

## **THE DESIGN RESPONSE**

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October 18, 2010

Chatham County Board of Commissioners  
Chatham County Planning Board  
c/o Jason Sullivan, Planning Director  
Chatham County Planning Department  
80-A East Street  
Pittsboro, NC 27312

Re: Polks Village – revised and additional Conditional Use Permit Amendment materials

Dear Board members:

In response to comments and feedback received during the September 20<sup>th</sup> Public Hearing, the applicant, HBP Properties, LLC, has made adjustments to the Conditional Use Permit Amendment application for Polks Village to address concerns expressed at that hearing. Additional supporting information for the application is also enclosed, including a traffic impact comparison between the approved development program and the requested development program, and a wastewater impact analysis performed by a qualified soil scientist.

The applicant believes that the required Findings of Fact, as addressed within the original application materials for this Conditional Use Permit Amendment, can all still be made for the revised list of land uses requested, which is now an even more restrictive list of Conditional B-1 Zoning District uses than the list of additional land uses originally submitted for approval.

### **Revised Land Use Lists**

Enclosed are revised versions of the three lists provided to you as part of the Public Hearing held on September 20, 2010. These three revised lists, dated October 18, 2010, separate the total of 79 land uses listed within a General B-1 Zoning District into the following three categories:

- 28 land uses that are to be added as approved conditional uses for Polks Village,
- 22 land uses that are already approved as conditional uses for Polks Village
- 29 land uses that are not approved or being added as conditional uses for Polks Village

Per comments and feedback provided at the September 20<sup>th</sup> Public Hearing, the applicant has responsively eliminated two land uses from the original list of uses requested to be approved:

- Amusement enterprises such as a pool, bowling, roller rink when housed entirely within a permanent structure
- Day Care Centers

Furthermore, three additional land uses are now better clarified via use of parenthetical limitations that either add "excluding manufacture" as a limitation on the use (for cabinet shops and leather goods), or both further define ("specialty" retail food stores) and limit the size ("12,000 sf maximum") of the previously requested "Food stores, retail" to further narrow the focus and limit the maximum size of this use to the specialty food store for which it is intended.

- Cabinet shops (excluding manufacture)
- Food stores, specialty retail (12,000 sf maximum)
- Leather goods sales and service (excluding manufacture) for retail sales on premises

### **Traffic Impact Comparison**

In addition, a comparison of the traffic impact of the revised development program for Polks Village to the original development program has been prepared by Kimley-Horn and Associates, the original traffic engineering firm for Polks Village (formerly "Polks Centre") and Williams Corner. The KHA analysis documents that the projected daily trip generation will remain essentially unchanged by this requested revision in the development program for Polks Village.

Furthermore, the traffic impact comparative analysis concludes that the revised development program would result in a significant reduction of the peak hour impact for Polks Village from the original development program impact. This reduction results from deleting the "Day Care Centers" land use, and shifting that square footage, along with 5,000 square feet of retail uses and 19,000 square feet of the "office - business, professional and governmental" land use square footage, into the new "medical clinic - inpatient and outpatient care" land use category.

While medical office uses have a high daily trip generation rate relative to traditional office space, the peak hour impacts are very similar at this level of development. Consequently, the reduction in daily trips resulting from elimination of the day care use and decrease in the retail space is essentially offset by the additional daily trips created by the medical office. However the peak hour trip reduction resulting from the deletion of day care and the reduction in retail is not offset by the medical office space, thus resulting in a net decrease in total peak hour trips.

### **Wastewater Impact**

A letter from a qualified soil scientist is also enclosed that documents that all of the requested land uses are permissible for the Polks Village wastewater system, as currently designed, approved, and permitted. It is further noted that the wastewater discharge for each user of the Polks Village wastewater system would be restricted and controlled, just as it would for any other private (or public) wastewater system.

Sincerely,

THE DESIGN RESPONSE, INC.



Jack L. Smyre, PE, AICP  
Principal

Enclosures

## **Polks Village**

### **B-1 Conditional Zoning District**

#### **28 Land Uses Being Added**

- ABC stores
- Appliance sales and service
- Bake shops and similar food preparation intended primarily for retail sales on the premises for consumption either on or off premises
- Bicycle sales and repair
- Cabinet shops (excluding manufacture)
- Catering establishments
- Dairy bars and ice cream shops intended primarily for retail sale on the premises for consumption either on or off premises
- Food stores, specialty retail (12,000 sf maximum)
- Hardware, appliances, electrical, and similar items retail sales
- Incidental storage of goods intended for retail sales on the premises
- Laboratory – dental, medical, optical
- Laundries, Laundromats and dry cleaning establishments
- Lawn and garden shops (under roof)
- Leather goods sales and service (excluding manufacture) for retail sales on premises
- Medical clinics – inpatient and outpatient care
- Music stores
- Newstands
- Opticians and optical sales and service
- Paint retail shops
- Photographic studios, camera shops
- Post offices
- Printing and publishing
- Repair shops for jewelry, shoes, radios, televisions and other small office or household appliances
- Secretarial and job service offices
- Sporting goods sales
- Uses and structures customarily accessory to any permitted use
- Temporary construction trailers or structures which meet the district setbacks
- Veterinary clinics and hospitals with dog runs or equivalent facilities

