

APPLICATION FOR

**CONDITIONAL USE PERMIT**

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

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

**(1) Applicant Information:**

Name: Markus Wilhelm  
Address: 1119 US 15-501 Hwy South  
Chapel Hill, NC 27517  
Phone No: (h) \_\_\_\_\_  
(w) 919.960.6015  
(m) \_\_\_\_\_  
Email: mwilhelm@stratasolar.com

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

Name: MCM Real Estate  
Address: 2835 Farrington Point Rd.  
Chapel Hill, NC 27517  
Phone No: (h) \_\_\_\_\_  
(w) 919.960.6015  
(m) \_\_\_\_\_  
Email: mwilhelm@stratasolar.com

**(3) Property Identification:**

911 Address: 2835 Farrington Point Rd.  
Chapel Hill, NC 27517  
S.R. Name: Farrington Point Rd.  
S.R. Number: 1008  
Township: Williams  
Acreage: 14.15  
Flood map #: 3710978400J  
(2-07-2007)  
Flood Zone: X

PARCEL#: 76255  
Deed Book: 1538 Page: 1134 Yr: 2010  
Plat Book: 99 Page: 0305  
Current Zoning District: Chatham  
Watershed District: Chatham

**(4) Requested Conditional Use Permit for the following Uses: Section 10 of Zoning Ordinance**

Electric light or power generating station – A 1.1 MW solar farm.

**(5) Directions to property from Pittsboro:**

Take US-15/501N approximately 10miles. Turn right onto Jack Bennett Rd. Turn Right onto Lystra Rd.  
Take Second left on Farrington Point Rd.

**(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 Conditional Use Permits** 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.

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Signature

Date

## Submission Materials Check List: Application for Conditional Use District and / or Conditional Use Permit

(Draft # 5. Last modification : 02-13-03)

(Approved for use by the Planning Board on 07/01/97) – Revision 9/12/00 Finding #5 b. Water/Sewer Impact Statement

### Introduction:

The materials required in applications for a Conditional Use District (CUD) and/or a Conditional Use Permit (CUP) are given below. While some areas are optional, depending on the nature of the requested use, other items are required of all applications. Material that must be provided in all applications is designated as **<Required>**. Material, that is not essential due to the type or characteristics of the requested use, is designated as **<Optional>**. The Planning Board may, at its discretion, require the presentation of any of the information designated as optional. The Planning Board may request, due to the unique nature of the application, any additional information not directly listed in this check list.

Completion of all required items by the applicant, **working with the Planning Department**, and others as needed, would be **mandatory** for the application to be considered at public hearing and then by the Planning Board. The Planning Department will not forward incomplete applications to the Planning Board. Substantial amounts of new information will not be last-minute additions to the application at the Planning Board meeting where the application is first considered (e.g. a substantial redesign of the proposal during the review). If a decision on an application is deferred, then clearly, new material may be added to the application for consideration at the next Planning Board meeting.

As the applicant is often requesting, via a CUD/CUP, a zoning change, the development of a complete application should not be considered an unreasonable expectation. It should be considered an opportunity to develop a strong application that clearly identifies the benefits of the requested use.

The original zoning decisions of the Board of County Commissioners are presumed to be correct; there is no requirement to defend existing zoning or prove why it should not change. It is the responsibility of the applicant to prove why a change should be made and the CUD/CUP be granted.

### General Application Requirements:

A detailed description of the project, a requirement that is common to all applications, is discussed in this section.

- 1) Location **<Required>**. The location of the site in Chatham County. Including:
  - a. public highway(s) servicing this site; **Farrington Point Rd.**
  - b. private road(s) servicing the site; **None**
  - c. the current zoning of the site; **CU-Ind L**

- d. watershed designation, the site classification and % impervious surface allowed; **WSIV-PAJL/Jordan Lake Watershed/Max Impervious-36%**
- e. is the site in or border the “Major Wildlife Areas” identified in the “Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina”, 1992, starting on page 181; (a copy of this inventory is located in the Planning Department) **No**
- f. the size (in acres) of the site; **14.15 acres**
- g. current utility or other easements assigned to this site; **Progress Energy**
- h. the current use of the site; **Warehouse storage, Offices, Shipping and Deliveries**
- i. description of current contents of the site (e.g. buildings, utilities, etc.)

**There are currently 3 buildings on the site which are used for storage and office space**

- j. other Conditional Use Permits that have been granted for this site.

**The Site is currently permitted CU for Warehouse and equipment storage, shipping, office space**

2) Description of Use **<Required>**. Provide a description of the requested use.

