/206
9873107608	FONTENELLE	BARBARA	116 OLLIE DR		BELLE CHASSE	LA	700374134	5.2	18-20 T P HOFLER	226/164
9873100408	WALKER	ROWDY B	1877 FLYING W TRL		Hillsborough	NC	27278	3.33	1-2 T P HOFLER PROP W/S OLD HWY 86	5155/286
9873045166	OLD 86 COMMONS	LLC	PO BOX 1083		HILLSBOROUGH	NC	27278	6.36	W/S OLD HWY 86	2047/58
9873038433	SLF II NC WATERSTONE	LLC	SUITE 1750	5949 SHERRY LANE	DALLAS	TX	75225	1.7	W/S OLD NC 86	3809/177
9873019000	BARLOW	RANT B JR	3315 OLD NC 86		HILLSBOROUGH	NC	27278	2.08	2 RILEY & BARLOW P40/146	
9873018382	BERRY	VICKIE R	1810 ADAMS PLACE		HILLSBOROUGH	NC	272789513	7.16	#1 RILEY & BARLOW P40/146	714/144
9873017820	SCARLETTE	LOUISE J	RD		HILLSBOROUGH	NC	27278	0.46	TR 1 STATE OF N C W/O SR 1009	5089/206
9873017657	SCARLETT	LOUISE B	RD		HILLSBOROUGH	NC	27278	1.63	W/O SR 1009	5089/206
9873014031	BARLOW	RANT B JR	3315 OLD NC 86		HILLSBOROUGH	NC	27278	12.46	W/O SR 1009 AKA OLD 86	
9873009867	DAVIS	JUANITA C	3319 OLD NC HWY 86		Hillsborough	NC	27278	3.26	MAJ P/O 5 & 6 HOFLER	5850/389
9873008345	SHORE	JOSEPH S	3501 OLD NC 86		HILLSBOROUGH	NC	27278	2.84	1 LARRY CARROLL JR P48/3	6165/29
9873007189	BOXTER	JOHN JR	3423 OLD NC 86		HILLSBOROUGH	NC	27278	1.41	2 LARRY CARROLL JR P48/3	6119/152
9873006678	BEST	VIVIAN	4018 WRENN RD		DURHAM	NC	27705	1	#1 VIVIE DODSON & VIVIAN D BEST P52/192	793/479
9872491050	JORDAN	KAREN S	1622 SCARLETT MOUNTAIN RD		HILLSBOROUGH	NC	27278	7.87	P/O #1 CALVIN SCARLETT CH TP P28/64	359/169
9872483693	EADS	DERRICK B	1608 SCARLETT MOUNTAIN RD		HILLSBOROUGH	NC	27278	7.18	P/O #2 CALVIN SCARLETT P28/64	4327/310
9872398582	WOODSEGE PROPERTIES	LLC	4522 LITTLE RIVER CH RD		HURDLE MILLS	NC	27541	48.77	THE WOODS P56/11	1852/224
9872389298	SCARLETT	CALVIN R	1600 E SCARLETT MT RD		HILLSBOROUGH	NC	27278	6.54	P/O #3 CALVIN SCARLETT PROP CH TP P28/64	283/1777
9872384311	REA LANDCOM INC	null	PO BOX 52328		DURHAM	NC	27717	1.38	3S SCARLETT PROPERTY P114/164	6009/574
9872383673	EADS	DERRICK B	1608 SCARLETT MOUNTAIN RD		HILLSBOROUGH	NC	27278	0.74	2S SCARLETT PROPERTY P114/164	4327/310
9872372863	SCARLETT	GERALD E	RD		HILLSBOROUGH	NC	272788318	12.38	#2 PETER METZNER P55/26	3561/462
9872286360	REA LANDCOM INC	null	PO BOX 52328		DURHAM	NC	27717	28.2	A-REV REC SCARLETT PROP P116/85	6009/572
9872274693	SCARLETT	GERALD E	416 WEST SCARLETT MTN RD		HILLSBOROUGH	NC	272788318	13.8	E/O SR 1009 P39/110	1287/398
9872191961	DUKE	JEANINE L	4606 PACES FERRY DR		DURHAM	NC	27712	1.22	#1 NANCY JUSTICE ETAL P58/16	2603/69
9872188329	JERNIGAN	JOE L	3333 CHAPEL HILL BLVD		DURHAM	NC	27707	3.44	1S-REV REC SCARLETT PROP P116/85	6228/276
9872183072	JERNIGAN	JOE L	3333 CHAPEL HILL BLVD	STE C	DURHAM	NC	27707	15.65	JOE L & VICKIE R JERNIGAN P115/171	6128/63
9872095945	LEE	LARRY B	3503 OLD NC 86		HILLSBOROUGH	NC	27278	2	NW/S SR 1009	1910/361
9872087570	HAMLETT	CHARLENE W	3333 CHAPEL HILL BLVD	STE C	DURHAM	NC	27707	19.1	JOE L & VICKIE R JERNIGAN P115/171	6128/61
9872080892	CLARK	CLETUS L	1412 ALBERT DR		MITCHELLVILLE	MD	20716	13	13 AC #4 HARVEY CLARK HRS CH TP P30/142	333/19
9872080373	CONNERY	MARC ANDREW	3820 OLD NC 86		HILLSBOROUGH	NC	27278	4.72	#1 MARC A & SHARON CONNERY P43/186	541/264
9872073445	MELCHIONE	CHERI	BLVD		CHAPEL HILL	NC	27514	38	E/S 1009 OLD 86	6143/393
9871766139	DEPARTMENT OF	TRANSPORTATION	PO BOX 15580		DURHAM	NC	27704	563.83	I-40 R/W I-85	691/559
9863936843	ADDISON	SALLY A	PO BOX 727		HILLSBOROUGH	NC	27278	112.8	N/S RIPPY LN	6024/200
9863900565	GWIN	SUMMERS MYRA E	103 GRAPEVINE LN		HILLSBOROUGH	NC	27278	3.87	3 REV GWIN-SUMMERS P103/172	2588/86
9863827960	ADDISON	W ALLEN	PO BOX 727		HILLSBOROUGH	NC	272780727	2.7	N/O I-40	6024/200
9863809523	GWIN	SUMMERS MYRA E	103 GRAPEVINE LN		HILLSBOROUGH	NC	27278	3.11	2 REV GWIN-SUMMERS P103/172	2588/86
9863805324	DAVIS	DIANNE H	319 DAVIS RD		HILLSBOROUGH	NC	27278	8.01	N/O SR 1129	
9863802371	BARNETT	ANGELA DENISE DAVIS	549 DIXON RD		WILLOW SPRING	NC	27592	10.01	#C ISABETH W DAVIS P94/98	3548/480
9863709304	MUNOZ	MIGUEL G	425 DAVIS RD		HILLSBOROUGH	NC	272789330	10.01	B ISABETH W DAVIS P94/98	4966/522
9863705049	DAVIS	ISABETH W	319 DAVIS RD		HILLSBOROUGH	NC	272788395	16.44	#A ISABETH W DAVIS P94/98	
9863700110	DAVIS	ISABETH W	319 DAVIS RD		HILLSBOROUGH	NC	272788395	10.673	#1A DAVIS PROP P43/145 N/S SR 1129	