## **Polks Village**

### **B-1 Conditional Zoning District**

#### **22 Land Uses Currently Approved**

- Antique and furniture shops
- Art supply retail sales
- Arts and Crafts fabrication and related sales
- Banks, savings and loans, finance companies, credit agencies, and similar financial institutions
- Book, stationery and office supply stores
- Clothing shops
- Drug stores
- Eating and drinking establishments
- Fabric shops
- Florist shops
- Gift shops
- Heating, plumbing, electrical, cabinet, and similar shops
- Interior design shops
- Jewelry and watch sales and service, goldsmith
- Landscape design business
- Libraries, museums and art galleries
- Office – business, professional and governmental
- Office – engineering supply and similar sales and services including blueprinting, Photostatting and similar services
- Pet shops
- Physical culture establishments
- Retail stores and personal service shops similar to those listed dealing in direct and personal services
- Upholstery, wallpaper and decorator shops

## Polks Village

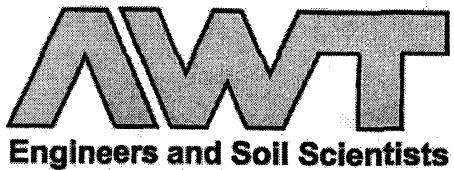
### B-1 Conditional Zoning District

#### 29 Land Uses Not Currently Approved or Being Added

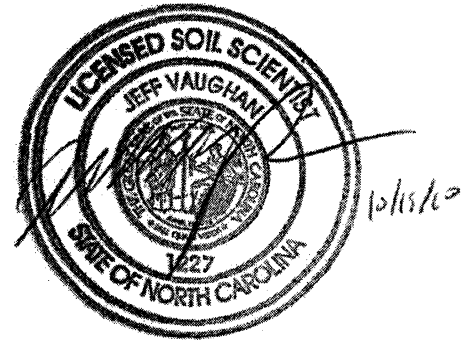
- Amusement enterprises such as a pool, bowling, roller rink when housed entirely within a permanent structure
- Automobile repair garages
- Automobile sales and service
- Automobile service stations including tune-ups, minor repairs, tire service, washing facilities, both manual and automatic, and similar services. Fuel, oil and similar pumps and appliances may be located in the minimum required front and side yards provided that none shall be located nearer than 15 feet to any street line and may be covered by an attached or free standing unenclosed canopy provided such canopy does not extend nearer than five feet to any property line and does not cover greater than 30% of the required yard area
- Bait and tackle shops
- Boat, trailer and other utility vehicle sales and service
- Bus passenger stations
- Churches and other places of worship
- Day Care Centers
- Feed, seed, fertilizer retail sales
- Fire stations and emergency medical service facilities
- Funeral homes, embalming including crematoria
- Fur storage
- Furrier, retail sales
- Horticulture, specialized
- Hospital, health and welfare centers, nursing homes
- Hotels, motels and inns
- Landscaping and grading business
- Lock and gunsmith
- Lodges, fraternal and social organization clubs
- Mobile homes sales and service
- Motorcycle sales and service
- Open air sales and service of accessory buildings and gazeboes and like free-standing structures
- Pawnshops and secondhand stores
- Public and private schools, training and conference centers
- Public and private recreation camps and grounds with a minimum lot area of 10 acres and provided that all buildings, structures, spaces, and high intensity activity areas shall be set back a minimum of fifty (50) feet from all property lines/boundary areas
- Radio and television stations and their towers when the towers are located on the same site with the station
- Self-storage facility / mini-warehouse storage facility with related retail and services (i.e. moving truck rental)
- Swimming pool and related items sales and service