**Strata Solar proposes the construction of a 1.1 MW solar farm. This will consist of approximately 4,800 solar panels, a steel and aluminum racking system and 2-500kW inverters.**

3) Site Plan and Drawing **<Required>**. Describe the plans for the site in detail. Provide drawing(s) at an appropriate of the completed project. This information should be of adequate detail (a drawing done by a licensed land surveyor and design details from a licensed architect are **strongly recommended**) to address the following:

- a. existing buildings on site, construction description and size.
- b. proposed new buildings, location on site, size, construction description in adequate detail to determine the general appearance of the building and to establish the architectural design.
- c. landscape plan with materials used.
- d. screening/buffering plan, setbacks.
- e. natural preserved areas that will remain in this condition.
- f. site boundaries with adjacent properties.
- g. parking design.
- h. sign location, type, size.
- i. areas reserved for future development or improvements under this permit.
- j. lighting plan.
- k. percentage of impervious surface, include storm drainage management plan.
- l. topographical description/drawing of current site and after improvements have been made to the site.
- m. designate streams and wetlands and any required water hazard setback areas.
- n. vicinity map showing property location.

o. county tax map with location of property identified

4) Start and Completion Projections <Required>. Provide a project plan. Provide the approximate start time for the project development. Provide the approximate completion time for the project; when it will be ready for operation.

**The project is scheduled to start 2/1/12 and will be completed by 5/31/12**

5) Reference to Existing County Plans <Required>. Is this site specifically mentioned in any County plan (such as the highway plan, watershed plan, etc.?). (If the requested use for the site is specifically counter to existing plan, the application must provide a compelling argument as to why the provisions in the plan should be set aside and the permit granted.)

**Site is not in any existing plans.**

#### **Specific Application Requirements:**

The following requirements are needed to support the Five Affirmative Findings found in the Chatham County Zoning Ordinance. **All** of these findings must be met to grant the 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 (Zoning Ordinance information: [http://www.co.chatham.nc.us/dept/planning/planning\\_dept/ordinances/documents/Zoning\\_Ordinance.pdf](http://www.co.chatham.nc.us/dept/planning/planning_dept/ordinances/documents/Zoning_Ordinance.pdf)) <Required>. Simply confirm that the requested use is eligible for the requested site.

**The requested use is eligible for the site.**

2) Land Development Plan Reference <Required> (Land Development Plan: [http://www.co.chatham.nc.us/dept/planning/planning\\_dept/ordinances/documents/Land\\_Use\\_Development\\_Plan.pdf](http://www.co.chatham.nc.us/dept/planning/planning_dept/ordinances/documents/Land_Use_Development_Plan.pdf))

Provide (in context) references to the Land Conservation and Development Plan that support this application.

#### **“Sustainable Business Enterprises**

A growing interest in sustainable enterprises at the state and national level may provide an opportunity for the county in recruiting new business to the region. Recognizing that such enterprises will be just one component in the overall plan to diversify the county’s tax base, the effort to recruit sustainable enterprises should be done in a way which complements existing efforts in economic development within the county.

Where it is feasible the county will explore the option of promoting and developing sustainable enterprises within one or more of the designated economic centers, or employing components of sustainability within traditional commercial enterprises.

In its efforts to support the business community the county may also provide a listing of local and state resources for existing and new businesses that express an interest in implementing sustainable practices.

Sustainable enterprises include businesses which support the long term interests of a region through ventures which combine the resources of the community, the economy and the environment in a way which will promote and preserve the assets and cultural heritage of each of these. Many communities, in and out of North Carolina have utilized sustainable enterprises to benefit their local economies.”

Strata Solar, LLC has established itself as one of the largest solar energy businesses in the area. As a Solar business we are helping communities move along a sustainable path with regards to energy production and consumption. Solar power production is a clean and sustainable form of energy generation. We believe our business model aligns with Chatham Counties vision of promoting and developing sustainable enterprises.

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

1) Need and Desirability <Required>. The application should describe why there is a need for the proposed use in this area. Describe how this was determined (for example, an analysis of present or projected demands on existing similar uses). This is an opportunity for the applicant to establish the benefit to the county that will result from approval of this permit. Why is the proposed use more desirable than other uses permitted under the existing zoning?

The construction of this project will create approximately 15-20 full time jobs during the construction of the project. This will be the first solar project of this size and it will be a show piece for Chatham County. The project will provide clean energy to approximately 120 homes in Chatham County. There may also be an opportunity to work with the local community college to help train workers/students and help them get certifications.

2) Survey of Similar Uses <Required>. How many other instances of this use are currently in Chatham or within an adjacent county? Are there similar uses already approved for the requested use on adjacent properties? Provide summary of existing similar uses. If there are already a number of such uses allowed in the County or another similar use in reasonably close proximity to the new requested site, Why is this new instance of this use essential? Are these other instances currently in operation and successful?

