

APPLICATION FOR
ZONING DISTRICTS
CONDITIONAL USE DISTRICTS
CONDITIONAL USE PERMITS

~~Chatham County Planning Department~~
~~P.O. Box 54~~
~~Pittsboro, NC 27312~~

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(1) Applicant Information:

Name: David Webster
Address: 18 Garden Villa Dr
Pinehurst, NC 28374

Phone No. (h) 910-692-6822
(w) 910-528-5203
email: thewebsterclan@juno.com

(2) Landowner Information (as shown on deed)

Name: Mike Hubbard
Address: 1625 Mt. Pisgah Ch. Rd
Apex, NC 27523

Phone No: (h) 919-363-1943
(w) same
email:

(3) Property Identification:

911 Address: 58 E. Cotton Rd

P.I.N # 9763-363-1943
Parcel # 2943

S.R. Name: E. Cotton Rd
S.R. Number: 1712

Deed book: Page:
Plat Book: 87 Page: 233 Lot B

Township: Baldwin

Zoning District: B-1

Acreage: 2.001

Watershed District: IV-PA

Flood map # date: 7/16/91

Zone _____

(4) Requested Zoning District, Conditional Use District and/or Conditional Use Permit:

Conditional Use district to allow a veterinary hospital as the primary use, with other uses being allowed to leave options open into the future. All current uses would remain.

(5) Directions to property: 15-501 North from Pittsboro about 5 miles. Left on E. Cotton Rd. Right onto private easement and driveway.

(6) Attach the following, if requesting a zoning map amendment:

- ☐ List of names and addresses of current adjoining property owners (on back of this form)
 - ☐ Written legal description
 - ☐ Map of the property at a scale of not less than 1 inch equals 200 feet
 - ☐ Explanation of request addressing application portions of Section 17.3B and 18.2A of the Chatham County Zoning Ordinance.
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(7) Attach Submission Materials Checklist information. (see attached)

I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.

Signature

Date

The owner must sign the following if person other than the owner is making the application.

I hereby certify that _____ is an authorized agent for said property and is permitted by me to file this application.

Owner's Signature

Date

Submission Materials CheckList: Application for Conditional Use District and / or Conditional Use Permit

General Application Requirements:

A detailed description of the project, a requirement that is common to all applications, is discussed in this section.

- 1) Location <**Required**>. The location of the site in Chatham County.
Including:
- a. public highway(s) servicing this site;
US HWY 15-501 and SR 1712
 - b. private road(s) servicing the site;
40 Foot easement off of East Cotton Rd.
 - c. the current zoning of the site;
B-1, CU district for daycare, catering operation, office (business, professional, governmental), office (engineering, supply and similar sales including blueprinting, photostatting and similar services), landscape design, gift shops, jewelry sales and service, interior design shop, churches, public or private school, training and conference center, camera shop, retail stores and personal service shops similar to those services listed in dealing in direct consumer and personal services.
 - d. watershed designation, the site classification and % impervious surface allowed;
WS- IV; PA; 36% impervious surface allowed.
 - e. is the site in or border the “Major Wildlife Areas” identified in the “Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina”, 1992, starting on page 181; (a copy of this inventory is located in the Planning Department)
No, this site does not border any major wildlife areas.
 - f. the size (in acres) of the site;
2 acres
 - g. current utility or other easements assigned to this site;
There is a 50-foot gas pipeline that runs through the site, to the south of the main building. Colonial Gas Pipeline owns this easement.
 - h. the current use of the site;
Daycare
 - i. Description of current contents of the site (e.g. buildings, utilities, etc.)

One building, 5200 square feet total, which is a rectangular structure, built about 40 years ago. One small storage shed is located behind the building, as well as a small gazebo just west of the structure. The septic field lies south of the building and is off site at the current time. Plans include recombining the septic field back to lot B. The main parking area also lies south of the building. Utilities include natural gas, county water, and electrical.

- j. Other Conditional Use Permits that have been granted for this site.
CU district for daycare, catering operation, office (business, professional, governmental), office (engineering, supply and similar sales including blueprinting, photostatting and similar services), landscape design, gift shops, jewelry sales and service, interior design shop, churches, public or private school, training and conference center, camera shop, retail stores and personal service shops similar to those services listed in dealing in direct consumer and personal services.

