

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

(Draft # 5. Last modification : 02-13-03)

(Approved for use by the Planning Board on 07/01/97) – Revision 9/12/00 Finding #5 b. Water/Sewer Impact Statement

Introduction:

The materials required in applications for a Conditional Use District (CUD) and/or a Conditional Use Permit (CUP) are given below. While some areas are optional, depending on the nature of the requested use, other items are required of all applications. Material that must be provided in all applications is designated as **<Required>**. Material, that is not essential due to the type or characteristics of the requested use, is designated as **<Optional>**. The Planning Board may, at its discretion, require the presentation of any of the information designated as optional. The Planning Board may request, due to the unique nature of the application, any additional information not directly listed in this check list.

Completion of all required items by the applicant, **working with the Planning Department**, and others as needed, would be **mandatory** for the application to be considered at public hearing and then by the Planning Board. The Planning Department will not forward incomplete applications to the Planning Board. Substantial amounts of new information will not be last-minute additions to the application at the Planning Board meeting where the application is first considered (e.g. a substantial redesign of the proposal during the review). If a decision on an application is deferred, then clearly, new material may be added to the application for consideration at the next Planning Board meeting.

As the applicant is often requesting, via a CUD/CUP, a zoning change, the development of a complete application should not be considered an unreasonable expectation. It should be considered an opportunity to develop a strong application that clearly identifies the benefits of the requested use.

The original zoning decisions of the Board of County Commissioners are presumed to be correct; there is no requirement to defend existing zoning or prove why it should not change. It is the responsibility of the applicant to prove why a change should be made and the CUD/CUP be granted.

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; U.S. 15-501
 - b. private road(s) servicing the site; _____

- c. the current zoning of the site; Conditional Use Permit for propane gas business.
- d. watershed designation, the site classification and % impervious surface allowed; W.S. II (Existing Development)
- 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.**
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- f. the size (in acres) of the site; 1 acre
- g. current utility or other easements assigned to this site; Site is benefitted by a sewer easement as depicted on survey attached.
- h. the current use of the site; Propane Gas retail store (Ferrellgas)
- i. description of current contents of the site (e.g. buildings, utilities, etc.)
See survey attached.
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- j. other Conditional Use Permits that have been granted for this site.
Prior to current conditional use permit, the property had a conditional use permit for use as a lawn and garden center.
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2) Description of Use <Required>. Provide a description of the requested use.
Applicant desires to amend the CUP to allow use of the property as an office and shop for contracting company. Applicant may, at a later time, construct a garage as shown on the attached drawing of approximately 1,200 sq. feet.

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:

- a. existing buildings on site, construction description and size. **See survey.**
- b. proposed new buildings, location on site, size, construction description in adequate detail to determine the general appearance of the building and to establish the architectural design. **Same building will be utilized. May remove fenced area. May construct approximately 1,200 sq. ft. garage.**
- c. landscape plan with materials used. **See survey. Landscaping will be as currently provided.**
- d. screening/buffering plan, setbacks. **See survey.**
- e. natural preserved areas that will remain in this condition. **All plantings and natural screening will remain in tact.**
- f. site boundaries with adjacent properties.

- g. parking design: **Parking will be in currently fenced area. Fourteen spaces are required under the zoning ordinance (Section 12.1 C)**
- h. sign location, type, size. **Attached is a drawing of sign size and style.**
- i. areas reserved for future development or improvements under this permit. **None at this time other than possible garage location as shown.**
- j. lighting plan. **Same as current lighting, except lighting for sign as shown on attachment.**
- k. percentage of impervious surface, include storm drainage management plan. **No changes unless possible garage is added.**
- l. topographical description/drawing of current site and after improvements have been made to the site. **See survey.**
- m. designate streams and wetlands and any required water hazard setback areas. **None.**
- n. vicinity map showing property location. **See survey.**
- o. county tax map with location of property identified. **Attached.**

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.
Once the permit is amended and the purchase is completed, Applicant will relocate to this property within 60 – 90 days.

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.)

This use will be less intense than the prior two permitted conditional uses because it will involve no retail aspect. Approximately 7 employees will work from this office.

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 (Zoning Ordinance information: <http://www.co.chatham.nc.us/PlanningBoardItems/Zoning%20Ordinance.htm>) **<Required>**. Simply confirm that the requested use is eligible for the requested site. **This is an amendment to an existing conditional use permit that will allow for a less intense commercial usage of the property. This property has been used for commercial purposes since prior to the adoption of zoning for the Baldwin Township in 1973. Prior to that time it was used as a small engine**

repair shop. In 1987, a conditional use permit was granted allowing use of the property as a lawn and garden center. In 1993, the conditional use permit was amended to allow the property to be used as a propane gas business and retail store. This request is to change the use from a propane gas storage, retail sales and office use to merely an office and shop use for contracting company.

2) Land Development Plan Reference **<Required>** (Land Development Plan: <http://www.co.chatham.nc.us/PlanningBoardItems/PlanningBoard.htm#View%20ordinances%20&%20plans>)

Provide (in context) references to the Land Conservation and Development Plan that support this application. See attached description of conformity with Land Conservation and Development Plan.

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 requested use is essential or desirable for the public convenience or welfare because: (1) It allows for a use that will certainly be needed in the northeastern part of the County as the anticipated residential and possible commercial construction comes to fruition. Contracting that is essentially local will be at a premium for both residential and commercial contracting. Applicant is aware of no other similar uses nearby. (2) The requested use reduces the intensity of the current use from propane gas storage, retail sales and offices to simply contractor's office and shop. Eliminating the retail aspect will reduce traffic to the site. Eliminating the propane gas storage aspect will improve the appearance and safety of the site. All of these benefits will accrue to the adjoining residential uses – which benefits are always to be considered in conditional use zoning of this type.**

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? **To the best of the knowledge of Applicant, there are no other similar**

uses adjacent or nearby. A lighting fixture store is located at Cole Park Plaza but we are aware of no other contractor's offices.

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. **No additional public improvements are required. The existing driveway will be used and utilities are already provided to the property.**

4) Tax considerations **<Optional>**. If appropriate, or of advantage to the application, provide an estimate of the tax revenue (direct and indirect) to the County that this use would provide over the next five years. Describe how this estimate was determined. What is the net result of expenditure of County services and facilities required VS the tax revenue generated?

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. **Applicant will employ approximately 7 individuals at this office. The company employs approximately 70 overall. The company anticipates hiring 6-10 employees each year. Because this office will be located in Chatham, the likelihood of employing Chatham residents increases.**

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>**.
- a. Fire Protection. Document the impact on respective volunteer fire department's ability to service the site with the requested use. This should come from the Chatham County Fire Marshal as a letter. **No additional impact but likely lower risk.**
 - b. Police Protection. Document the impact to the Chatham County Sheriff Department's ability to provide protection for the site with the requested use. This should come from the Sheriff in the form of a supporting letter.
 - c. Rescue 911. Document the impact to the Chatham County Rescue Squad's ability to provide support to the site; provide approximate arrival time to site after 911 call is placed.
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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? **Traffic generated by this use will reduce the overall traffic to the site because there will be no retail (customer) trips to the site. No changes to existing road improvements or speed limits will be needed.**

3) Impact to surrounding Land Values <Optional>. What will be the impact to surrounding land values as a result of the proposed use? Is this impact anticipated to change with time and the possible changes in use of the surrounding properties? Note that if the applicant does choose to provide this information to support the application, then the basis for the information **must** be provided. For example, if a real estate appraiser's opinion is presented, then the opinion is expected to be derived from an analysis of comparison sites with requested use, some other real estate study or survey.

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? **Existing extensive buffers from surrounding properties (see survey) will be maintained.**

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? **No new lighting will be utilized, except possibly ground lighting for employee safety in the parking area and signage lighting as indicated on attachment.**

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? **No.**

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. **None. Existing propane tanks will be removed by current owner.**

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. **Proposed sign will be of the size and design indicated on the attachment.**

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

(1) Land Development Plan:

<http://www.co.chatham.nc.us/PlanningBoardItems/PlanningBoard.htm#View%20ordinances%20&%20plans>

(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. **See Attached.**

(2) Water shed and flood considerations:

<http://www.co.chatham.nc.us/PlanningBoardItems/PlanningBoard.htm#View%20ordinances%20&%20plans> <Required>. Provide information that demonstrates how the requested use conforms to the Watershed Protection Ordinance and the Flood Damage Prevention Ordinance.

<http://www.co.chatham.nc.us/PlanningBoardItems/PlanningBoard.htm#View%20ordinances%20&%20plans>

Because no impervious surface will be added to the site and because the site is an existing development under the ordinance, the project complies with the Watershed Ordinance and will have no addition watershed impacts. In the event that a garage is added later, a watershed permit will be sought at that time. As to the flood Prevention Damage Ordinance, the property is not in a floodable area nor within 100 feet of a floodable area and, therefore, the ordinance does not apply.

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. **Water supply is by private well.**

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. **An individual septic permit is in place for the structure.**

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.

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. **No new driveway or driveway improvement is needed.**

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. **The existing, approved stormwater runoff structure will be used.**

Name of Applicant: Robert Blitchington

Signature: _____

CONFORMITY WITH CHATHAM COUNTY LAND CONSERVATION AND DEVELOPMENT PLAN

The proposed amendment to the conditional use permit conforms with existing land use plans, goals and objectives as expressed under the Chatham County Land Conservation and Development Plan (the “Plan”) as is set forth in detail below.

The Plan sets forth various land conservation and development policies. Because of the history of the parcel and because of its location, the requested amendment blends nicely with the policies and provisions of the Plan. The first land conservation and development policy set forth in the Plan describes the goal that land development and conservation should reflect balanced growth. The Plan defines balanced growth as including growth consisting of a mix of different types of development and development that is guided to suitable locations and is designed appropriately. Because the property at issue in this application has been used as commercial property for over forty years and because its location is right in the heart of the various commercial uses that exist between the intersection of US Highway 15-501 and Manns Chapel Road and the Chatham County line, the requested use certainly is development that is guided to a suitable location. It helps to meet the policy ideal of having a mix of different types of development given that, within a half a mile of the location, there are the following uses: bank, office and institutional uses, shopping center/retail, and residential subdivisions. The Plan also promotes the designation of economic development centers in order to promote a diversified sustainable business community. Certainly the area between Manns Chapel Road and the Chatham-Orange County line, on Highway 15-501, is an economic development center.

Among the major recommendations of the Plan is a desire to designate crossroads commercial center locations to serve the needs of surrounding rural areas. The intersection of Manns Chapel Road and Highway 15-501 is a crossroads commercial center and the proposed use will certainly contribute to the fulfillment of that recommendation. The Plan (on page 7) recognizes the value of commercial endeavors, referring to them as a “Net Long-Term Asset to the Community.”

With regard to designation of economic center locations, the Plan (page 33) specifically designates 8 areas that should be considered for designation as economic centers, one of which is “a location in the northern part of the County within the U.S. 15-501 corridor.”

Because this property has been in constant commercial usage for over forty years and because it is located within what would certainly be considered an economic development center, the continued use of this property in the manner requested in this amendment is appropriate under the Plan.