9863632994	DUCLAY	VERONICA	32 GREENHILLS RD		STATION	NY	11746	20	W/S I-40 R/W	5280/512
9863615525	LINEBERRY	JOSEPH LLOYD JR	3106 WILSHIRE DR		GREENSBORO	NC	274083013	25	E/O SR 1130	
9863607374	TAPP	FREDERICK L	4030 LEGATO LN		EFLAND	NC	27243	8.08	6 DAVIS FARM P92/113	5960/420
9863604417	GILLIS	JOEL K	6321 ANGUS DR		RALEIGH	NC	27617	7.37	5 DAVIS FARM P92/113	5960/427
9863539059	GARLAND	FRANKLIN E	3020 ODE TURNER RD		HILLSBOROUGH	NC	272789631	57.06	#A 2 & TR REC FRANKLIN GARLAND P76/90	1485/355
9863526072	GARLAND	JAMES	2711 ODE TURNER RD		HILLSBOROUGH	NC	272787631	56.22	#B 3 & TR REC FRANKLIN GARLAND P76/90	1485/358
9863503862	HALL	KAREN FAITH TURNER	1101 SAM TUCKER LANE		HILLSBOROUGH	NC	27278	10.39	#1 KAREN HALL P96/88	
9862999596	CLARK	MATTHEW ETAL	4503 BUMPHUS RD		CHAPEL HILL	NC	27514	0.25	CHRIST P55/74	318/263
9862998894	CLARK	CLETUS	1412 ALBERT DR		MITCHELLVILLE	MD	20716	13.433	#2 HARVEY CLARK HRS CLETUS CLARK SUBDIV	451/157
9862997320	HILLSBOROUGH UNITED CHURCH OF	CHRIST	200 DAVIS RD		HILLSBOROUGH	NC	27278	15.65	CHRIST P55/74	4724/54
9862992837	BARLOW	DAVID M	223 DAVIS RD		HILLSBOROUGH	NC	272787317	2	#2A HARVEY CLARK HRS P49/149 N/S SR 1129	987/342
9862991849	GWIN	SUMMERS MYRA E	103 GRAPEVINE LN		HILLSBOROUGH	NC	27278	2.64	A REV GWIN-SUMMERS P103/172	2588/86
9862990443	SCOTT	ROY VERNON	302 DAVIS RD		HILLSBOROUGH	NC	27278	2	DAVIS O C 1129	469/45
9862988192	CONNERY	MARC ANDREW	3820 OLD NC 86		HILLSBOROUGH	NC	27278	3.87	#2 MARC A & SHARON CONNERY P43/186	541/264
9862984823	CLARK	MATTHEW ETAL	4503 BUMPHUS RD		CHAPEL HILL	NC	27514	1.73	W/S SR 1009 (OLD 86)	318/263
9862899868	GWIN SUMMERS	MYRA E	103 GRAPEVINE LN		Hillsborough	NC	27278	2.91	1 REV GWIN-SUMMERS P103/172	5455/571
9862898435	AUSTIN	WILLIAM NEAL JR	2803 LITTLE RIVER DRIVE		HILLSBOROUGH	NC	272789720	2.33	S/S DAVIS RD P81/104	1783/400
9862896927	DAVIS	DIANNE H	319 DAVIS RD		HILLSBOROUGH	NC	27278	2	N/S SR 1129	
9862896438	HILTON	MISTY C	320 DAVIS RD		HILLSBOROUGH	NC	27278	2	2 NANCY DUNNAGAN P44/67	5952/119
9862894739	HILTON	MISTY C	320 DAVIS RD		HILLSBOROUGH	NC	27278	1.29	3 NANCY DUNNAGAN P44/67	5952/119
9862894553	HILTON	MISTY C	320 DAVIS RD		HILLSBOROUGH	NC	27278	1.01	S/S SR 1192 1 NANCY DUNNAGAN	5952/119
9862893609	DAVIS	DIANNE H	319 DAVIS RD		HILLSBOROUGH	NC	27278	0.65	D ISABETH W DAVIS P94/98	
9862891480	BUCHANAN	JAMES G JR	313 OAK RIDGE DR		HILLSBOROUGH	NC	272787395	3.5382	#1 WHITE OAK P60/73	1891/123
9862698851	ROJAS	IRWIN O	111 LINNET RD		Hillsborough	NC	27278	1.36	3 DAVIS FARM P92/113	5380/523
9862690948	WRIGHT	ROBBIE D	3914 ODE TURNER RD		HILLSBOROUGH	NC	272789377	15.43	15.43 AC N/S SR 1130 CH TP P30/5	307/392

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EXHIBIT C –  
FUTURE LAND USE MAP  
ORANGE COUNTY  
COMPREHENSIVE PLAN

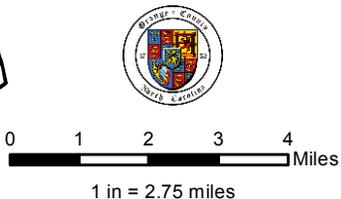
# Future Land Use Map of the Orange County Comprehensive Plan



Adoption Date: Nov 18, 2008  
Amended through November 2014



- Legend:**
- Watershed Critical Areas
  - Water Supply Watersheds
  - OC/CH/CA Joint Planning Area
  - Public Interest Areas
  - Resource Protection Areas
  - 10 Year Transition
  - 20 Year Transition
  - Rural Residential
  - Rural Buffer
  - Agricultural Residential
  - City Limits
  - ETJ
- Activity Nodes**
- Rural Neighborhood
  - Commercial Transition
  - Commercial-Industrial Transition
  - Economic Development Transition
  - Rural Community
  - Rural Industrial



Orange County and Planning and Inspections Department.  
This copy printed January 29, 2016.  
Map is for reference use only.  
Contact Planning staff for verification of data.

