



Name and Logo Approval Pending

**B-1 Conditional Use District and Conditional Use Permit to allow for
“Veterinary Clinics and Hospitals with dogs runs or equivalent facilities”
as stated in the Chatham County Zoning Ordinance, and also allow for a Boarding Facility.**

This request is for a change in Zoning District from RA-40 to B-1 Conditional Use District and Conditional Use Permit for a +/-4.10 acre parcel located on US 15-501 at Vickers Road. Among other uses, the proposed Conditional Use District (B-1) allows for ‘Veterinary Clinics and Hospitals with dogs runs or equivalent facilities’. A Conditional Use Permit to allow for Boarding Facilities is also requested.

To address Section 17.3B of the Chatham County Zoning Ordinance, due to the increasing number of residential developments in close proximity to this location, sufficient boarding facilities, in addition to veterinary services, will be viewed as a necessity and a nice asset to the community. The applicant, Sandy Pond Enterprises, LLC, submits this application in an effort to open Dogwood Animal Hospital and Pet Resort, which will provide a full-service veterinary hospital and boarding facility with luxurious and modern amenities to the upscale residential neighborhoods which currently exist and are approved for development. This site is positioned in a central location to those developments which supports Chatham County’s plan of locating commercial development within close proximity to residential development.

Dogwood Animal Hospital and Pet Resort will be a luxury, modern, full-service veterinary facility. It will include a veterinary hospital, grooming service, obedience training, daycare and boarding kennel, and retail area. Phase A of the construction plan includes a facility that will accommodate the hospital, a grooming area, retail, and boarding space for up to 30 pets. Phase B includes a second building with increased boarding capacity and several training areas.

- GENERAL APPLICATION REQUIREMENTS -

1) LOCATION:

This parcel (#18637) is located on US 15-501 at Vickers Road. One house and one mobile home currently exist on the parcel and both will be removed. The current zoning is RA-40. It is in the WSIV-Protected Area watershed district, which allows for 36% impervious surface. The site consists of approximately 4.10 acres. To our knowledge, no other Conditional Use Permits have been granted for this site. Neighboring property owners include Bobby Arrington (#18908), Travis Blake (#18909), Warren Mitchell (#71691), Lessie Riggsbie (#18897) and Hoyt Collins (#18869). It is not believed that this parcel borders any major wildlife areas.

2) DESCRIPTION OF USE:

Dogwood Animal Hospital and Pet Resort will be a luxury, modern, full-service veterinary facility. It will include a veterinary hospital, grooming service, obedience training, daycare and boarding kennel, and retail area. In order to provide a high level of luxury for pets who are boarded at this facility, the Pet Resort and Spa will provide services which include daily grooming, obedience/training classes, yard and water playtime (kiddie pool), socialization, hiking trails, massage, classical music selections, aromatherapy, and a choice of accommodations including condos, suites, runs, and cages. The hospital will offer state-of-the-art veterinary care with an emphasis on preventative medicine, care for all life stages, and treatment comparable to that of any human clinic. Full medical and surgical services will be offered to all clients including physical therapy and rehabilitation. The grooming facility will cater to all types of breeds and pets. Obedience training will include classes for all ages, and daycare and boarding will be provided to accommodate clients with daily or extended needs.

Phase A of the construction plan includes a facility that will accommodate the hospital, a grooming area, retail, and boarding space for up to 30 pets. Phase B includes a second building with increased boarding capacity and several training areas.

3) SITE PLAN & DRAWING:

Please see attached construction drawings (proposed).

4) START & COMPLETION PROJECTIONS:

The approximate start time for this project is September 2005, assuming rezoning is completed and building permits have been received. According to the standard project timeline, Phase A should be completed Spring / Early Summer 2006 and ready for operation.

5) REFERENCE TO EXISTING COUNTY PLANS:

Although this site is not specifically mentioned in the existing County Plans, it does abide by the county's vision of locating commercial uses along major highways to support nearby residential developments.

- SPECIFIC APPLICATION REQUIREMENTS -

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 FOR USE IN ZONING ORDINANCE:

The requested rezoning and conditional use permit needs to allow for a veterinary hospital with a boarding facility. Zone B-1 does permit for veterinary clinics; however, it does not permit for boarding kennels. (A conditional use permit is required for the latter.) The use "Veterinary Clinics and Hospitals with dogs runs or equivalent facilities" is an allowed use under the B-1 Conditional Use District.

