

**Conditional Use Permit Application IND-L-CUP**  
**Paul J. Austin**  
**245 Buckhorn Road**  
**Moncure, NC 27559**

April 27, 2007

## **Five Affirmative Findings**

### **Finding #1**

The uses requested are among those listed as eligible conditional uses in the district in which the subject property is located or is to be located.

- 1) The requested uses are eligible for the requested site.
- 2) This application is supported by two of the specific objectives of the Land Development Plan: *Preserve Both the Form and Function of Rural Character—The Landscape, Agriculture, and Home-Based Businesses;* and *Develop an Integrated Approach to Protecting and Promoting High-Quality Open Space, Recreation, Historic and Tourism Locations.*

The rezoning and conditional use requests for Austinville are being submitted so that Paul Austin, the owner of the 77.62 acre site in the Southeastern corner of Chatham County, can be allowed to use his property to provide recreational and entertainment activities for tourists and other visitors. The two components of the request are: 1) an RV park with 80 parking spaces, and 2) a multi-use building where various events, such as festivals, concerts, horse auctions, and benefit sales can occur. The RV park is a use that is allowed under the current RA-40 zoning—a conditional use permit is required and is being requested as a part of the overall application. The uses envisioned for the multi-use building best fit within the allowed uses of the IND-L (light industrial) zoning district. Please note that the requested conditions for rezoning the designated area to IND-L are very restrictive and are specifically geared toward the types of activities mentioned above.

The uses that are presently taking place on the Austinville property—horse corrals, pastures, and barns, along with the residence, recreation center and riding trails—are all typical of the types of uses that the Land Development Plan calls for in its objectives. These uses will be reinforced by the requested Conditional Use Permit because the included multi-use building will provide a facility for organized and formal events under the shelter of a roof. The proposed building will be in character with typical rural and agrarian structures. It will also be an integral part of the tourism aspect of Austinville—along with the RV park (included in the companion 40 Conditional Use Permit request)—it will provide a destination for visitors to Chatham County.

## Finding #2

- 1) **Need and Desirability** The need and desirability of the proposed uses is most obviously demonstrated by the fact that many of the activities and uses requested have taken place on the site with very positive consequences. The owner was unaware that he was required to obtain approval for activities such as festivals and fund raisers—this request is his effort to comply completely with the County’s ordinances. Though these activities have previously occurred without permits, they have provided wholesome and desirable recreational experiences with positive social results.

The multi-use building will provide an essential element for the public convenience in that it will provide a facility and setting for various festivals, shows and events. The building can be used for 4-H shows and other activities similar to those at the State Fair. Also, the multi-use building will serve the public convenience or welfare in that concerts, plays or other activities will be experienced in a rural atmosphere. The multi-use building and associated parking are planned such that they will accommodate about 500 people.

- 2) **Similar Uses** No such use is approved on adjacent properties. We are not aware of another instance of a facility for festivals and concerts in a rural setting in the County.
- 3) **Public Improvements** No additional public improvements will be required of the County if the request is approved.

## Finding #3

- 1) **Emergency Services** <Optional>
- 2) **Traffic** The realigned and improved entrance design for the property has been submitted to NCDOT. Additional car traffic will occur on Buckhorn Road as a result of the approval of this request, mostly as a result of periodic festivals and other events that are planned to occur. No additional lanes or speed limit changes are anticipated as being necessary.
- 3) **Impact to Surround Land Values** <Optional>
- 4) **Visual Impact and Screening** The visual impact of the project will be minimal since extensive screening is included in the plan, and large expanses of existing vegetation are planned to be preserved.
- 5) **Lighting** Lights are associated with the proposed uses (see attached Lighting Plan) and the installation of lights shall comply with the plan.
- 6) **Noise** Appropriate permits will be obtained for any activities such as concerts or festivals that are expected to generate noise.
- 7) **Chemicals, Biological and Radioactive Agents** No chemicals or biological or radioactive agents are planned to be present on the site.
- 8) **Signs** There will be a project sign built of stone and wood at the entrance to the property. The sign will not exceed the allowed area of 32 square feet.

#### **Finding #4**

- 1) **Land Development Plan** The proposed uses embody the desire stated in the Land Conservation and Development Plan to preserve both the form and function of rural character in the County, and they are a significant step towards meeting the goal of providing high-quality open space, recreation, and tourism locations.
- 2) **Watershed and flood considerations** The site is in the Local Watershed designation. Its proposed 9.5% impervious surface poses no threat to water quality. The site is outside the FEMA 100-year designated flood zone. The required fifty foot stream buffer has been voluntarily increased to 100' on both on-site streams.

#### **Finding #5**

- 1) **Water Source and Requirements** The site currently is connected to the County water supply system. Water requirements are not expected to necessitate facilities upgrades.
- 2) **Wastewater Management** Wastewater will be disposed of on-site. The County Health Department has been to the site and has recommended that a private consultant be retained to provide a wastewater management plan. The private consultant has made a field study and a plan is forthcoming.
- 3) **Water/Sewer Impact Statement** The proposed uses are expected to generate a maximum need for approximately 500 gallons of water per day.
- 4) **Access Roads** No upgrades of public or private roads are anticipated. A permit application for relocation and enhancement of the existing driveway has been filed with NCDOT.
- 5) **Stormwater Runoff** All new construction shall comply with the County requirement of detention of the 2-year 24-hour storm event. Such compliance shall be accomplished through the use of Best Management Practices which shall be submitted with Site Plan approval documents.

Name of Applicant: Carter Crawford

Signature: