

Application for Conditional Use Permit

**IRENE FAIRCLOTH GATTIS and JOSEPH MOSNIER d/b/a HISTORIC  
MANN'S CHAPEL EVENT CENTER & CAFÉ**

APPLICANTS

**JOSEPH MOSNIER, IRENE GATTIS, GARY and DEBRA COLPITTS**

LAND OWNERS

AUGUST 14, 2008

## STATEMENT OF VISION

Our vision: A historic country church built in 1887, restored as a community events center and café, and a farm just around the corner, made active again to welcome visitors and supply fresh organic produce. Together, a sustainable approach to preserving and promoting the best of Chatham County – our history, rural values, open spaces, and strong sense of shared community.

In our proposed use, Mann's Chapel – built in 1887, decommissioned one hundred years later, and presently empty and vulnerable – would once again serve the essential mission of uniting community members in fellowship, whether over a cup of coffee, at a wedding, or around the dinner table. The farm on Gilmore Road, one mile from the Chapel and owned by the Faircloth family for over a century, would gain renewed life as a bustling center of organic farming, a place to grow not just our food but our appreciation of our history and each other. We'll invite our guests to stop by the farm, see the crops and animals, before sitting down for a meal at the café.

Our partners share a common vision of collaborating to create a great local business, one that enriches our community in multiple ways. We want not just to craft a thriving social environment in a delightful gathering space, but to give back by providing an inclusive work environment and employee profit sharing, by incorporating exemplary "green building" strategies throughout the renovation, and by contributing a share of profits for local land preservation. Our lead partners are Irene Faircloth Gattis, who was baptized and married in Mann's Chapel and raised on the Faircloth family farm, and Joe Mosnier, who will document the legacy of Mann's Chapel while transitioning from historian to farmer. Other partners will include a special events professional, a chef, and a veteran local farmer (or two) to guide our farm development. Whatever we can't grow ourselves, we will endeavor to buy locally to further strengthen our area's extraordinary small farm network.

In sum, food *plus* community. A place to gather to share the best of Chatham County, old and new. Food with a future, for everyone.

## ZONING DISTRICT AND PERMIT REQUEST

Irene Faircloth Gattis and Joseph Mosnier, d/b/a Historic Manns Chapel Event Center & Café (collectively, “Applicant”) are applying to Chatham County for approval of a Conditional Use District and Permit to allow for use of the restored Manns Chapel Church property as an event center and café. Also included within the CUD and CUP property is a 3.0 acre adjoining parcel across Poythress Road, which parcel will be used for reclaimed water purposes and possibly for parking (the Church property and the 3.0 acre parcel across Poythress Rd. shall be referred to herein collectively as the “Property”). The Church property is currently zoned O/I. The 3.0 acre adjoining parcel is currently zoned RA-90. Applicant seeks a conditional use B-1 permit for the Property to allow an eating and drinking establishment, a catering establishment, retail associated with the same and for uses and structures customarily ancillary to such uses (including events and receptions).<sup>1</sup> The proposed site plan is attached as **EXHIBIT A**.

The conditional use permit request is made pursuant to Section 15 of the Chatham County Zoning Ordinance. As is set forth in detail in this application, the proposal is consistent with the provisions of the zoning ordinance and the county land use plan.

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<sup>1</sup> Applicant has contemporaneously applied for a B-1 conditional use district for the Property site depicted on EXHIBIT A attached hereto.

APPLICATION FOR  
ZONING DISTRICTS  
CONDITIONAL USE DISTRICTS  
CONDITIONAL USE PERMITS

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

Tel: 919/542-8204  
Fax: 919/542-2698  
Email: [angela.birchett@ncmail.net](mailto:angela.birchett@ncmail.net)

**(1) Applicant Information:**

Name: Irene Faircloth Gattis and Joseph  
Mosnier d/b/a "Historic Manns Chapel Event  
Center & Café"

Address: 585 Gilmore Road  
Chapel Hill, NC 27516

Phone No: (h) 919-942-2754  
(w) \_\_\_\_\_  
(m) \_\_\_\_\_

Email: [mosnier@unc.edu](mailto:mosnier@unc.edu)

**(2) Landowner Information (as shown on deed)**

Name: See attached

Address: See attached

Phone No: (h) 919-942-2754  
(w) \_\_\_\_\_  
(m) \_\_\_\_\_

Email: [mosnier@unc.edu](mailto:mosnier@unc.edu)

**(3) Property Identification:**

911 Address: \_\_\_\_\_

S.R. Name: Poythress Road & Lamont  
Norwood Road

S.R. Number: 1534 and 1536

Township: Baldwin

Acreage: 4.545 ac. (approx.)

