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Via e-mail and First Class Mail

Chatham County Planning Board
Board of Commissioners
Chatham County
P.O. Box 54
Pittsboro, NC 27312-0054

Dear Chatham County Planning Board:

I represent Sandy Pond Enterprises, LLC doing business as Dogwood Animal Hospital & Pet Resort ("Dogwood Animal Hospital") in regard to their rezoning request to B-1 Conditional Use District and Conditional Use Permit Application. We appreciate your taking the time to hear our presentation at the Public Hearing on July 18, 2005.

We wanted to inform the Planning Board that we listened to the concerns voiced at the Public Hearing, and that we are trying to address all concerns about the project. The main concern expressed about the project (as stated by Travis Blake, one of the adjacent landowners) was about Phase B of the project, which is the second building that would provide increased boarding capacity for pets and several training areas. As we are trying to address concerns about the project and because we want to build a facility that will be acceptable to the neighboring property owners, we therefore have deleted plans for Phase B from the Application.

Initially, we want to point out that there has been no opposition to the rezoning of the property from RA-40 to B-1. There has been no opposition to the rezoning since the property is clearly well suited for a B-1 zoning classification due to its proximity to Highway 15-501 and in light of the changed conditions in the area. As the Board is well aware, U.S. 15-501 has been widened to a four-lane highway and the area surrounding U.S. 15-501 has experienced and will continue to experience considerable growth in commercial development (especially in light of the approvals of the Briar Chapel and Chatham Downs developments).

We also want to address each of the following concerns that have been raised about the project:

I. The need for Dogwood Animal Hospital in Chatham County.

The location of Dogwood Animal Hospital is desirable for the public convenience due to the current population in Chatham County and the expected growth in population in the County.

Dogwood Animal Hospital is also desirable for the public convenience as pet owners desire more options for medical care for their pets.

The demographic studies demonstrate that Chatham County can support an additional veterinary hospital and clinic, and we previously provided information showing that the community can support additional veterinary hospitals and clinics based upon the projected 2006 population in the area. Not only will the population in 2006 support the addition of Dogwood Animal Hospital, there will be an increasing need for veterinary facilities due to the expected growth in Chatham County's population.

When performing a demographic study to determine whether a community can support new veterinarians, a five-mile radius is commonly used, even though it is understood that many clients often travel more than five miles for veterinary care. Mobile veterinarians may cover a large radius, traveling as many as 50 to 75 miles to see clients, but they are not included in the demographic analysis unless they are based within a five-mile radius of the proposed hospital location. Mr. Blake and Dr. Pagel noted that two mobile veterinarians (Dr. Adriano Betton and Dr. Elaine Gregg) were not included in our demographic study. Drs. Betton and Gregg are based in Pittsboro, more than five miles from the proposed hospital location, and were therefore properly not included in the demographic calculations.

However, we were not aware at the time of the Public Hearing of the recent approval of a new single veterinary practice, Village Veterinary Hospital, which was scheduled to open in August 2005 across from the Governor's Club. This practice, which will employ a single veterinarian, is within the five-mile radius of the parcel, and should be included in the demographic calculations. With the inclusion of the new veterinary practice, the total number of veterinarians within the client base area will be eight veterinarians. Dividing the total household income (\$890,490,000) by this new number of veterinarians, the total household income per full time equivalent veterinarian is \$111,311,250, which is still within the \$100 to \$120 million income that will support two new veterinarians in the area.

Even though we have submitted information demonstrating that there is a need for additional veterinary facilities in Chatham County, we would like to point out that a land use function should not restrict competition for needed services in the County or regulate the number of veterinary clinics in the area.

II. Adequate security for Dogwood Animal Hospital.

Some concern was raised at the Public Hearing about whether the animal hospital would increase criminal activity in the area and whether it would have adequate security. First, the presence of a veterinary hospital is not usually associated with an increase in criminal activity, and the presence of Dogwood Animal Hospital is unlikely to increase criminal activity in the area. Therefore, no increase in police manpower will be necessary for the security of this facility.

Even though it is unlikely that the presence of Dogwood Animal Hospital will increase criminal activity in the area, a security system will be in place in the unlikely event that an intruder is on the property. The security system will provide a warning that police have been notified. The security system will consist of an inside motion and entry alarm that will directly link to a security company. The alarm system will not be a noise nuisance to the neighbors since the system is designed only to provide a verbal warning to intruders to leave the premises. Deer and other wildlife will not inadvertently set off the alarm system since there will be no outside motion or noise detectors.

III. Appropriate lighting for the facility.

Dogwood Animal Hospital will not create a nuisance to the adjacent property owners in regard to lighting. The Hospital will be equipped with exterior lighting that will be in compliance with Chatham County's Lighting Ordinance. As stated on page six of the Application: "Exterior parking lot lights will be shielded as required, [to] not [exceed] 2 foot candles at the property line. Any lighting for the building or signage will not project skyward or onto adjacent property." Thus, even if deer were to set off the motion light detectors, the adjacent landowners would not be disturbed by the motion light detectors.

IV. Dogwood Animal Hospital's impact on traffic.

Dogwood Animal Hospital will have minimal impact upon traffic in the area. Even at maximum operating capacity (which will not occur until at least one year after the veterinary hospital opens), Dogwood Animal Hospital will serve no more than 40 to 50 clients per day on weekdays, and a maximum of 20 clients on Saturdays. At full capacity, clients and employees will increase traffic in the area by at most 70 cars per day on weekdays between the hours of 7:00 a.m. to 7:00 p.m., and 30 cars on Saturdays between 7:00 a.m. and 1:00 p.m. An increase of up to 70 cars per day on weekdays does not constitute a significant increase in traffic, and the widening of 15-501 is expected to be complete prior to the time that Dogwood Animal Hospital begins operations.