September 26, 2017

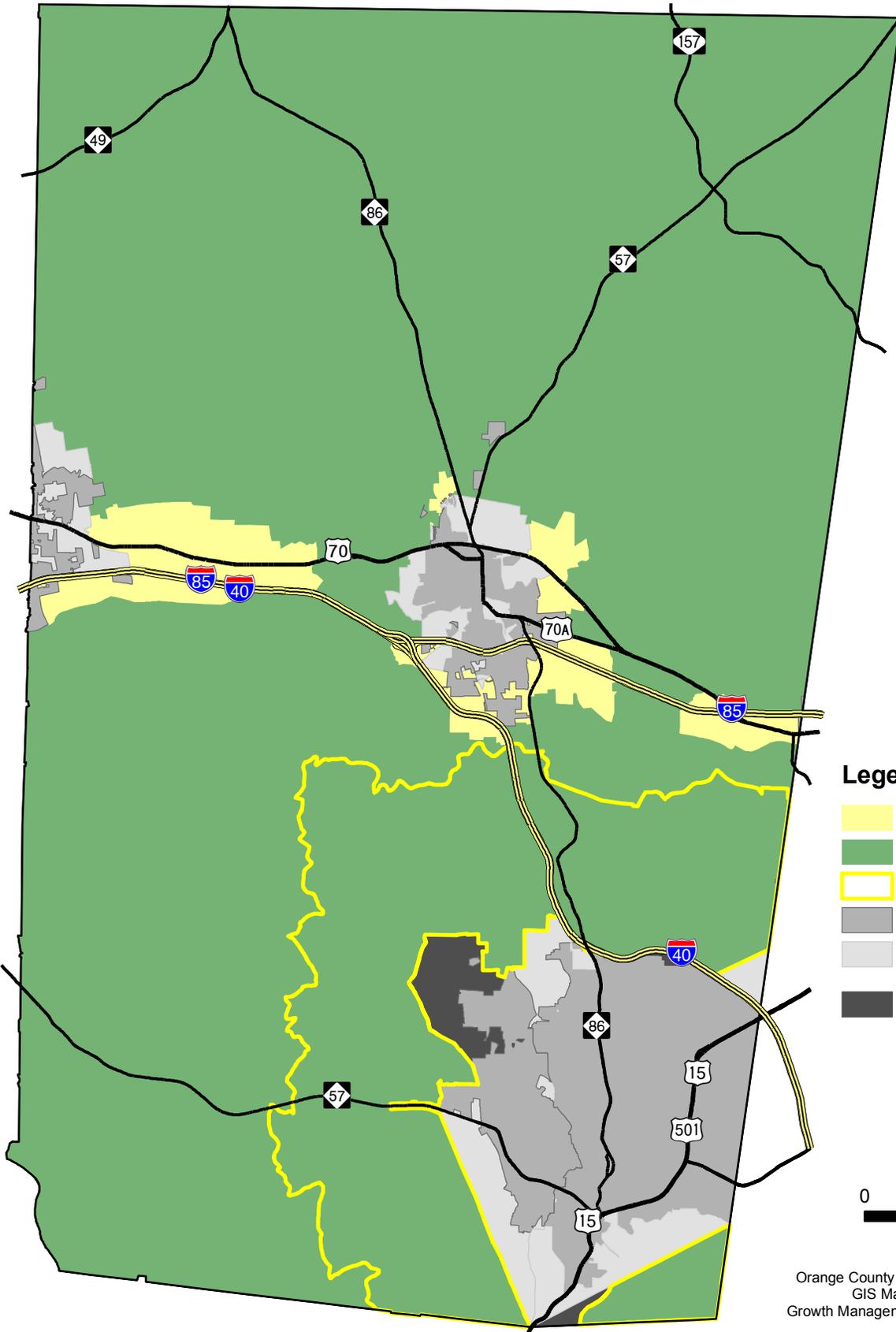
**EXHIBIT D –  
ORANGE COUNTY  
GROWTH MANAGEMENT SYSTEM**

# Growth Management System

## Urban and Rural Designated Areas

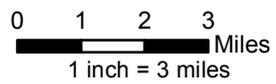
Urban Designated - Property located within Transition Areas as identified in the Land Use Plan.

Rural Designated - Property not located in Urban Designated areas



### Legend

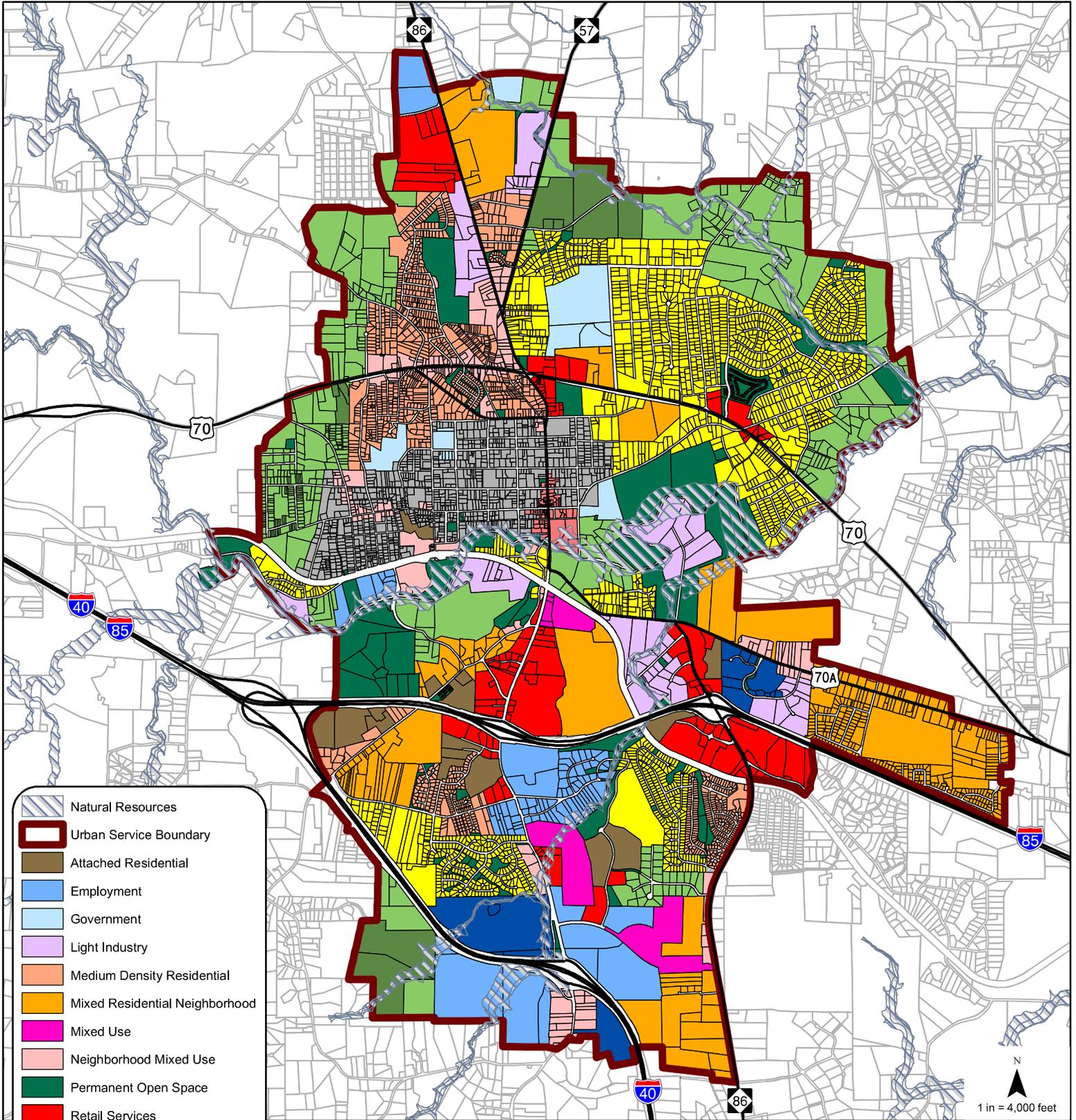
- Urban Designated
- Rural Designated
- Rural Buffer
- City Limits
- Extra-Territorial Jurisdiction
- Chapel Hill/Carrboro Transition  
(Not part of Growth Management System)



September 26, 2017

**EXHIBIT E –  
TOWN OF HILLSBOROUGH /  
ORANGE COUNTY  
URBAN SERVICE BOUNDARY**

# Town of Hillsborough/Orange County Central Orange Coordinated Area Land use Plan Areas Within the Town's Urban Service Boundary



The **Urban Service Boundary** indicates the limits of Hillsborough water and sewer service consistent with an Inter-local Agreement with Orange County, OWASA, Chapel Hill, Carrboro, and Hillsborough. Future Land Uses would be used by Hillsborough and Orange County as the basis for approving zoning designations on colored parcels and those within the boundary, consistent with the Inter-local Agreement between Orange County and Hillsborough.

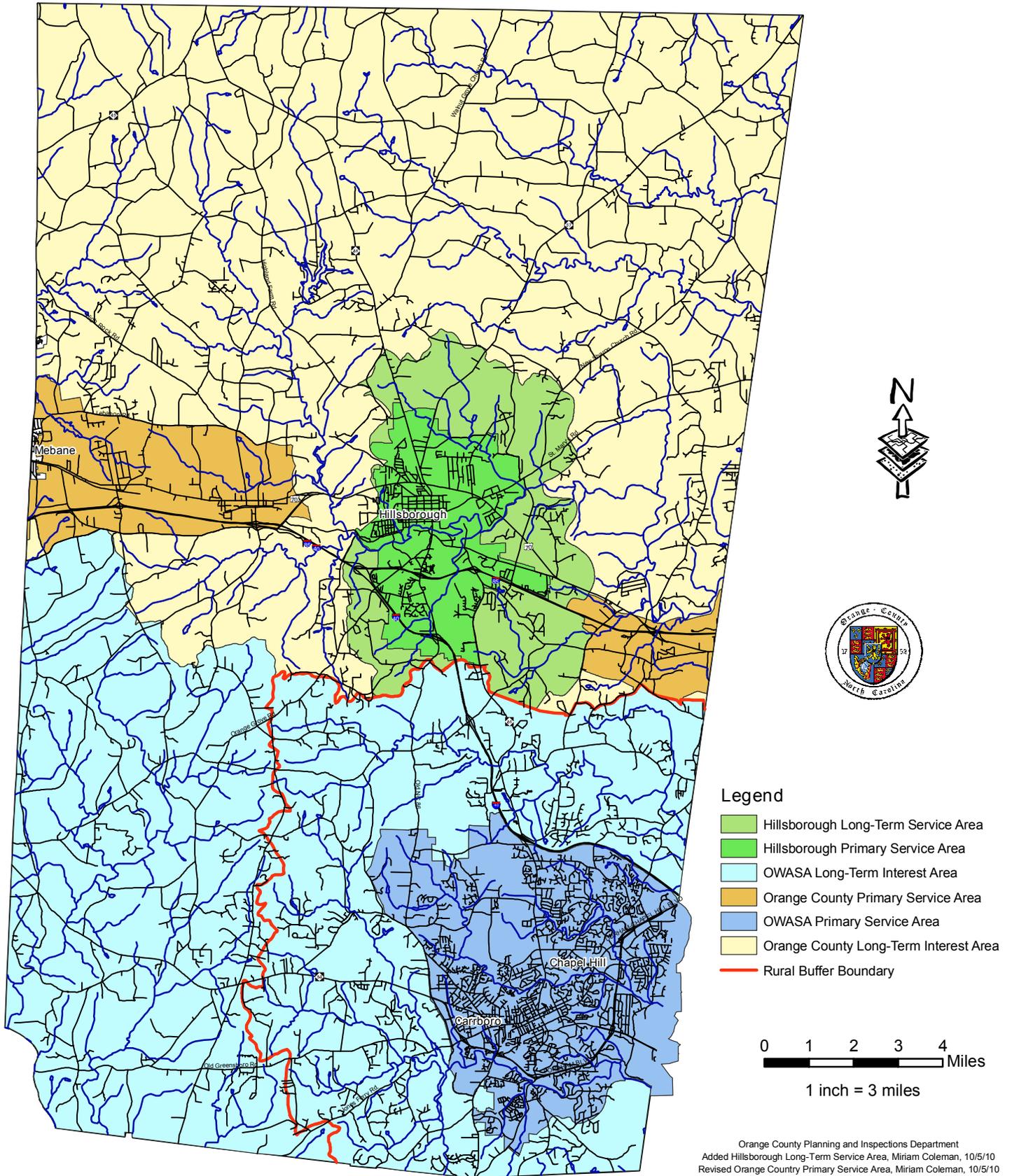
Areas **outside** the Urban Services Boundary **with** a Future Land Use designation are due to the boundary crossing a parcel. Areas **outside** the Urban Services Boundary with current utility service from the Town of Hillsborough **will retain service**.

September 26, 2017

**EXHIBIT F –  
WATER AND SEWER  
MANAGEMENT PLANNING**

# Appendix A

## Water and Sewer Management Planning and Boundary Agreement



### Legend

- Hillsborough Long-Term Service Area
- Hillsborough Primary Service Area
- OWASA Long-Term Interest Area
- Orange County Primary Service Area
- OWASA Primary Service Area
- Orange County Long-Term Interest Area
- Rural Buffer Boundary

0 1 2 3 4 Miles

1 inch = 3 miles

Orange County Planning and Inspections Department  
 Added Hillsborough Long-Term Service Area, Miriam Coleman, 10/5/10  
 Revised Orange County Primary Service Area, Miriam Coleman, 10/5/10  
 Updated Hillsborough Primary Service Area, Miriam Coleman, 10/22/08  
 Updated Streets, Miriam Coleman, 2002  
 Revised Map to show retracted Chapel Hill Urban Service Boundary, Carrie Whitehill, 11/14/01  
 Original Map Prepared by Beth McFarland, 04/17/97

Settlers Point Master Planned Development Conditional Zoning (MPD-CZ)

September 26, 2017

# MAPS

INTERSTATE 40

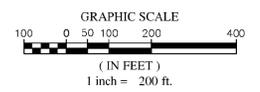
SERVICE ROAD

I-40 WB. RAMP

I-40 WB. RAMP

I-40 EB. RAMP

I-40 EB. RAMP



DISTRICT I

150' POWER EASEMENT

INTERSTATE 40

DISTRICT MAP II

OLD HWY 86

DISTRICT MAP III

DISTRICT MAP

- +/- 148 AC. LIGHT INDUSTRIAL RESEARCH  
+/- 1,248,000 S.F. TOTAL PROPOSED FLOOR AREA
- +/- 47 AC. COMMERCIAL/RETAIL/SERVICE  
+/- 261,800 S.F. TOTAL PROPOSED FLOOR AREA
- +/- 76 AC. SENIOR COMMUNITY (R-10)  
+/- 760 UNITS

TOTAL AREA  
11,818,108 S.F.  
271 AC.