Flood map #: 3710976600J (7-13-2005)

Flood Zone: X

PARCEL#: 62230 (Manns Chapel)

62254 (Colpitts 3.0 acres)

P.I.N #: 9766-22-4900.000 (Manns Chapel)

9766-23-8333.000 (Colpitts 3.0 ac.)

Deed Book: 1346 Page: 84 Yr: 2007 (Manns Chapel)

Deed Book: 1260 Page: 906 Yr: 2006 (Colpitts)

Plat Book: 2007 Cabinet A Page: 355 (Manns Chapel)

Plat Book: 2007 Cabinet A Page: 780 (Colpitts)

Current Zoning District: 0/I (Manns Chapel)

RA-90 (Colpitts 3.0 acres)

Watershed District: WS-IV-PA (Manns Chapel)

WS-II-BW (Colpitts 3.0 acres)

**(4) Requested Zoning District, Conditional Use District, OR Conditional Use Permit:**

C.U.P. B-1 (Eating and drinking establishment, catering establishment, retail and uses and structures customarily ancillary to such uses, such as events and receptions).

**(5) Directions to property:**

Follow Manns Chapel Road (S.R. 1532) westward spproximately 2 miles from U.S. 15-501 at Cole Park Plaza. Turn right on Poythress Road. Church property on left. Three acre parcel on right.

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

- List of names and addresses or current adjoining property owners (see Adjacent Landowners form)
  - Written legal description
  - Map of the property at a scale of not less than 1 inch equals 200 feet
  - Explanation of request addressing applicable portions of Section 17.3B of the Chatham County Zoning Ordinance
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**(7) Attach Submission Materials Checklist Information (see Submission Materials Checklist form)**

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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.

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Signature

Date

The owner must sign the following if someone 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.

---

Signature

Date

- List of names and addresses or current adjoining property owners (see Adjacent Landowners form)
- Written legal description
- Map of the property at a scale of not less than 1 inch equals 200 feet
- Explanation of request addressing applicable portions of Section 17.3B of the Chatham County Zoning Ordinance

**(7) Attach Submission Materials Checklist Information (see Submission Materials Checklist form)**

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.

Rene Faircloth Gattis Aug. 17, 2008  
Joseph Mosnier Aug. 14, 2008  
 Signature Date

The owner must sign the following if someone 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.

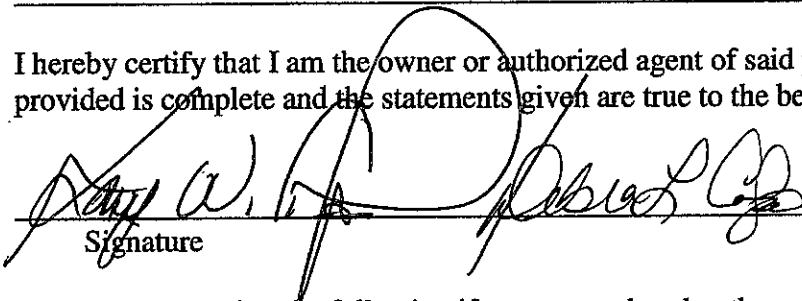
Signature

Date

- List of names and addresses or current adjoining property owners (see Adjacent Landowners form)
- Written legal description
- Map of the property at a scale of not less than 1 inch equals 200 feet
- Explanation of request addressing applicable portions of Section 17.3B of the Chatham County Zoning Ordinance

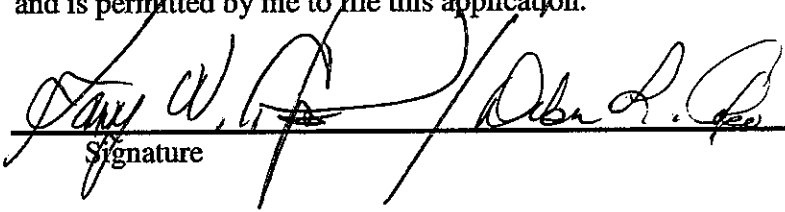
**(7) Attach Submission Materials Checklist Information (see Submission Materials Checklist form)**

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.