There are currently no projects of this size in Chatham County. There are several counties in the state which have allowed similar projects Wake, Nash, Surry, and

**Avery counties to name a few. The projects which have been built in other counties are operational and are successfully supplying clean energy to communities. We are not aware of any projects of this nature which have been denied a permit.**

3) Public Provided Improvements **<Required>**. Identify any public improvements, services, etc., that the county would be required to provide in support of this site if the use is approved. If no additional public improvements are needed, then state this as the case.

**No public improvements would be required for the construction of this site.**

4) Tax considerations **<Optional>**. If appropriate, or of advantage to the application, provide an estimate of the tax revenue (direct and indirect) to the County that this use would provide over the next five years. Describe how this estimate was determined. What is the net result of expenditure of County services and facilities required VS the tax revenue generated?

5) Employment **<Optional>**. Discuss the number of jobs that would be created by this use. Designate these positions as full time or part time. If possible, describe the salary ranges of the employees.

**This project will create approximately 15-20 full time jobs during the construction of the project. We hope to also work with the local community college to provide on the job training and solar certification opportunities for students interested in solar energy.**

**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 **<Optional>**.

- a. Fire Protection. Document the impact on respective volunteer fire department's ability to service the site with the requested use. This should come from the Chatham County Fire Marshal as a letter.
  - b. Police Protection. Document the impact to the Chatham County Sheriff Department's ability to provide protection for the site with the requested use. This should come from the Sheriff in the form of a supporting letter.
  - c. Rescue 911. Document the impact to the Chatham County Rescue Squad's ability to provide support to the site; provide approximate arrival time to site after 911 call is placed.
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2) Traffic **<Required>**.

Document projected traffic generated by the use (this is available for many/most uses from DOT). Document current capacity for the road that serves this site (available for all/most roads from DOT). What kind of traffic will this be (that is car, bus, truck, etc.) and what will be the peak time of day for the traffic? Do you anticipate changes to the speed limit on the principal service road for this site? Are modifications to the road system needed (e.g. a turning lane)? How will these road improvements be financed? A letter of opinion from DOT would be required if introduction of significant new traffic loads was expected or there is already a high accident rate at this location. Will the road(s) included in the County Thoroughfare Plan accommodate these anticipated requirements?

**During the construction phase of the project an additional 4-5 trucks will be coming to the site in the morning between 7-8am and departing between 5-6pm. This will not be a significant new load to the road. After the construction phase is complete no additional traffic will be associated with this project.**

**“In looking at tables we have, I would estimate the capacity of Farrington Point Rd. in your site area to range from 14,100 – 14,600 vpd for LOS D. I’m looking at a range since the speed changes from 45 to 55mph in your site area.” –From Julie Bollinger, PE, NCDOT**

3) Impact to surrounding Land Values <Optional>. What will be the impact to surrounding land values as a result of the proposed use? Is this impact anticipated to change with time and the possible changes in use of the surrounding properties? Note that if the applicant does choose to provide this information to support the application, then the basis for the information **must** be provided. For example, if a real estate appraiser’s opinion is presented, then the opinion is expected to be derived from an analysis of comparison sites with requested use, some other real estate study or survey.

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4) Visual Impact & Screening <Required>.

Describe the visual presentation of the completed project, in context of the adjoining properties. How will fencing and/or plantings alter the future visual presentation?

**The property currently has screening on all fencing facing Farrington Point Rd. Due to the natural undulations of the land inside the property – some points exceed the 6 ft. screened fence, portions of the solar farm will be visible from certain vantages outside the property.**

5) Lighting <Required>. Will there be lights associated with the use? If so, describe the wattage, type, method of support (if on poles, give height of pole), and times of night the lights would be in use. What considerations and methods have been considered to the shielding of the light from adjacent properties? Are similar lights in use elsewhere that can be evaluated?

**No additional lighting will be added to the site for this project.**



6) Noise <Required>. Will there be noise generated by the use? If so, what will the source of this noise. Provide an estimate of the level of noise in decibels at the property lines of the site. Provide the basis for this estimate. If the noise generated is anticipated to exceed the County Noise Ordinance, has a permit been requested or approved to exceed this ordinance?

**The solar electric panels will not make any noise. The generation of power will be silent.**

7) Chemicals, Biological and Radioactive Agents <Required>. Identify types and amounts of chemicals, explosives, biological and radioactive materials that will be utilized by the requested use. What is the estimated amounts of these agents that will be generated as waste; how will they be disposed? Identify the possible biochemical or radioactive hazards that may be associated with this use; how will these be handled? Identify the potential for emissions into the air. Identify the potential for discharges or runoff of liquids that would pollute the surface and/or groundwater sources.