2) Description of Use <Required>. Provide a description of the requested use.
We would like to operate a veterinary hospital from this site, providing medical and surgical services for small animals. This includes, but is not limited to, routine preventative care (vaccinations, deworming), surgical care, medical care, hospitalization, and diagnostics such as radiographs and blood work. Bathing, grooming and retail services will also be provided. If this business were to not succeed, we would like to have the option of opening other businesses or making the building more marketable to other potential entrepreneurs.

3) Site Plan and Drawing <Required>. Describe the plans for the site in detail. Provide drawing(s) at an appropriate of the completed project. This information should be of adequate detail (a drawing done by a licensed land surveyor and design details from a licensed architect are **strongly recommended**) to address the following:
The plan for this site calls for using the entire 5200 square feet of space as a full service veterinary hospital. No new buildings should be needed nor are proposed. Landscaping would be maintained as is to continue to enhance the natural beauty and maintain the rural feel. The parking area will continue to be used as is now, with no expansion needed. Signage will include a 4' x 8' backlight sign at the entrance to the driveway and a 2' x 2' sign mounted on the gable at the north side of the building. The smaller sign will only be the veterinary insignia. Exterior lighting consists of security, motion sensor sensitive floodlights mounted at all four corners. Each light will be directed to light the building, shielding light from the neighboring structures. If additional light is needed, standard fixtures with shielded top and sides will be mounted on the existing utility poles, ensuring that the light does not extend onto adjoining properties.

4) Start and Completion Projections <Required>. Provide a project plan. Provide the approximate start time for the project development. Provide the approximate completion time for the project; when it will be ready for operation.
If said request is granted, minor refurbishment to the site would be necessary. This may include building walls or removing interior, non-supporting walls. Providing adequate safety measures for the radiology area, including wastewater treatment. Installing dog runs and appropriate floor drains. Building counters, cabinets and shelves for use in exam rooms and retail sales. With proper planning, construction should begin in February. Completion of construction, inspection by the county inspector and the NC veterinary medical board should wrap up in March, allowing a start date of early April. The first of May should be the latest start date conceivable.

5) Reference to Existing County Plans <Required>. Is this site specifically mentioned in any County plan (such as the highway plan, watershed plan, etc.?). (If the requested use for the site is specifically counter to existing plan, the application must provide a compelling argument as to why the provisions in the plan should be set aside and the permit granted.)
No references were found relating this property to any County plans.

Specific Application Requirements:

The following requirements are needed to support the Five Affirmative Findings found in the Chatham County Zoning Ordinance. **All** of these findings must be met to grant the application.

Finding #1: The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.

1) Validation of Use in Zoning Ordinance <Required>. Simply confirm that the requested use is eligible for the requested site.

B-1 Business District allows for "Veterinary Clinics and Hospitals with dog runs or equivalent facilities." Other uses accepted include: antique and furniture shops, appliance sales and service, art supply retail sales, bicycle sales and repair, funeral homes, heating, plumbing, electrical, cabinet and similar shops, laboratory (dental, medical, optical), lawn and garden shops, printing and publishing, radio and television stations, repair shops for jewelry, shoes, radios, televisions, and other small office or house appliances.

2) Land Development Plan Reference <Required>

Provide (in context) references to the Land Conservation and Development Plan that support this application.

This is not a new structure that is able to cause any harm or detriment to the environment, nor is it a large box-type store able to destroy the overall image of Chatham County. This business is more like a home-based business in

that we will always be working with family members. The zoning is already set for a small business, and this location has served in a business capacity for many years. We wish to keep the same, rural, home grown feel to all of our clients and hope they will feel welcome into their other home. We do not feel that this change in business venture will negatively impact the physical appearance of the area in Chatham County and will do all we can to balance growth with services.

- 1. Preserve both the form and function of rural character --home-based business, with your other family doctor.**
- 2. Designate economic development centers in order to promote diversified, sustainable business community.**
- 2. Agriculture and rural development areas – A small cross road commercial business in form that support rural character and agricultural life.**
- 4. Ensure the long-term quality and availability of groundwater and surface water resources – assure water and wastewater system viability.**
- 5. Compact commercial corridors – designed to accommodate a well-planned mix of homes and small businesses along 15-501, without losing rural character.**
- 6. Site commercial clusters so that they extend up side roads off main thoroughfares rather than as strips along main thoroughfares.**

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

1) Need and Desirability <Required>. The application should describe why there is a need for the proposed use in this area. Describe how this was determined (for example, an analysis of present or projected demands on existing similar uses). This is an opportunity for the applicant to establish the benefit to the county that will result from approval of this permit. Why is the proposed use more desirable than other uses permitted under the existing zoning?