 \_\_\_\_\_ Date 8/12/2008  
Signature

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

I hereby certify that JOSEPH MONZIER / TRENE GATTIS is an authorized agent for said property and is permitted by me to file this application.

 \_\_\_\_\_ Date 8/12/2008  
Signature

**Landowner Information (as shown on deed)**

1. Irene Faircloth Gattis  
Joseph Mosnier  
585 Gilmore Road  
Chapel Hill, North Carolina 27516  
(Manns Chapel Property 1.545 acres)
  
2. Gary W. Colpitts  
Debra L. Colpitts  
330 Erwin Road  
Chapel Hill, North Carolina 27514  
(3.0 acre tract)



## LEGAL DESCRIPTION OF PROPERTY

### Conditional Use District/Permit Property:

1. Parcel A: Chatham County PIN 9766-22-4900; Chatham County AKPAR #62230.

**1.545 acres, more or less**, as more particularly described on that certain Final Plat Survey of Decommissioned Mann's Chapel Church Property and referred to therein as the "Church Lot," by Holland Land Surveying, dated June 26, 2007 and recorded at P.S. 2007-255, Chatham County Registry.

2. Parcel B: Chatham County PIN 9766-23-8333; Chatham County AKPAR #62254 (the southern 3.0 acre portion of this approximately 6.61 acre tract):

**3.0 acres, more or less**, as more particularly described on the attached site plan and as follows:

The southern 3.00 acres of the property described in Deed recorded in Deed Book 1260, Page 906, Chatham County Registry; such 3.00 acres being bounded on the North by a straight line, parallel to the southern boundary line of the property, from the eastern boundary to the western boundary of the property in such location as to create a 3.00 acre parcel south of such new line.

## SCHEDULE OF ADJACENT PROPERTY OWNERS

1. Pittman-Korbin Inc.  
7916 Bud Morris Road  
Wake Forest, NC 27587  
Parcel 85413
2. Melissa and Todd Hill  
3156 Lamont Norwood Rd.  
Pittsboro, NC 27312  
Parcel 73647
3. Kenneth G. Hackney  
97 Poythress Road  
Chapel Hill, NC 27516  
Parcel 86062
4. William B. Hackney, Trustee  
Beulah H. Hackney, Trustee  
114 Oak Street  
Carrboro, NC 27510  
Parcel 2627

## DESCRIPTION OF THE PROJECT

Applicant seeks to renovate the Historic Manns Chapel site as depicted on **EXHIBIT**

A.

### *Location:*

(1) Public Highways. The Property adjoins State Roads 1536 (Lamont Norwood Rd.) and 1534 (Poythress Road).

(2) Private Roads. There are currently three private driveways serving the site. Two of the driveways form a semi-circular driveway. See the survey attached as **EXHIBIT B**. Applicant proposes to reduce the number of driveways from three to two, as depicted on the site plan.

(3) Current Zoning. The current zoning of the Manns Chapel site is O/I. The current zoning of the Colpitts 3.0 acre parcel is RA-90.

(4) Watershed Classification. The total impervious surface allowed on the recombined parcel (4.545 acres) is .92 acres (plus any pre-existing impervious attributable to the existing development/structures). Excluding existing development (existing impervious surface) as allowed under the ordinance, the Church parcel will have 33% impervious and the Colpitts parcel will have 1% impervious surface. Including the existing impervious surface, the total, post development impervious surface is estimated to be .91 acres. The watershed classification for the Church property is WS-IV-PA. The watershed classification for the 3.0 acre parcel across Poythress Rd. is WS-II-BW. The overall impervious surface percentage for the combined parcels (4.545 acres) at buildout will be approximately 20%.

(5) Major Wildlife Areas. This site is not in or adjacent to any area designated as a natural area according to the "Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina."

(6) Size in Acres of Site. The overall tract size is approximately 4.545 acres.

(7) Utility or Other Easements. Rights of way for State Roads 1534 and 1536 serve the site.

(8) Current Use. The Church site includes the decommissioned Manns Chapel, currently used for group gatherings and meetings. The portion of the site across Poythress Road is vacant and not currently in use.

(9) Current Contents of Site. See **EXHIBIT B**.