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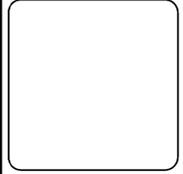
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SCALE  
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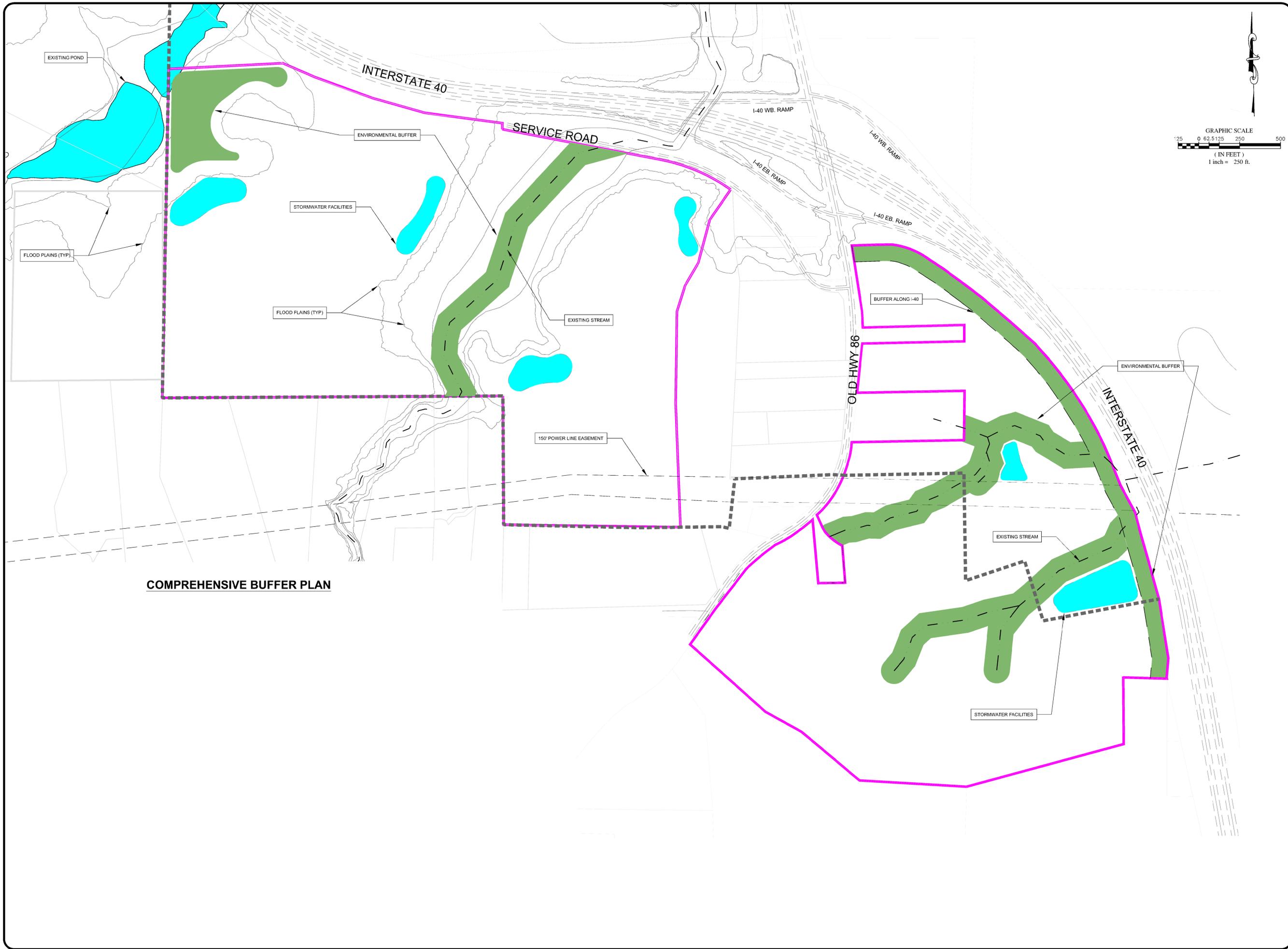
**MASTER PLAN**  
**I-40 ASSEMBLY**  
INTERSTATE 40 - EXIT 261 AT OLD HWY 86  
ORANGE COUNTY, NORTH CAROLINA

**DISTRICT MAP**

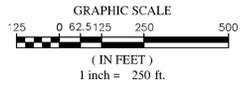
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SHEET NO.  
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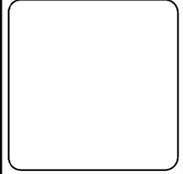
**COMPREHENSIVE BUFFER PLAN**



NO.	DATE	REVISIONS
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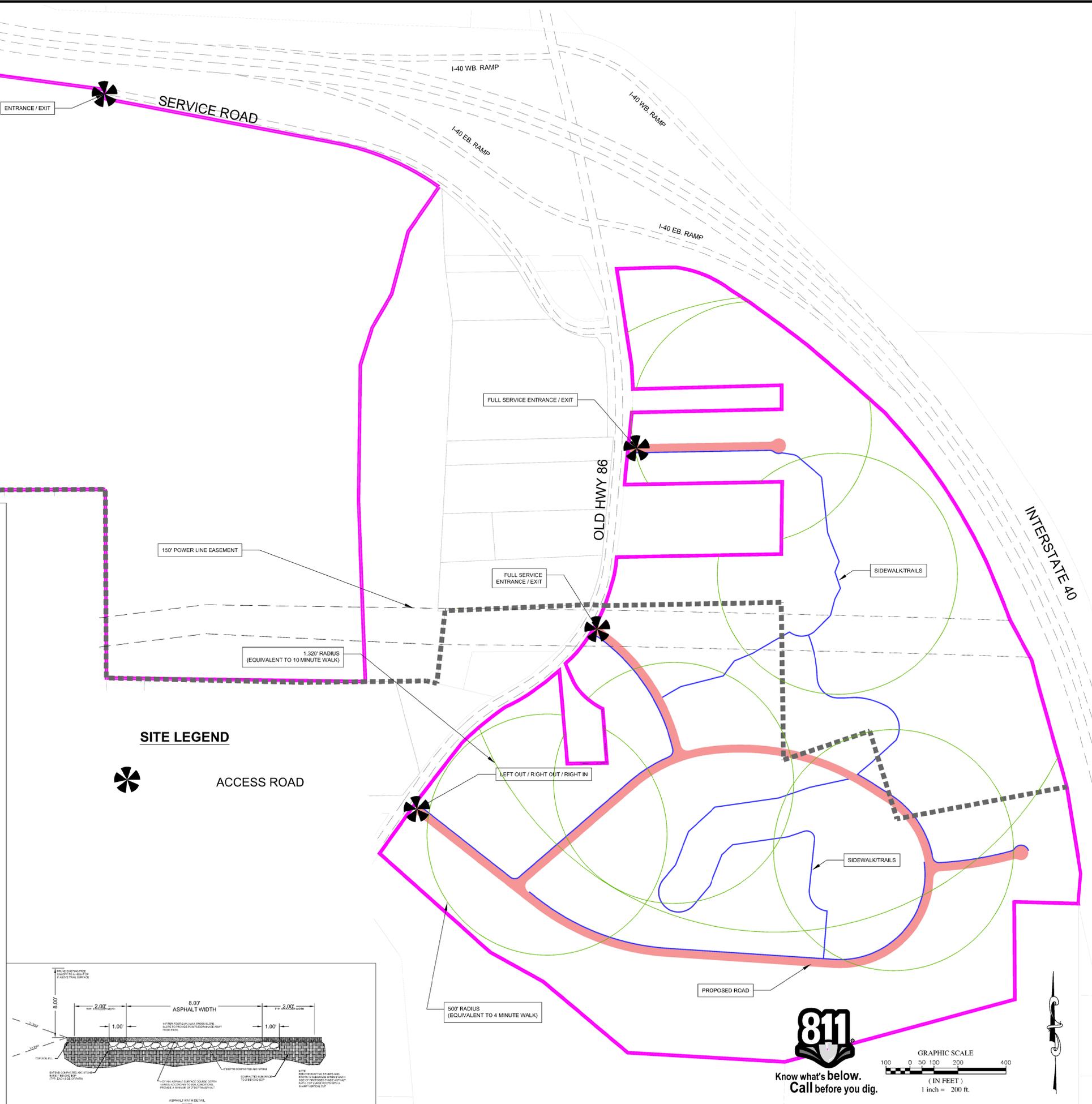
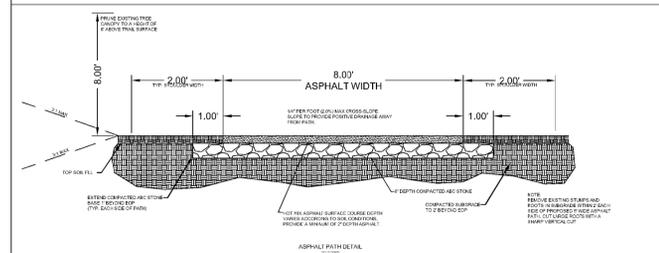
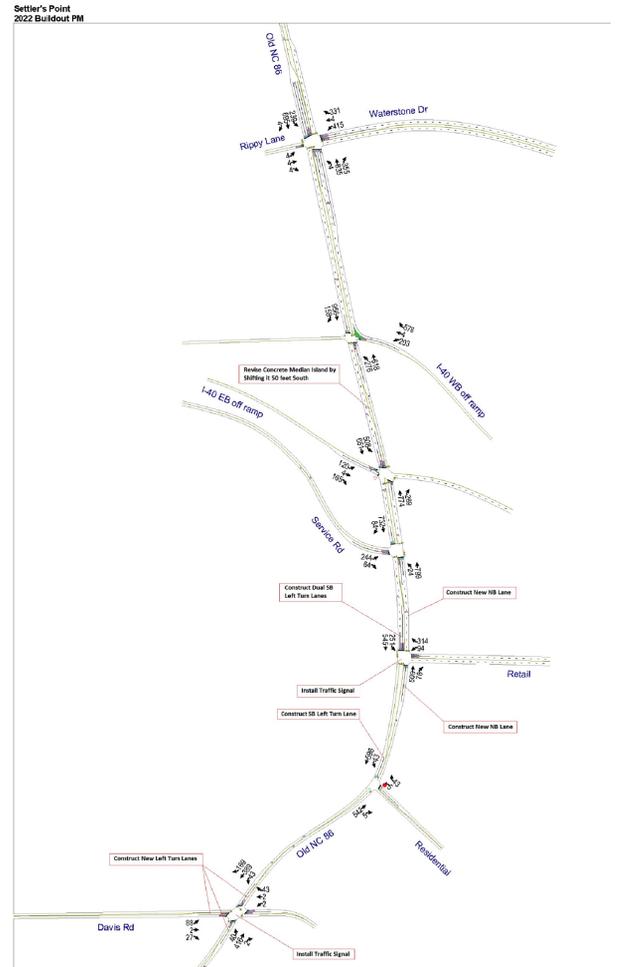
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**I-40 ASSEMBLY**  
 INTERSTATE 40 - EXIT 261 AT OLD HWY 86  
 ORANGE COUNTY, NORTH CAROLINA  
**COMPREHENSIVE BUFFER PLAN**