The local area of Chatham County located between Pittsboro and Chapel Hill is growing in a moderate but steady rate. With the development of local neighborhoods and subdivisions, the only veterinary hospital in the vicinity will soon be overwhelmed with potential clients, possibly decreasing the quality of service provided. This facility will also give pet owners a new option from which to obtain services. Many studies have shown that the human-animal bond makes people healthier, recover from illness quicker, relieve mental strain and stress, as well as improve overall wellbeing. By providing the pet owner with important care, their pets may live longer

healthier lives, allowing the owners many more years of companionship and happiness. An increase of jobs, though mild, will also be seen. The benefits to the county include an increased tax base, increased jobs, and potential decreased medical costs to people who own pets. These benefits do not come at great cost, for the county will see very little if any increases in the services provided.

2) Survey of Similar Uses <Required>. How many other instances of this use are currently in Chatham or within an adjacent county? Are there similar uses already approved for the requested use on adjacent properties? Provide summary of existing similar uses. If there are already a number of such uses allowed in the County or another similar use in reasonably close proximity to the new requested site, Why is this new instance of this use essential? Are these other instances currently in operation and successful?

In the local area, there are three other veterinary hospitals. The first is Cole Park Veterinary Hospital at the Cole Park Shopping Center. The intended property lies 4 miles south of Cole Park Plaza. The primary trade area of Cole Park is Manns Chapel Rd north to Chapel Hill. Our intended primary trade area will be south of Manns Chapel, including Farrington, to the 64 bypass. The other veterinary hospitals located nearby are both on US 64 business, east of the traffic circle in the heart of Pittsboro. The intended property lies 4 miles north of the traffic circle. This location places us literally equidistant from the other hospitals, making it an excellent place to establish a needed service.

3) Public Provided Improvements <Required>. Identify any public improvements, services, etc., that the county would be required to provide in support of this site if the use is approved. If no additional public improvements are needed, then state this as the case.

Because the location has been an established business, we see no need for any public improvements to the area that the county would be required to provide.

5) Employment <Optional>. Discuss the number of jobs that would be created by this use. Designate these positions as full time or part time. If possible, describe the salary ranges of the employees.

During the first year, there will probably be only three employees. Their titles would include receptionist, veterinary technician/assistant, and veterinarian. The receptionist starting salary will range from \$8-\$12/hr, based on experience. The technician/assistant salary will range from \$10-\$16/hr, based on education and experience. The veterinarian salary will be around \$60,000 per year. After 5 years, there will probably be 2 receptionists, 2 technicians, and 2-4 assistants/kennel helpers. There will eventually be a second veterinarian added, which increases the need for technicians and assistants.

Finding #3: The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety, or welfare of the community.

1) Emergency Services <Optional>.

There will be no increased demand on fire, police or rescue squads.

2) Traffic <Required>.

Document projected traffic generated by the use (this is available for many/most uses from DOT). Document current capacity for the road that serves this site (available for all/most roads from DOT). What kind of traffic will this be (that is car, bus, truck, etc.) and what will be the peak time of day for the traffic? Do you anticipate changes to the speed limit on the principal service road for this site? Are modifications to the road system needed (e.g. a turning lane)? How will these road improvements be financed? A letter of opinion from DOT would be required if introduction of significant new traffic loads was expected or there is already a high accident rate at this location. Will the road(s) included in the County Thoroughfare Plan accommodate these anticipated requirements?

No changes are anticipated, though the potential exists for a decrease in traffic flow. Thirty parents take their children to the daycare, necessitating 60 vehicle visits, not including staff and deliveries, per day. An average veterinary hospital only sees 20-30 clients per day, thus significantly decreasing traffic flow to the site. DOT has written a letter to document these findings. Traffic flow will consist of clients and employees private vehicles, as well as a delivery truck once every few days. All business would be conducted in normal business hours of 8 am to 6 pm. East Cotton Rd is a state maintained road. A 40-foot easement services the site from E. Cotton Rd.

4) Visual Impact & Screening <Required>.

Describe the visual presentation of the completed project, in context of the adjoining properties. How will fencing and/or plantings alter the future visual presentation?

The outside facade of the building will not change from the front (facing 15-501), with the exception of a small sign on the building and a lighted sign at the north corner of the lot. From the south, the appearance may change if desired by the addition of an 8-foot tall, wooden privacy fence. This fence would provide three benefits. The first is a sound barrier, to help decrease any potential for noise. The second is a visual barrier, so neither the dogs nor the neighbors will get distracted, causing any problems. The third is a physical barrier, so that if a dog gets loose, he cannot run out into the road. Also, an evergreen hedge can be planted in addition to the privacy fence for better visual appeal.