- (10) Other Conditional Use Permits Granted for the Site. The Applicant is aware of none.

*Description of Use:*

The proposed use of the conditional use district and permit property will be for operation of an events center and café with associated retail.

*Site Plan and Drawing:*

The site plan attached as **EXHIBIT A** describes the plans for the site in detail.

- (1) Existing Buildings. See **EXHIBIT B** which depicts the current layout of the Manns Chapel property. The Colpitts 3.0 acre parcel is wooded and vacant.
- (2) New Buildings. A small addition of approximately 1,038 s.f. will be constructed. No other new buildings are proposed. See **EXHIBIT A.**
- (3) Landscape Plan. See Landscape Plan attached as **EXHIBIT A.**
- (4) Screening/Buffering Plan, Setbacks. See Landscape Plan attached as **EXHIBIT A.**
- (5) Natural Preserved Areas. See the buffered areas shown on the landscape Plan attached as **EXHIBIT A.**
- (6) Site Boundaries with Adjacent Properties. The boundaries between the site and adjacent properties are shown on the site plan. The names and addresses of adjoining land owners are provided with this application.
- (7) Parking. The amount of parking available will conform to and exceed Section 12 of the Zoning Ordinance. The proposed eating establishment use requires ten spaces, plus one space for every 3 seats. The project anticipates 70 indoor seats and possibly 50 seasonal outdoor seats. This amounts to 50 parking spaces. The project anticipates a possible 400 to 600 s.f. retail area which would require 2 to 3 more spaces. The current plan allows for 56 parking spaces.
- (8) Sign Location, Type and Size. Applicant seeks to have a sign at each driveway of approximately 2' x 3', a sign of approximately 18" x 12' along the front retaining wall as well as a sign on or near the Church building approximately 12' by 2'. There may also be minimal directional signage within the parking lot area to direct traffic to appropriate locations.

Section 13 of the Zoning Ordinance allows for a total square footage of signage for this property in the amount of 898.22 square feet. The project anticipates a total amount of signage of less than 65 square feet spread out over at approximately 3-4 signs. See **EXHIBIT A**.

(9) Areas Reserved for Future Development or Improvements. None.

(10) Lighting Plan. Section 11A of the Zoning Ordinance will be complied with.

(11) Percentage of Impervious Surface. The property will be developed to approximately 20% of impervious surface, below the allowable limit. The total impervious surface allowed on the recombined parcel (4.545 acres) is .95 acres (plus any pre-existing impervious attributable to the existing development/structures). Excluding existing development (existing impervious surface) as allowed under the ordinance, the Church parcel will have 33% impervious and the Colpitts parcel will have 1% impervious surface. Including the existing impervious surface, the total, post development impervious surface is estimated to be .91 acres. The watershed classification for the Church property is WS-IV-PA. The watershed classification for the 3.0 acre parcel across Poythress Rd. is WS-II-BW. The overall impervious surface percentage for the combined parcels (4.545 acres) at buildout will be approximately 20%.

(12) Topographical Description of Site. A topographical map is provided as part of the stormwater control plan attached as **EXHIBIT C**.

(13) County Road Map. A county road map identifying the location of the property is provided as **EXHIBIT D**.

(14) County Tax Map. A copy of the county tax map of this site is provided as **EXHIBIT E**.

***Start and Completion Projections:***

It is anticipated that the project will be under construction by August 2010 and completed by August 2011.

### *Reference to Existing County Plans:*

This proposed use is precisely the kind of locally grown, entrepreneurial small business envisioned under the Chatham County Land Conservation and Development Plan (the "Land Use Plan"). The Applicant has a fervent desire to create a small business in Chatham County that simultaneously succeeds as a business and also honors our history and our agricultural heritage, all the while meeting a local, community need.

This project simultaneously fulfills several Land Use Plan principles such as preserving rural character, promoting our historic heritage, land conservation, open space, sustainable business, eco-friendly utilities and combining farming and small business at a natural commercial crossroads. Approval of the proposed uses encourages local, community-based economic development.