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

1) NEED & DESIRABILITY:

There is a definite need for the proposed use in this area. The area surrounding Briar Chapel, Fearington Village, and Booth Mountain in northern Chatham County is currently in a rapid growth phase. The widening of 15-501 to four lanes and the recent approval of Chatham Downs is in response to the anticipated needs. Many new apartment complexes, condos, townhouses, and single family dwelling subdivisions are currently under construction in Fearington Village, and +/-2,500 more are currently planned in Briar Chapel and Booth Mountain. However, there are not enough new veterinary hospitals planned to fulfill the sudden increase in demand for high quality veterinary services. The practice currently in the area, Cole Park Veterinary Hospital, has not upgraded its facilities for many years, and has limited potential for growth. In addition, this practice provides no luxury boarding or daycare accommodations. The veterinary hospital that has recently been approved on 15-501, close to Bynum Road (David Webster's) is very limited in size and has no boarding and daycare capacity.

The following demographic analysis will show that there is a need for a new veterinary practice to service the growing number of households in the Fearington Village/Briar Chapel/Booth Mountain area. The analysis will be performed using projected data for the year 2006, since the target opening date of the Hospital is spring of 2006. Data for 2006 is estimated using a linear extrapolation from the 2005 and 2010 data.

The total income analysis method is a demographic method that can be used to evaluate the potential for success of a new veterinary practice within a demographic area. The following study is performed using a conservative 5-mile radius as the client base area:

The total household income per full time equivalent (FTE) veterinarian in a community necessary for an ideal practice is reported by national veterinary consultants to be \$100-120 million per FTE veterinarian. Within a 5-mile radius of Dogwood Animal Hospital and Pet Resort, there is currently only 1 other veterinary hospital (Cole Park

Veterinary Hospital) with 4 full time veterinarians. A second veterinary hospital has just been approved along 15-501 with a single veterinarian (David Webster). Dogwood Animal Hospital and Pet Resort will add an additional 2 FTE veterinarians into this radius, bringing the total number of FTE veterinarians within the client base area to 7.

The total projected number of 2006 households with a 5-mile radius surrounding Dogwood Animal Hospital and Pet Resort is 9738**. This estimate is derived by a linear extrapolation between the 2005 estimate and the 2010 projection data. The 2005 average household income within the 5-mile radius is \$91,441**. For the purposes of this analysis, we will assume the average household income remains constant; however, in reality this number will increase significantly as higher income families move into the homes currently planned and under construction in Fearington Village, Briar Chapel and Booth Mountain.

****See attached Claritas Data (Pop-Facts: Household Quick Facts Report).**

Demographic Analysis

Gross income of demographic area
= total number of households x average household income

Total household income per FTE veterinarian
= gross income of demographic area / total number of FTE veterinarians

For 2006:

Gross income of demographic area = 9738 x \$91,441 = \$890,490,000

Total household income per FTE veterinarian = \$890,490,000 / 7 = \$127,210,000

The total household income per FTE veterinarian is well above \$100-120 million, the income necessary to support two new veterinarians in the area.

Summary:

As is evident from this simple demographic study, the need for a veterinary facility to serve the residents of the growing Northern Chatham County area is indeed present. The current veterinary facilities in the community will not be able to handle the volume of business brought on by the current boom in growth, and the residents may be forced to take their business to facilities in Chapel Hill. Locating a veterinary hospital in this community will keep Chatham County dollars in Chatham County and provide a much needed service to the residents of the surrounding area. The proposed use (veterinary hospital) is more desirable than the existing permitted use (residential) because it will fulfill a need in the community and will bring jobs and income into Chatham County.

2) SURVEY OF SIMILAR USES:

Within a 5-mile radius of the proposed site, only 1 veterinary hospital is in existence, Cole Park Veterinary Hospital. Another has recently been approved. Cole Park Veterinary Hospital has not upgraded its facilities for many years, and has limited potential for growth. In addition, this practice provides no luxury boarding or daycare accommodations. The veterinary hospital that has recently been approved on 15-501, close to Bynum Road (David Webster's), is very limited in size and has only limited boarding and daycare capacity.

3) PUBLIC PROVIDED IMPROVEMENTS:

Due to the current widening project on 15-501, we predict that no additional public improvements are necessary.

4) EMPLOYMENT:

At full capacity, Phase A will create 16 full-time positions, including: Veterinarian (2), Technical Supervisor (1), Technician (2), Assistant Technician (4), Public Relations Director (1), Receptionist (2), Kennel Assistant (3), and Groomer (1), ranging in salaries from \$10,000 to \$150,000 annually.