5) Lighting <Required>. Will there be lights associated with the use? If so, describe the wattage, type, method of support (if on poles, give height of pole), and times of night the lights would be in use. What considerations and methods have been

considered to the shielding of the light from adjacent properties? Are similar lights in use elsewhere that can be evaluated?

The lighting will remain as is on the property, with the exception of a small, lighted sign near the intersection of the driveway and the road, and a second sign located on the building itself.

6) Noise <**Required**>. Will there be noise generated by the use? If so, what will the source of this noise. Provide an estimate of the level of noise in decibels at the property lines of the site. Provide the basis for this estimate. If the noise generated is anticipated to exceed the County Noise Ordinance, has a permit been requested or approved to exceed this ordinance?

Noise is always a potential problem at a veterinary hospital. Outside noise will be confined in the best ways possible, including the use of privacy fencing and evergreen shrubs/hedges. Interior noise should not be as big of a problem, but will be decreased by the use of carpeting, wall panels, and sound reducing ceiling tiles. These methods will help absorb noise instead of allowing it to reverberate around the facility. Noise will be kept down not only for our neighbors, but our clients as well. Dogs will not be kept outside for any length of time other than for walking, exercising, and elimination. No animals will be housed outside, especially overnight. No outside runs are currently planned for nor requested at this time.

Odor can also be a potential concern, due to the waste that animals produce. All cages will be cleaned at least twice daily, and as often as needed if an animal is eliminating more frequently. All dogs will be leashed walked in the fenced-in area, and waste will be picked up as soon as it is eliminated. All solid waste will be disposed of in trash bags, double knotted, and bagged again. This will be placed in the dumpster, which will be emptied twice weekly. These standards will insure that odor will not be a problem.

7) Chemicals, Biological and Radioactive Agents <**Required**>. Identify types and amounts of chemicals, explosives, biological and radioactive materials that will be utilized by the requested use. What is the estimated amounts of these agents that will be generated as waste; how will they be disposed? Identify the possible biochemical or radioactive hazards that may be associated with this use; how will these be handled? Identify the potential for emissions into the air. Identify the potential for discharges or runoff of liquids that would pollute the surface and/or groundwater sources.

The primary chemical hazard that will be produced is from radiograph processing, which contains silver. This material needs to be scavenged and recovered before the liquid is released into the septic tank. Both manual systems and automatic systems are available. A system designed for our needs has been developed by Environmental Engineering Services for this very reason. Radiograph machines put off a very mild amount of radiation, and all safety equipment, labels and monitoring devices will be used in accordance with OSHA and any state agencies. All steps will be taken to ensure that the hospital and all waste are as environmentally friendly as

possible.

8) Signs <Required>. Will the use include the display of a sign (advertisement or identification)? If so, describe the method of display, color, size and location on the site.

An 8' x 4' sign will be placed on site with one small directional sign at the intersection of 15-501 and E. Cotton Rd. This will reduce the possibility to obstruct views or cause traffic problems. The base of the sign will rest on the ground, will be backlighted, and will be red and white in color. The hospital logo, name and phone number will be listed on the sign. Secondly, a sign measuring 2' x 2', consisting of the veterinary insignia, will be located on the front of the building.

Finding #4: The requested permit will be consistent with the objectives of the Land Conservation and Development Plan.

(1) Land Development Plan:

The site is not at the intersection of a highway.

(2) Land Conservation and Development Plan Reference <Required>. Provide information which demonstrates how this request would conform to each relevant provision of the current Land Conservation and Development Plan.

This is not a new structure that is able to cause any harm or detriment to the environment, nor is it a large box-type store able to destroy the overall image of Chatham county. This business is more like a home-based business in that we will always be working with family members. The zoning is already set for a small business, and this location has served in a business capacity for many years. We wish to keep the same, rural, home grown feel to all of our clients and hope they will feel welcome into their other home. We do not feel that this change in business venture will negatively impact the physical appearance of the area in Chatham County and will do all we can to balance growth with services. Refer also to Finding #1, item #2.

(2) Water shed and flood considerations: <Required>. Provide information that demonstrates how the requested use conforms to the Watershed Protection Ordinance and the Flood Damage Prevention Ordinance.