PROJECT NO.  
 16-0243  
 DRAWING NAME:  
 -  
 SHEET NO.  
**EXHIBIT 2**

# TRANSPORTATION AND WALKABILITY PLAN

NOTE:  
ALL PROPOSED OFF-SITE TRAFFIC  
IMPROVEMENTS ARE CONTINGENT  
ON APPROVAL BY NCDOT OF THE TIA



**811**

Know what's below.  
Call before you dig.

GRAPHIC SCALE  
(IN FEET)  
1 inch = 200 ft.

100 0 50 100 200 400

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DRAWING REVISION	PROJECT MANAGER CEA	PROJECT MANAGER CEA	DATE
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2	PROJECT MANAGER CEA	PROJECT MANAGER CEA	DATE
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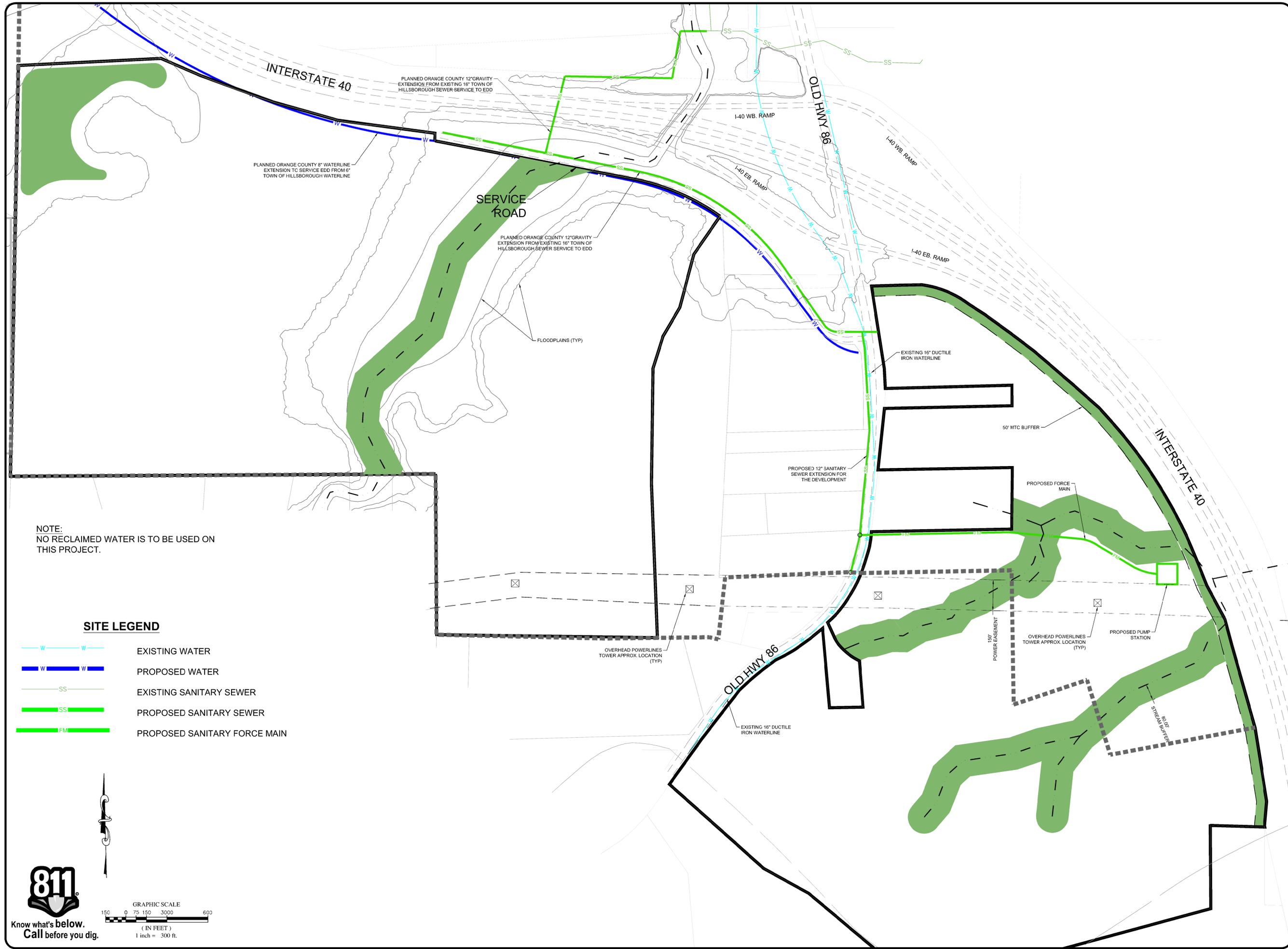
MASTER PLAN  
**I-40 ASSEMBLY**  
INTERSTATE 40 - EXIT 261 AT OLD HWY 86  
ORANGE COUNTY, NORTH CAROLINA