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:

There should not be any extra demand on emergency services. Emergency vehicle access has been considered in the Site Plan design in regards to easy access to facilities and turn-around capability. Please see attached Letter of Support from Thomas K. Bender, the Chatham County Fire Marshall.

2) TRAFFIC:

According to the most recent traffic count study conducted in 2003, the Annual Average Daily Traffic Count on this section of 15-501 is between 12,000 and 20,000 vehicles per day. Due to the current widening project, this section of 15-501 should be able to support many more vehicles. Go to <http://www.ncdot.org/planning/tpb/gis/DataDist/GISTrafSurvMaps.html> and select Chatham County Map #3 for verification. This use should have a minimal traffic impact. Primary traffic use should be client and employee personal vehicles during normal business hours. No changes to the current speed limit or modifications to the road system are anticipated. According to the NCDOT, a stoplight will most likely be installed at the 15-501 / Vickers Road intersection in the near future.

3) VISUAL IMPACT & SCREENING:

For the visual presentation, please see the attached elevations (proposed).

4) LIGHTING:

All lighting will comply with the current draft of the 'Chatham County Lighting Ordinance'. Exterior parking lot lights will be shielded as required, not exceeding 2 foot candles at the property line. Any lighting for the building or signage will not project skyward or onto adjacent property. See Site Plan for more information.

5) NOISE:

The non-kennel areas of a veterinary facility (reception area, exam rooms, pharmacy, surgery, treatment, ICU) generally have no problem with noise production. Dogs on leashes with their owners in the reception areas and in exam rooms do not typically bark. Dogs in the ICU, treatment, and surgery areas are too ill or sedate to produce any nuisance noise. The major area of concern for noise production in a veterinary facility is always the kennel area, where dogs are housed in indoor runs and cages. Here they will typically bark at times in concert. In order to allow business to proceed, and to protect the surrounding communities from nuisance noise, the kennel areas of the facility must be constructed to insulate and contain the noise generated by the kennel from the rest of the hospital and from the outdoors.

Special precautions have been made to limit the amount of noise generated from this site and to ensure that the noise level will be in compliance with Chatham County ordinances.

Noise can be contained by using noise-absorbing materials during construction. Materials that are highly effective at containing sound have a high Sound Transmission Coefficient. The Sound Transmission Coefficient (STC) rating of a material means that the material will absorb approximately that many decibels of sound. For example, a common gypsum board partition on 2 x 4 wood studs has an STC rating of about 34. In order to not exceed the specified decibel level of 50 dB(A) at the property line, exterior walls in the kennel locations will consist of 4" brick with 8" insulated CMU block. This combination offers a high Sound Transmission Coefficient rating of 53+. This means that the walls surrounding the kennel area will absorb more than 53 decibels of sound. (Alone, the 8" insulated CMU block provides a STC value of 53. The 4" brick will add to the STC value). The sound proofing materials will extend all the way to the roof deck, to prevent sound flanking. Tight-fitting solid core wood or hollow metal doors will prevent sound leaks through these openings.

Exterior walls of other locations will consist of 4" brick, 2" air space, 6" metal studs w/ 6" R-19 insulation and 5/8" Gypsum Wallboard (2) providing a STC rating of 46+. This means that the walls in the rest of the facility will absorb more than 46 decibels of sound. (Alone, the 6" metals studs w/ 6" R-19 insulation and 5/8" Gypsum Wallboard on each side will provide an STC value of 46. The 4" brick and 2" air space will add to the STC value).

Dense evergreens will be used for landscape fencing as they also offer a high STC value. Please note that no pets will be left unattended outside the building or housed outside overnight.

6) CHEMICALS, BIOLOGICAL & RADIOACTIVE AGENTS:

Special precautions have been made to limit the amount of chemical, biological and radioactive agents that will be generated by this site. The primary chemical hazard that will be produced is from radiograph processing, which contains silver. This material will be scavenged and recovered before the liquid is released into the septic tank. 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. Upon build-out completion, this system will be inspected by North Carolina Division of Radiation Protection. (A permit is not required prior to acquiring a building permit.)

Regarding disposal of pet remains, Buckleigh Hills Crematorium and Disposal Service will pick up all dead animals. The remains will be stored in a large freezer and the company will pick them up on a weekly basis. There will be no pet remains placed in any garbage cans. The address and phone number of this service is:
P. O. Box 265, Zebulon, NC 27597. Phone: 269-7771 and 836-1815.

All animal excrement will be picked up three times daily, bagged tightly and deposited into a dumpster which will be emptied on a weekly basis. As for the building, there will be a negative airflow into the kennel areas with filtered exhaust fans. There will not be any problem with odor from the facility.