This site is not in a defined flood plain and is the Watershed IV – PA. Uses allowed in this watershed include non-residential uses on lots not smaller than 40,000 SF with a built upon area without curb and gutter not to exceed 36%. With the current structure and parking areas, the land is currently at 34% impervious area. However, with the addition of the deeded septic land to be recombined with lot B, this percentage will decrease.

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

1. Water Source and Requirements >. **<Required>**. How much water will the use require? What is the source of the water (public or private supply)? If supply is public then (with the help of the Public Works Dept./ 542-8254) identify how the water connections are to be provided.

County water is already on site and no new connections will be needed.

Initial water usage is estimated to be around 750 gallons per day. If business expands, then water usage would also increase. This would occur gradually over 3-5 years, and may reach 1500 gallons at a high use.

2) Wastewater Management >. **<Required>**. What is the wastewater capacity needs for this use? Specify the treatment and disposal methods to be used. If individual septic, provide septic improvements permit letter from the Chatham County Health Department. If other than individual septic systems are to be used, submit a plan for wastewater management. If system requires approval from NCDENR, state progress towards getting approval from NCDENR.

Wastewater needs will be essentially the same as the water consumption. An existing septic tank and pump tank are present, however a second tank will be installed prior to the current tank. This tank will receive waste from the dog runs. It will then flow into the second tank, which receives waste from the toilets and sinks. Most wastewater will not need to be treated other than going directly into a septic tank. However, due to radiography, a silver containment and recapture system will be installed in the processing room. This system will be designed by an environmental engineer and installed during remodeling. Hair traps will be set at all floor drains. An effluent filter will be placed in each septic tank. NCDENR will review the silver recapturing system during this process and verify the effectiveness of the design. Maximum capacity will be 2000 gallons per day.

Water/Sewer Impact Statement >. **<Required>**. All applications where a public utility is to be utilized, (water or sewer) must state clearly the amount of usage that is anticipated. The usage estimate must be validated by the County Public Works Director, along with an updated usage vs. capacity statement. The impact statement should provide a projection of the demand after the site is fully developed.

There will be no adverse impact.

3) Access Roads >. **<Required>**. Describe the access from the site to public highways. If the requested use will require a new driveway or enhancement to existing highway(s) address the following questions. If a new driveway access is part of the proposal, has NC DOT approved this access (include copy of the commercial driveway permit)? If the Site is located on a road designated as a “major collector”, is the site accessed by an existing or proposed service road. Describe any upgrades of public or private roads necessary to serve the property.

Access to the property is off of East Cotton Rd, along an existing driveway ,

on a non-exclusive, 40-foot easement. No major road changes will need to be made.

4) Storm Water Runoff >. **<Required>**. Detail the methods and various structures that will be used to control storm water runoff. This information will detail all points of off site discharge with design techniques used and projected impact on neighboring properties.

Gutters are in place to capture rainwater. It is diverted via below ground pipes or above ground onto the driveway. The rainwater is diverted west toward a depression used to gather water and prevent erosion. Water will be removed via absorption into the ground or evaporation into the air. This is the same system that is currently in place. This system was designed to catch the first ½ inch of storm water runoff, calculated to be 1,235 cubic feet. (Per engineer's letter and site plan).

Name of Applicant: David Webster

Signature:

To:

Chatham County Board of Commissioners

Chatham County Planning Board

My name is David Webster, and I am requesting a conditional use permit for a veterinary hospital at 58 E. Cotton Rd. The current use of the building is a daycare. Efforts have been made to continue the operation of the daycare, but for various reasons, these efforts have failed. The daycare is set to close on or around February 11, 2005. Eight to ten weeks are expected to be needed for renovations, with a proposed opening date of April 1, 2005. I graduated from NC State University, College of Veterinary Medicine in 2001. From Raleigh, my family and I moved to Waynesville, NC, where I worked in a 5 doctor, mixed animal practice. After three years in the mountains, we decided to move closer to the Triangle area, and our extended families. I currently work for an animal hospital in Southern Pines, practicing small animal medicine and surgery for their 1-doctor satellite clinic in Raeford, NC. My goal has always been to own my own practice, and now is my opportunity. Management practices differed greatly between the mountains and the sandhills, and I believe that I can take the best I have seen of both worlds and meld them into a successful style of my own. Chatham County is on a continual curve of steady, healthy, controlled growth. We feel that we will be an asset to this growth. By operating a small business that caters to the needs of families, we will improve the quality of life for not only the animals of Chatham County, but their caregivers as well. I hope you will give my family and me this chance to fulfill a dream: Hope Crossing Animal Hospital.

Sincerely,

David Webster