Additionally, the traffic generated by Dogwood Animal Hospital will not create a hazard for neighborhood school children since there are no school bus stops close to the parcel. (The closest bus stop is about one-quarter or one-fifth of a mile from the site on Vickers Road.) Also, clients most frequently enter and leave the facility to pick up the dropped-off pets after 4:30 p.m., which is after the time that school buses will have completed their routes.

V. Dogwood Animal Hospital will control noise.

The plans for Dogwood Animal Hospital ensure that the facility will not create a noise nuisance for the neighbors. Dogwood Animal Hospital will be a 5,966 square foot building located on a large (4.1 acre) tract of land, and it will be located approximately 115 feet from the nearest residential property line (Mr. Blake's property line). There are mature trees along the property lines, and they will be preserved as part of the 15 foot landscape buffer. The mature trees in the landscape buffer will provide both a visual and a sound buffer from the residential properties. In addition, dense evergreens will be planted and used for landscape fencing, and the evergreens will help to absorb any sound from inside the veterinary hospital.

A concern was also expressed at the Public Hearing that pets might be left outside the animal hospital and clinic, and that they would create noise for the neighbors. We want to make it clear that no pets will be housed outside the facility overnight, and that pets will be attended and supervised at all times when they are outside the building. Pets will only be outside the building when they are being walked or when they are being supervised in the play areas (which will be located immediately adjacent to the hospital building). The play areas will be used for elimination and play time only between the hours of 7:00 a.m. and 6:00 p.m. The pets will be attended by a kennel technician, who will ensure that there is no excess barking.

As mentioned above, we are not seeking approval for Phase B (the second building with increased boarding capacity and training areas), and the design plans for the hospital and clinic

(Phase A) have measures to effectively control noise from barking dogs. Any noise of dogs barking in the small kennel area in Phase A (housing no more than 30 pets) will be contained and absorbed by walls specifically constructed for that purpose. Please refer to page six of the Application, which discusses the noise absorbing materials that will be used to contain noise in the facility. Thus, the combination of the building design, the preservation of existing trees, and the planting of evergreens should prevent the neighbors from hearing any noise inside the facility.

VI. Mature trees will be preserved on the property.

As stated above, trees along the residential property lines will be preserved in order to provide a 15 foot natural landscape buffer between the veterinary hospital and the adjacent properties.

VI. Dogwood Animal Hospital will not cause environmental problems.

Dogwood Animal Hospital will not create biological or environmental problems for the property. First, the floor drains in the facility will not be discharged into the building drainage system. Also, the pool water that the dogs will occasionally splash in during play times in the warm months will not cause problems for the property. The dogs will be able to splash in small, plastic kiddie pools that will hold between 25 to 40 gallons of water, which does not constitute an environmental hazard or contaminant. The pool water will be emptied in the play yard areas at the end of the day, and any solid matter will be disposed of properly.

Furthermore, we want to emphasize that Dogwood Animal Hospital will not release any radioactive materials into the environment. As stated in the Application, the primary chemical that will be produced at the facility is silver, which is a byproduct of radiographic processing. The silver will be properly scavenged, recovered, and removed from the property, and will not be released into the environment. (Veterinary hospitals are required by the Veterinary Medical Board to have the ability to take radiographs, from which silver is produced.) Furthermore, Dogwood Animal Hospital will not produce radioactive iodine since it will not provide treatment for hyperthyroid cats and has no interest in becoming licensed as a center for the radioactive iodine treatment of hyperthyroid cats.

VII. The proposed septic system is appropriate for the use and the property.

Attached is a letter from Toni Wyche, environmental engineer, with the Division of Water Quality ("DWQ"), providing preliminary information showing that the septic proposed for Dogwood Animal Hospital will meet DWQ guidelines. Furthermore, the letter from John R. Davis, Jr., LLS, provided with the Application states that the area can dispose of the wastewater flow from the veterinary clinic. The attached letter from Blair Pittman, civil engineer, further addresses drainage and septic concerns. The attached information from Mr. Pittman demonstrates that the proposed septic system is appropriate for the property.

VIII. The small amount of wetlands will not prevent development.

Mr. Davis, soil scientist, has analyzed the property and performed a wetlands and stream study. Mr. Davis determined that there is not a buffered stream on the property, and that only a small area of wetlands (approximately one-twentieth of an acre) is present. This small amount of wetlands will not prevent development of the property. We have also asked the Army Corps of Engineers to perform a wetlands and stream study, and we will provide the Army Corps of

Engineers' findings prior to the hearing.

Mr. Davis has also pointed out that the building of both Phases A and B (when approval for only Phase A is being requested) will only take 15% of the impervious surface of the property. It should be noted that other business uses that could be allowed on the parcel could take far more than the 15% impervious surface (which is the impervious percentage for **both** Phase A and Phase B). Thus, rezoning for use by Dogwood Animal Hospital would be a good way to preserve much of the natural area on the property since the construction of the Hospital will take a relatively small amount of the impervious surface.

IX. Support of the project.

At the Public Hearing, one neighbor (Mr. Blake) expressed concern about certain aspects of the project. However, there are other neighboring landowners who support the project. These neighbors were contacted about a previous site for the facility (which is within walking distance of the current site), and they signed a letter of support for the facility on the previous site. They have been made aware of the new location for Dogwood Animal Hospital, and they continue to support the Application.

Thank you in advance for your consideration of this letter. We look forward to becoming a useful and contributing member of the Chatham County community. Please feel free to contact me, Michelle L. Ponds Pineda, DVM (919-484-1920 ((home)) or 919-475-4500 ((cell)) or Linda T. Sands, DVM (919-387-7410 ((home)) or 919-272-1011 ((cell)) if you have any questions.

Very truly yours,

Karen K. Prather