The Land Use Plan begins by setting out six general policies that define the focus of the Land Use Plan. This project squarely meets the first policy: "Preserve both the form and function of rural character – the landscape, agriculture and home-based businesses." *Land Use Plan, p. 1*. This project preserves the form of the historic Manns Chapel by retaining and refurbishing its historic appearance. The Chapel is in dire need of refurbishment but local passersby have always been attracted to the charm of the original design. The Applicant will refurbish the exterior of the Chapel to its original splendor while adding an architecturally consistent back portion to the Chapel with modern kitchen facilities. Thus, the form of the building will be honored and maintained. The function will be continued as well as it will allow for community gatherings in the space where church and other group gatherings have taken place since 1887 (the church was formally decommissioned in 1987 by the State Methodist Conference but community groups have continued to meet there since then).

One method of preserving the function of rural character explicitly endorsed by the Plan is to "promote the sale of local agricultural products within the County." *Land Use Plan, p. 11*. The commitment to use organic produce and farm products grown locally at the Faircloth farm and sourced from other local farmers further incorporates the agricultural legacy of this space and this place in northeast Chatham County. The project represents a high value anchor element to fostering development of a much sought after Chatham County local food system. This project will begin to facilitate a local market that not only encourages consumers to "buy local" but also provides a market pathway for local products to be grown by locals and sold to local consumers.

Another of the initial policies underpinning the Land Use Plan emphasizes "protecting and promoting high quality . . . historic and tourism locations." *Land Use Plan, p. 1*. This project protects and promotes the beautiful Manns Chapel which, itself is an historic structure that will become a tourist destination if the project is approved.

The Land Use Plan also promotes projects that “ensure the long-term quality and availability of groundwater and surface water resources.” *Land Use Plan*, p. 2. This project will utilize the innovative ground water-replenishing treatment system designed and permitted by Hal House, Phd., President, Integrated Water Strategies, Inc. The wastewater, rather than being treated and discharged into a creek and rather than being treated in a septic field, will be treated and cleansed in planting beds that are simultaneously beautifying the landscaping of the project. The intent is to make no imposition upon the groundwater and surface water resources of the Property and its surrounds. The Plan expressly aspires to “foster alternative means of water and sewer treatment” and to “develop a program to promote conservation and reuse measures.” *Land Use Plan*, pp. 13 and 15. The recent serious drought conditions reminds us of the need to respect the calls of public officials to be responsible with water resources. In addition to the direct benefits of the water replenishing system an ancillary benefit is that it will protect the Colpitts 3.0 acre parcel as open space.

Cross-roads commercial uses are promoted by the Land Use Plan. The Land Use Plan makes reference to “cross-roads” commercial uses in forms that “support rural character” no fewer than sixteen times. The Plan encourages use of “design standards conforming to traditional rural development.” *Land Use Plan*, p. 35. This project meets that objective by placing a commercial/community enterprise at a cross-road that is fed by the northeastern corridor of the County (Poythress Rd., Gilmore Rd. and Damascus Church Road, leading all the way into Smith Level Rd.) as well as a northwesterly section of the quadrant (Lamont Norwood Rd., Hamlets Chapel Rd., Jones Ferry Rd., Crawford Dairy Rd. and Chicken Bridge Rd.). Patrons from northern Chatham County will be able to visit the project without ever driving on U.S. 15-501. This is the definition of a cross-roads commercial endeavor, fully supported by the Land Use plan.

One of the explicit goals of the Land Use Plan is to ensure that “[h]istoric assets are preserved.” *Land Use Plan*, p. 10. Because the project will resurrect the Faircloth farmland for use as a supplier of locally grown produce, the project meets another goal of the Land Use Plan of ensuring that “prime farmland is conserved and protected to ensure that agricultural lands remain in agriculture.” *Land Use Plan*, p. 9. Further, the Land Use Plan aspires to establish “tourism . . . as an important component of the County’s economy.” *Land Use Plan*, p. 10.

The concept of protecting “rural character” is well-defined and prominent in the Land Use Plan. The Plan mentions “rural character” at least 36 times. In fact, “rural character” is defined in the plan to include a backdrop of “. . . barns, churches and silos . . .” *Land Use Plan*, p. 16. Thus, the concept of preserving an historic church falls squarely into line with preserving the rural character of Chatham County while at the same time promotong commerce through small, local businesses.