<b>Table 1</b>							
<b>ITE Traffic Generation (Vehicles)</b>							
<b>LUC</b>	<b>Land Use</b>	<b>24 Hour</b>		<b>AM Peak</b>		<b>PM Peak</b>	
		<b>In</b>	<b>Out</b>	<b>In</b>	<b>Out</b>	<b>In</b>	<b>Out</b>
710	General Office (30,000 SF)	264	264	63	9	8	37
720	Medical Office (29,000 SF)	486	486	53	14	26	69
820	Shopping Center (27,200 SF)	1,457	1,457	43	28	130	136
881	Pharmacy w/ Drive-Thru (14,600 SF)	644	644	22	17	76	75
912	Drive-In Bank (4,200 SF)	311	311	29	23	54	54
934	Fast-Food Restaurant w/ Drive-Thru (4,000 SF)	992	992	100	97	70	65
<b>Subtotal</b>		<b>4,154</b>	<b>4,154</b>	<b>310</b>	<b>188</b>	<b>364</b>	<b>436</b>
Internal Capture		415	415	0	0	40	40
Pass-by Capture		1,270	1,270	49	48	128	126
<b>Net New External Traffic</b>		<b>2,469</b>	<b>2,469</b>	<b>261</b>	<b>140</b>	<b>196</b>	<b>270</b>

<b>Table 2</b>						
<b>Traffic Generation Comparison</b>						
<b>Scenario</b>	<b>24 Hour</b>		<b>AM Peak</b>		<b>PM Peak</b>	
	<b>In</b>	<b>Out</b>	<b>In</b>	<b>Out</b>	<b>In</b>	<b>Out</b>
Net New External Traffic – From TIA	2,471	2,471	281	167	232	331
Net New External Traffic – Proposed Land Uses	2,469	2,469	261	140	196	270
<b>Difference</b>	<b>-2</b>	<b>-2</b>	<b>-20</b>	<b>-27</b>	<b>-36</b>	<b>-61</b>
<b>Percent Change</b>	<b>-0.1%</b>		<b>-10.5%</b>		<b>-17.2%</b>	



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October 15, 2010

### MEMORANDUM

TO: Mr. Brantley Powell, HBP Properties LLC  
FROM: Jeff Vaughan  
SUBJECT: Conditional Use Permit Request for Polk's Village

This memo is in response to your Conditional Use Permit request for Polk's Village in northeastern Chatham County. Specifically, this letter addresses the impact of the potential uses described in the Conditional Use Permit on the currently permitted septic system for the facility.

Polk's Village currently possesses a permit for a 2,995 GPD Panel Block septic system with a drugstore, a bank, and office space as the wastewater sources for the system. The septic system was designed by AWT and permitted on 6/23/2008 and the Construction Authorization was granted on 8/6/2009.

The possible additional uses listed in the Conditional Use Permit request are all permissible for use with the currently permitted septic system for Polk's Village. An application for a simple permit revision would need to be submitted to Chatham County Health Department detailing the changes in the proposed wastewater sources. No additional design work would be required.

The following are individual responses related to several of the uses being requested. The bottom line is that only sewage (human) can enter the septic system as defined in the NC rules for septic systems (TITLE 15A - DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES; CHAPTER 18 - ENVIRONMENTAL HEALTH SUBCHAPTER 18A - SANITATION; SECTION .1900 - SEWAGE TREATMENT AND DISPOSAL SYSTEMS) under rule .1935(53).

- 1) Bake Shops - food preparation waste cannot be placed into the septic system. Any food prep facility would have to make arrangements for separate sewage handling for food preparation waste. Food could be cooked off-site and brought to the store for sale.

- 2) Catering establishments - food preparation waste cannot be placed into the septic system. Any food prep facility would have to make arrangements for separate sewage handling for food preparation waste.
- 3) Dairy bars or ice cream shops - food preparation waste cannot be placed into the septic system. Any food prep facility would have to make arrangements for separate sewage handling for food preparation waste. However, most small ice cream shops do not prepare food on-site. All food is prepared off-site or it is purchased already prepared and then just sold on-site.
- 4) Laboratory (dental, medical, optical) - any medical waste cannot be put into the septic system and must be disposed of according to NC requirements. Special containers are required and must be rendered to approved vendors.
- 5) Laundries, Laundromats, & dry cleaning - any dry cleaning agents cannot be put into the septic system and must be disposed of according to NC requirements. Special containers are required and must be rendered to approved vendors.
- 6) Leather goods sales ... - any manufacturing waste would be considered industrial process wastewater and cannot be put into the septic system. It must be disposed of according to NC requirements. Any generator of industrial process wastewater would have to make arrangements for separate sewage handling for the waste.
- 7) Medical clinics - any medical waste cannot be put into the septic system and must be disposed of according to NC requirements. Special containers are required and must be rendered to approved vendors.
- 8) Photographic studios - any photography waste cannot be put into the septic system and must be disposed of according to NC requirements. Special containers are required and must be rendered to approved vendors.
- 9) Veterinary clinics - animal waste cannot be put into the septic system and must be disposed of according to NC requirements. Any generator of animal waste would have to make arrangements for separate sewage handling for the waste.

Please contact me with any additional questions, concerns, or comments.