TRANSPORTATION AND  
WALKABILITY PLAN

PROJECT NO.  
16-0243

DRAWING NAME:

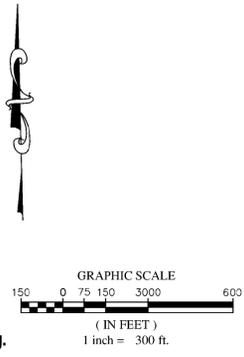
SHEET NO.  
**EXHIBIT 3**



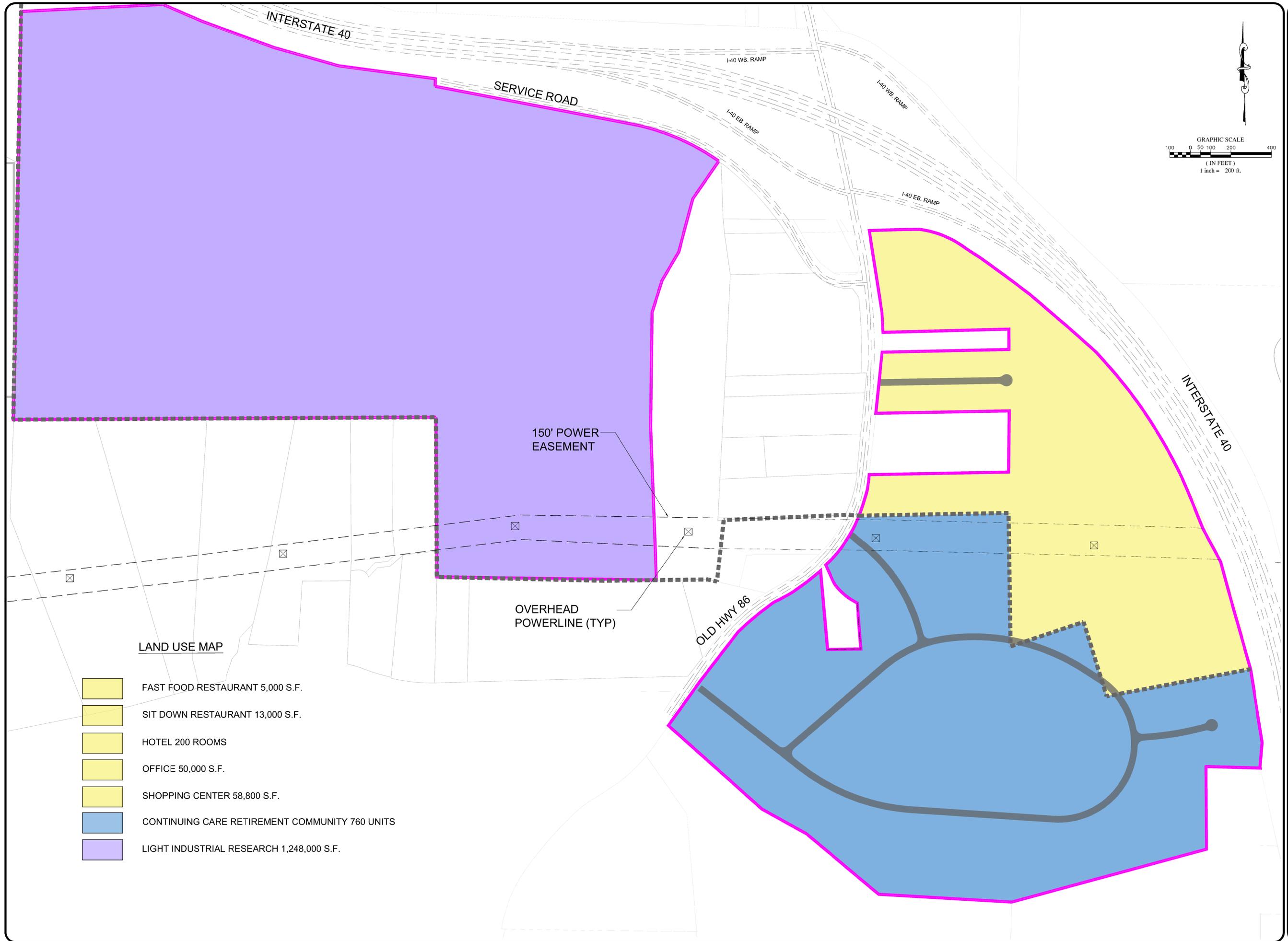
NOTE:  
NO RECLAIMED WATER IS TO BE USED ON  
THIS PROJECT.

**SITE LEGEND**

- EXISTING WATER
- PROPOSED WATER
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY FORCE MAIN



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<p><b>UTILITY PLAN</b></p>															
<p>PROJECT NO. <b>16-0243</b></p> <p>DRAWING NAME: ---</p> <p>SHEET NO. <b>EXHIBIT 4</b></p>															



INTERSTATE 40

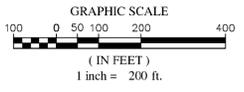
SERVICE ROAD

I-40 WB. RAMP

I-40 WB. RAMP

I-40 EB. RAMP

I-40 EB. RAMP



150' POWER EASEMENT

OVERHEAD POWERLINE (TYP)

OLD HWY 86

INTERSTATE 40

**LAND USE MAP**

- FAST FOOD RESTAURANT 5,000 S.F.
- SIT DOWN RESTAURANT 13,000 S.F.
- HOTEL 200 ROOMS
- OFFICE 50,000 S.F.
- SHOPPING CENTER 58,800 S.F.
- CONTINUING CARE RETIREMENT COMMUNITY 760 UNITS
- LIGHT INDUSTRIAL RESEARCH 1,248,000 S.F.

NO.	REVISIONS	DATE	BY
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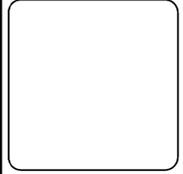
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**DATE**  
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**SCALE**  
1" = 200'