In referring to “Economic Development Centers,” the Plan requires that the County’s economic development efforts will “explore the feasibility of pursuing environmentally and community compatible business enterprises.” *Land Use Plan, p. 31*. The Plan refers to 8 square miles of economic development centers but never included a map indicating the locations of the same. Thus, our guidance for where economic development centers should be located is supplied by the multiple references to cross-roads community commercial endeavors. This project is ideal for a cross-roads commercial endeavor. In fact, the Plan refers to locations that should be considered as appropriate for economic development as including businesses “in the northern part of the county within the U.S. 15-501 corridor.” This cross-roads commercial center is located within two miles of U.S 15-501 at a strategic crossroads. As such it is ideally located to conform to the Land Use Plan.

Further, the Land Use Plan provides that “economic activity can occur almost anywhere in the County, with the exception of conservation areas, but different activities (or uses) would be appropriate in different locations and might be subject to different performance and design standards.” *Land Use Plan, p. 27*. This economic activity is perfectly matched to the location and in complete alignment with the goals and policies of the Land Use Plan.

- It encourages community compatible businesses. *Land Use Plan, p. 27*.
- A broad range of economic activities should be permitted. *Land Use Plan, p. 31*.

The Land Use Plan also sets out benchmarks for establishing appropriate economic development centers such as (1) areas especially suited for particular businesses (this decommissioned church building has already been dedicated to public gatherings for one hundred years); (2) areas tied to transportation infrastructure (this site is located approximately 2 miles from Cole Park Plaza, the principal commercial intersection in northeast Chatham County); (3) areas minimizing impact of businesses on areas of the county (access to this location as a crossroads commercial location is extensive from all directions but will not burden the major thoroughfares nearby); (4) commercial development that pays for itself (this use will not impose any financial burden on the County but will create jobs and will increase tax revenue and local spending). *Land Use Plan, p. 10*.

There can be no doubt that this proposal fulfills the specific language of the Land Use Plan and is consistent with and promotes the purposes and intent of the Land Use Plan.

In addition, the County has published “Strategic Plan Outcomes and Goals” that specifically support the elements of this project. In the section referring to commercial endeavors, the County’s goal is to “establish tourism as an important component of the County’s economy.” *Goal X(7)*. Further, the Strategic Plan also calls for preserving, broadening and enriching Chatham’s historic cultural heritage. *Goal XI(1)*.



## FINDINGS REQUIRED BY ZONING ORDINANCE

The Chatham County Zoning Ordinance provides, in Section 15.1, that: "In considering an application for a conditional use permit the Board of Commissioners shall give due regard that the purpose and intent of this Ordinance shall be served, public safety and welfare secured and substantial justice done." This application is consistent with all of the purposes of the Ordinance set forth in its preamble.

The Ordinance requires that the Board of Commissioners make five affirmative findings in establishing a conditional use district and in granting a conditional use permit. All five findings are supported by this 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: The subject property would be located within a conditional use district "B-1." Eating and drinking establishments, catering establishments and associated light retail are allowed uses within such a district. *Chatham County Zoning Ordinance, section 10.6 A.* The uses are not only allowed conditional uses but they are generally allowed uses within the district as well. Use of the Property for events and receptions constitutes an accessory use to the requested B-1 conditional uses.

(2) Land Development Plan Reference: This application is consistent with the Land Use Plan. Please see the discussion under "Reference to Existing County Plans," above.

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

(1) Need and Desirability: The County has expressed its desire to encourage economic development that is locally born and consistent with a desire to protect the environment. This proposed use squarely fulfills those twin objectives. The owners and operators are local residents. The project will provide employment and tax revenue to the local market. This kind of contribution to the Chatham economic engine, without commensurate costs of County services is ideal. The addition of this site to the local tourism market (through the events, receptions and café) is also desirable and necessary in this County. Moreover, rescuing a faltering landmark that preserves rural character and local history, at little or no expense to the County is desirable.

(2) Survey of Similar Uses: The Applicant is aware of no other similar businesses located nearby. There is a *Starbucks* located at Chatham Downs Shopping Center that is slated to be among the 600 Starbucks closures. There are no other cafes located in the 15-501 corridor area northeast of Fearrington Village. Further, there are no cafes featuring sale of

foods made from organic, locally grown foods. Wedding receptions and events have been held at a location on Old Lystra Road but, to the Applicants' knowledge there are no similar businesses located near this project.

(3) Public Provided Improvements: No additional public improvements will be needed for this project. Applicant anticipates extending the Chatham County water line if necessary.