7) SIGNS:

The use will include road and building signage. This signage will follow in design, size, height and material as required by the Chatham County Sign Ordinance. The location of the signage is shown on the building. The road sign will be limited to 4' x 8' and be of brick material. It has not been determined if illumination of the signage will be necessary. If the signage is illuminated, it will be of low wattage and at an angle which will be in compliance with the current draft of the 'Chatham County Lighting Ordinance'.

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

The Chatham County Land Development Plan calls for a balanced growth pattern for the county. This project will be a part of that balance, providing a sustainable business model and needed services to the residents of Northern Chatham County, while preserving both the form and function of rural character. This project is located at the intersection of U.S. Highway 15-501 and Vickers Road. It has always been a major policy goal of Chatham County Planning to locate businesses at or near intersections, and this location is appropriate for business development.

Near this site are a number of mixed uses: Mitchell Self Storage on Vickers Road which was recently rezoned Light Industrial (with a Conditional Use Permit for Mini-Warehouse); The Whispering Pines Mobile Home Park; Kitchens by Bonnie, which lies on the West side of 15-501 in a conditional use in a B-1 district for an interior design service; Countryside Antiques, zoned as a conditional use for an antique shop; the Carolina Power and Light Sub-Station, zoned as a conditional use for utilities; the Fearington Self-Storage facility north of Countryside Antiques, is zoned B-1. Also, in the general area, are various other business zonings or conditional uses such as Griffin's furniture store (conditional use for furniture store), Blakes Landscaping (zoned B-1 but taken for the highway expansion), and the Chatham County Water Tower (conditional use permit for utilities).

According to the Land Development Plan, the land along the 15-501 corridor should be a well-planned and integrated mix of homes, shops, offices, institutions and civic spaces. This tract is nearby to the compact community corridor and several major residential developments (existing and approved), including Fearington Village, Polks Landing, Governors Club, Booth Mountain and Briar Chapel. The Land Development Plan directs development to areas which have the necessary infrastructure, and this project is located in such a district. The county water system will be utilized for this project, and the major thoroughfare of 15-501 is more than able to handle the traffic for this project and those surrounding it.

The design of the building and the landscaped buffering from adjacent residential uses will allow this project to blend with the rural character of this area. This same kind of rural-sensitivity occurred on the property at Old Lystra and 15-501, where the architecture blended into the country-aspects of the area.

In summary, this project exemplifies the Land Development Plan policy objectives of balanced growth, consisting of a mix of different types of development, producing sustainable business enterprises, guided to appropriate locations and designed appropriately for its setting. This project does not draw additional traffic, but rather uses the existing traffic flow from which to draw its customers and clients. This project will produce a sustainable business enterprise, which will employ a number of people, and supply much needed services to the residents of Chatham County.

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

1) WATER SHED & FLOOD CONSIDERATIONS:

In accordance with the WS IV- PA Guidelines, the site will be at or below the 36.0% impervious requirement and is currently estimated at 15.0%. See attached site plan (proposed).

2) WATER SOURCE & REQUIREMENTS:

The estimated water usage will be 600-800 gallons per day. We plan to tap into the public water supply, which is located on the west (opposite) side of US 15-501. We have discussed this project with Will Baker, Utilities Director, and he did not foresee any problems and/or issues with tapping into the public water supply. See attached letter from the Utilities Department.

3) WASTE WATER MANAGEMENT:

A state-approved septic system will be utilized for this project and a soil study for this site is attached. Our water usage for Phase A of this project is 600-800 gallons per day. See attached Appian (Soil Scientist) report. If required, a septic system permit will be acquired prior to submitting for a building permit.

4) ACCESS ROADS:

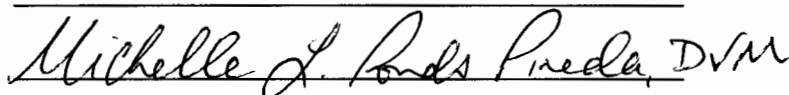
As noted on the attached Site Plan, there will be direct access to Vickers Road. There will not be direct access to US 15-501. See attached letter from the North Carolina Department of Transportation.

5) STORM WATER RUNOFF:

Please see site and grading plan for storm water collection. We do not expect an impact on neighboring properties. Please see retention pond as noted on the attached site plan. A storm water management plan is being created to address 1/2" of storm water.

Name of Applicant: Sandy Pond Enterprises, LLC

Signature:



Michelle Pineda, Managing Partner