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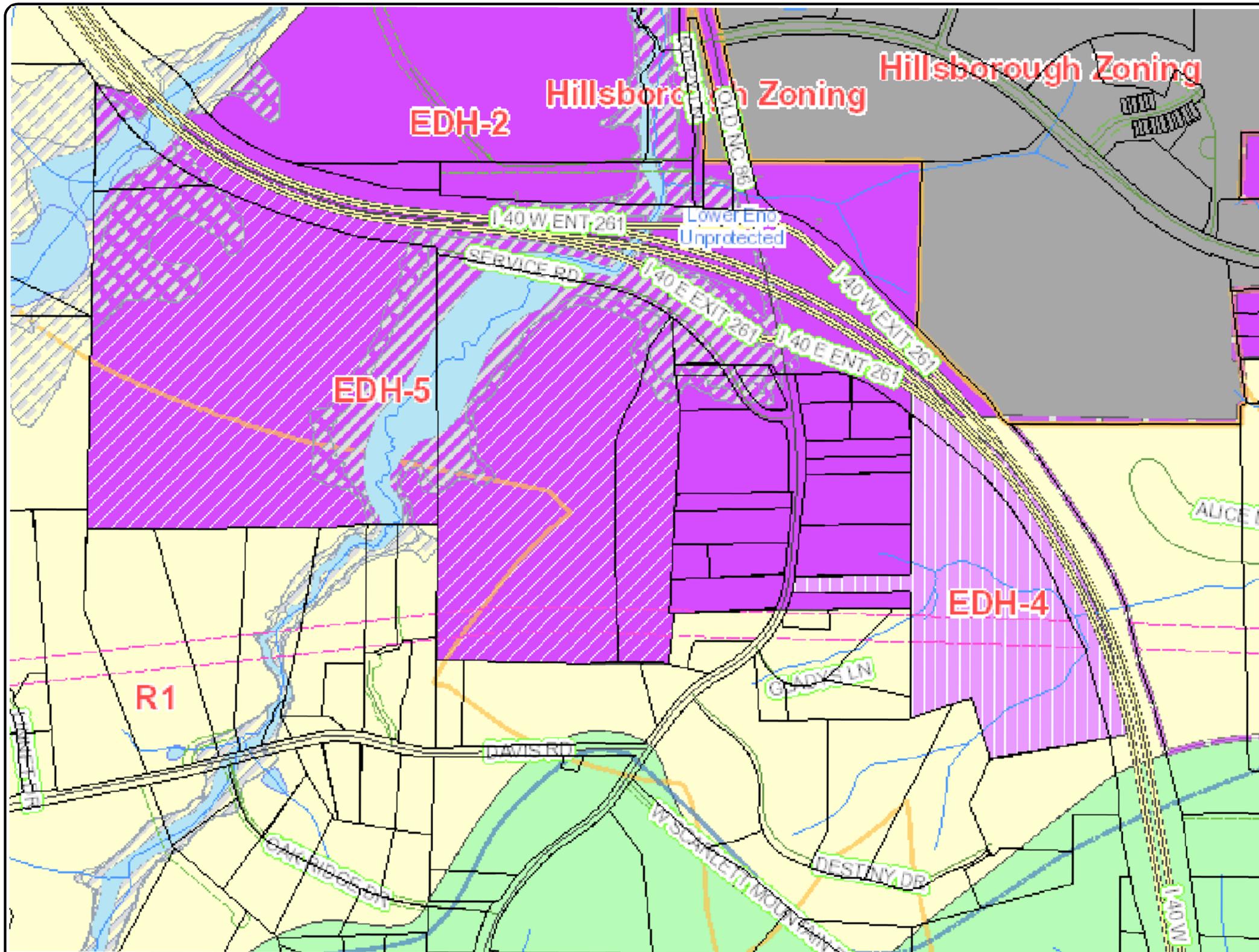
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INTERSTATE 40 - EXIT 261 AT OLD HWY 86  
ORANGE COUNTY, NORTH CAROLINA

**LAND USE PLAN**

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SHEET NO.  
**EXHIBIT 5**

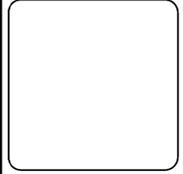


County Zoning Legend	
EDH-5	Research and Manufacturing
EDH-4	Office/Retail
EDH-2	Limited Office
R1	Rual Residential

NO.	REVISIONS	DATE	BY
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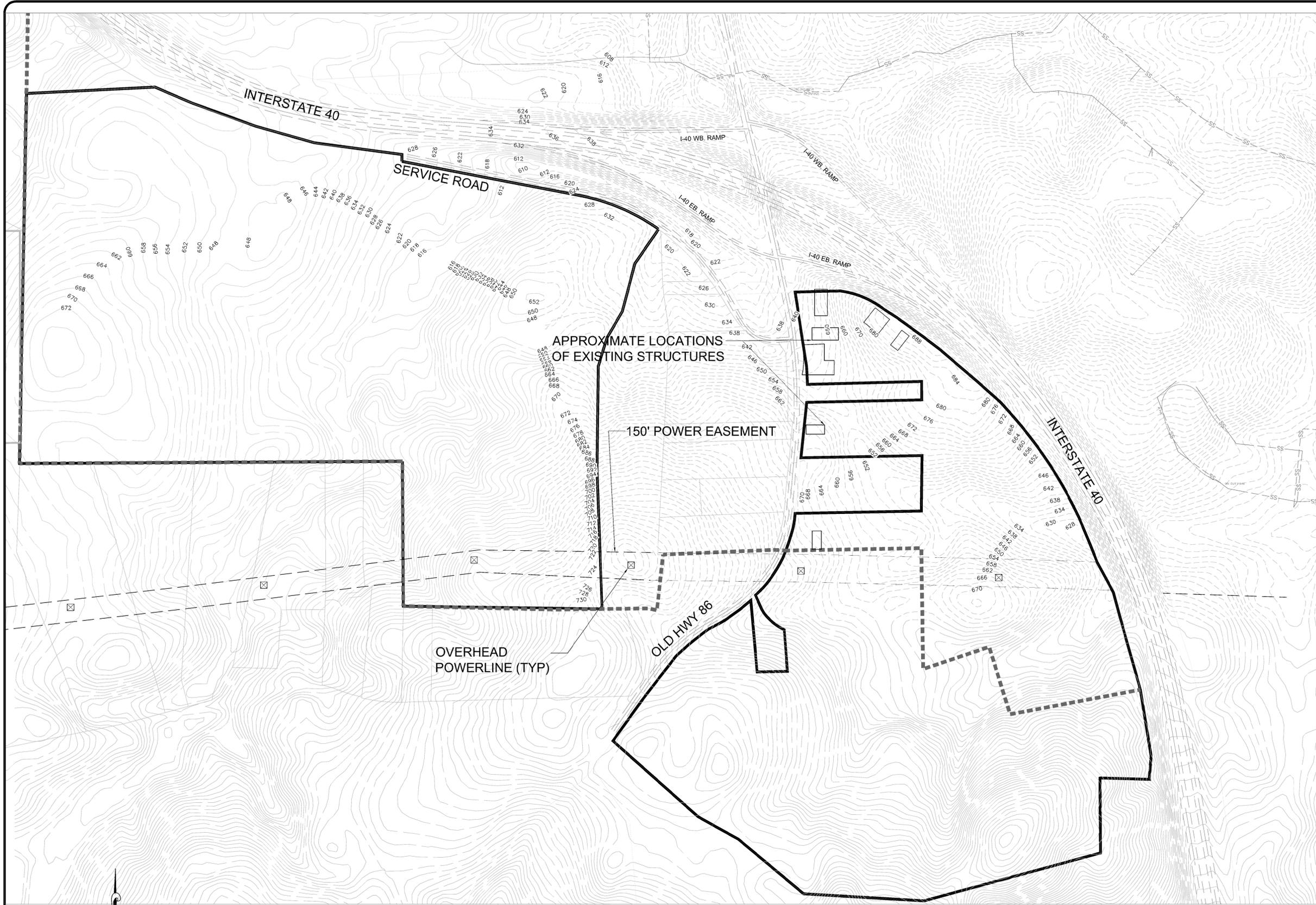
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**I-40 ASSEMBLY**  
 INTERSTATE 40 - EXIT 261 AT OLD HWY 86  
 ORANGE COUNTY, NORTH CAROLINA  
**COUNTY ZONING**  
**ATLAS MAP OF AREA**

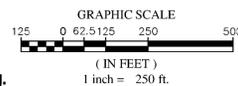
PROJECT NO.  
 16-0243  
 DRAWING NAME:  
 COUNTY ZONING ATLAS MAP OF AREA  
 SHEET NO.  
**EXHIBIT 6**



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