(4) Tax Considerations: The addition of a viable commercial enterprise to the relatively abandoned and decommissioned Church property will result in an approximate new County tax value of \$500,000.00. This increase in the taxable property value will come at almost no expenditure of resources by the County. The County will benefit from sales tax generated by sales. This use will not increase the County school population, will not require infrastructure improvements from the County and will have no significant impact on County fire, law enforcement or rescue services.

(5) Employment: It is anticipated that 20 to 25 new, permanent jobs will be created.

***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 and welfare of the community.*

(1) Emergency Services: The project is expected to make very limited demands on fire and police protection and emergency services. This is certainly true as compared to other possible uses of the subject property, such as residential.

(2) Traffic: Applicant has studied the potential traffic impact and has met with the NCDOT representative at the site. The traffic impact is well within the capacity limit of the roadway. The driveways are being reduced in number from three to two and relocated for safety considerations. A commercial driveway permit is being applied for.

(3) Visual Impact and Screening: This project will have a minimal impact on neighbors and passers-by. The Church structure will be refurbished but left essentially the same except that a rear addition of approximately 1000 square feet will be added to match the Church design and materials. The landscape plan has been reviewed and approved by the Appearance Commission with minor modifications acceptable to Applicant (attached as **EXHIBIT A**). Extensive plantings necessitated by the use of restored water in the treatment process will add plantings beyond the County requirements.

(4) Lighting: The new lighting ordinance provisions incorporated into the Zoning Ordinance (Section 11A) will be followed.

(5) Noise: There should be no significant type of noise associated with this use.

(6) Chemicals, Biological and Radioactive Agents: The operation will generate no chemical, biological or radioactive agents.

(7) Signs: Applicant seeks to have a sign at each driveway of approximately 2' x 3', a sign of approximately 18" x 12' along the front retaining wall as well as a sign on or near the Church building approximately 12' by 2'. There may also be minimal directional signage within the parking lot area to direct traffic to appropriate locations. See discussion of signage above.

***Finding #4:** The requested permit will be consistent with the objectives of the land development plan.*

(1) Land Use Plan Reference: This application is consistent with the Land Use Plan. Please see the discussion under "Reference to Existing County Plans," above.

(2) Watershed Considerations and Flood: The total impervious surface allowed on the recombined parcel (4.545 acres) is .92 acres (plus any pre-existing impervious attributable to the existing development/structures). Excluding existing development (existing impervious surface) as allowed under the ordinance, the Church parcel will have 33% impervious and the Colpitts parcel will have 1% impervious surface. Including the existing impervious surface, the total, post development impervious surface is estimated to be .91 acres. The watershed classification for the Church property is WS-IV-PA. The watershed classification for the 3.0 acre parcel across Poythress Rd. is WS-II-BW. The overall impervious surface percentage for the combined parcels (4.545 acres) at buildout will be approximately 20%. None of the property is within a flood plain. The land is all Zone X on the flood maps.

***Finding #5:** Adequate utilities, access roads, storm drainage, recreation, open space and other necessary facilities have been or are being provided consistent with the County's plans, policies and regulations.*

(1) Water Source and Requirements: All water necessary for the business will be supplied by Chatham County water lines. No exceptional water demand is anticipated.

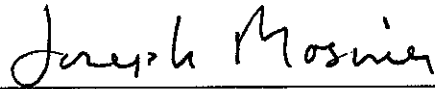
(2) Wastewater Management: No additional wastewater management is needed in connection with the requested district and permit. It is anticipated that the requested uses will require approximately +/- 4,500 gallons per day. gallons per day of treatment capacity. The

**EXHIBIT F** evidence that the soils for the system are adequate and that the designed system will function for the projected uses.

(3) Water/Sewer Impact Statement: The amount of County water anticipated to be used per day is anticipated to be +/- 4,500 gallons per day. The amount of wastewater to be reclaimed and treated per day is anticipated to be the same. If a public utility becomes involved in ownership or operation of the wastewater system, it will be regulated by the N.C. Utilities Commission.

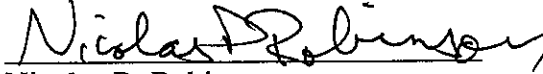
(4) Access Roads: There are currently three driveway accesses to the property. There will be two replacement driveway accesses once approved by DOT. A commercial driveway permit application has been filed with the NC DOT.

(5) Storm water Runoff: The stormwater management plan is set out on **EXHIBIT G**.



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