**There will be no chemicals or biological and radioactive agents used during the construction and operation of this site.**

8) Signs <Required>. Will the use include the display of a sign (advertisement or identification)? If so, describe the method of display, color, size and location on the site.

**There will be no additional signs for this site.**

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

(1) Land Development Plan:

[http://www.co.chatham.nc.us/dept/planning/planning\\_dept/ordinances/documents/Land\\_Use\\_Development\\_Plan.pdf](http://www.co.chatham.nc.us/dept/planning/planning_dept/ordinances/documents/Land_Use_Development_Plan.pdf)

(2) Land Conservation and Development Plan Reference <Required>. Provide information which demonstrates how this request would conform to each relevant provision of the current Land Conservation and Development Plan.

**This project conforms with all relevant provisions in the Land Conservation and Development Plan. The project will be on land which is unusable for agriculture, will produce no waste streams, and will promote sustainability in Chatham County.**

(2) Water shed and flood considerations: <Required>. Provide information that demonstrates how the requested use conforms to the Watershed Protection Ordinance and the Flood Damage Prevention Ordinance.

[http://www.co.chatham.nc.us/dept/planning/planning\\_dept/ordinances/ordinances.htm](http://www.co.chatham.nc.us/dept/planning/planning_dept/ordinances/ordinances.htm)

**The solar farm will not require any water resources to produce power. There will be no additional water output. The facility will conform with all watershed protection and flood damage ordinances.**

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

1. Water Source and Requirements >. **<Required>**. How much water will the use require? What is the source of the water (public or private supply)? If supply is public then (with the help of the Public Works Dept./ 542-8254) identify how the water connections are to be provided.

**This project will not add any additional water use to the site.**

2) Wastewater Management >. **<Required>**. What is the wastewater capacity needs for this use? Specify the treatment and disposal methods to be used. If individual septic, provide septic improvements permit letter from the Chatham County Health Department. If other than individual septic systems are to be used, submit a plan for wastewater management. If system requires approval from NCDENR, state progress towards getting approval from NCDENR.

**There will be no wastewater associated with this project.**

Water/Sewer Impact Statement >. **<Required>**. All applications where a public utility is to be utilized, (water or sewer) must state clearly the amount of usage that is anticipated. The usage estimate must be validated by the County Public Works Director, along with an updated usage vs. capacity statement. The impact statement should provide a projection of the demand after the site is fully developed.

**There will be no water/sewage impact associated with this project.**

3) Access Roads >. **<Required>**. Describe the access from the site to public highways. If the requested use will require a new driveway or enhancement to existing highway(s) address the following questions. If a new driveway access is part of the proposal, has NC DOT approved this access (include copy of the commercial driveway permit)? If the Site is located on a road designated as a “major collector”, is the site accessed by an existing or proposed service road. Describe any upgrades of public or private roads necessary to serve the property.

**The only access road to the property is Farrington Point Rd. There is an existing driveway at the property and no additional driveways will be constructed.**

4) Storm Water Runoff >. **<Required>**. Detail the methods and various structures that will be used to control storm water runoff. This information will detail all points of off site discharge with design techniques used and projected impact on neighboring properties.

**To meet the storm water requirements we are going to be pushing for an exemption via a 10% impervious reduction. The site will utilize existing discharge points and have no increase in offsite impact.**

**Name of Applicant:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

Adjacent Landowners (property owners across a public or private road, easement, or waterway are considered adjacent landowners)

Legal notices are mailed to these owners, please type or write neatly.

(1) Gary and Colleen Williams 2872 Farrington Point Road Chapel Hill, NC 27514	(25) _____ _____ _____
(3) William & Brenda Thompson 2885 Farrington Point Road Chapel Hill, NC 27514	(2) _____ _____ _____
(5) Benena Pettiford 0 Farrington Point Road Chapel Hill, NC 27514	(4) _____ _____ _____
(7) Mack & Murtha Bynam 3001 Farrington Point Road Chapel Hill, NC 27514	(6) _____ _____ _____
(9) Gwen Gattis 163 Twilight Lane Chapel Hill, NC 27517	(8) _____ _____ _____
(11) Red & Elizabeth Parker 2649 Farrington Point Road Chapel Hill, NC 27514	(10) _____ _____ _____
(13) _____ _____ _____	(12) _____ _____ _____
(15) _____ _____ _____	(14) _____ _____ _____
(17) _____ _____ _____	(16) _____ _____ _____
(19) _____ _____ _____	(18) _____ _____ _____
(21) _____ _____ _____	(20) _____ _____ _____
(23) _____ _____ _____	(22) _____ _____ _____
	(24) _____ _____ _____
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