CAROLINA HOUSE EATING DISORDER RESIDENTIAL TREATMENT CENTER



REQUEST FOR APPROVAL OF A +/- 6.38 ACRE OFFICE/INSTITUTIONAL CONDITIONAL ZONING DISTRICT SECTION 5 CHATHAM COUNTY ZONING ORDINANCE

SUBMITTAL DATE: OCTOBER 2, 2020

APPLICANT: CRC ED TREATMENT, LLC
OWNERS OF THE REAL PROPERTY:
DAVID AND WANDA HUTSON



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INTRODUCTORY STATEMENT AND EXECUTIVE SUMMARY

This application seeks to rezone Chatham County AKPAR Parcel No. 20029, located on NC Highway 751 (the "Property") from R-1 to CD-Office and Institutional. The Applicant is the operator of an eating disorder residential treatment center located on the adjacent parcel, Chatham County AKPA No. 73288 (the "Existing Treatment Center"). The Existing Treatment Center has been in operation at this location since approximately August 2006. The Property came up for sale and Applicant put the Property under contract to purchase on the condition

of receiving zoning approval to open a partner facility on the Property. If approved, the two facilities will be connected by pedestrian trail and each will have independently sufficient parking on-site.

The proposed facility on the Property will be a unique rezoning because Applicant will make only cosmetic changes to the exterior of the existing residential home located on the property. The bulk of the renovations will be to the interior of the residence in order to allow for an 8-bed residential treatment facility. As set out below, the requested rezoning is consistent with the applicable ordinances and regulations of Chatham County and will be a needed health care benefit to the citizens of Chatham County and the surrounding area.

PRE-APPLICATION INPUT OF PLANNING STAFF, THE SURROUNDING COMMUNITY AND CHATHAM COUNTY APPEARANCE COMMISSION

Applicant had a positive pre-application meeting with the Planning Staff regarding the proposed rezoning and compliance with the existing ordinances. A question arose regarding consistency with the Chatham-Cary Joint Land Use Plan (the "Chatham Cary Plan"). From and after that meeting, Applicant sought a CC Plan interpretation from Chatham County and the Town of Cary in accordance with the terms of the Interlocal Agreement between Chatham County and the Town of Cary. Both jurisdictions indicated that the proposed use and interpretation of the CC Plan are consistent and that the CC Plan should be no impediment to approval of the requested rezoning.

In addition, Applicant sent notices to all adjoiners of a community meeting regarding the proposed rezoning, held on September 21, 2020. It is a testament to the low impact of the Existing Treatment Center

that none of the adjoiners attended the community meeting nor contacted Applicant with any concerns.

In addition, Applicant submitted its site plan to the Chatham County Appearance Commission and appeared before the Commission on September 23, 2020. Response from the Commission was very positive and required only minor modifications to the site plan. The site plan was revised to depict the roadside setbacks from the edge of the right of way (rather than from the property line in the center of the roadway). In addition, because one of the existing outbuildings slightly encroached on the O/I setbacks/landscape buffers, applicant slightly revised the site plan and property description so as to rezone just .03 acres of the adjoining parcel to the south (vacant and also to be purchased by applicant from the same current owners). This slight adjustment to the rezoned property line made it so that the building would no longer encroach on the superimposed O/I setback. If the rezoning is approved, the two parcels will be recombined to reflect the adjusted property line between them.

REQUESTED REZONING APPROVAL

Applicant seeks to rezone the Property from R-1 to CD-OI (Conditional District Office and Institutional). The purpose of the requested rezoning is to allow Applicant to convert the existing residential home on the Property to an eight-bed eating disorder residential treatment center. The Existing Treatment Facility on the adjoining property houses a 16-bed eating disorder residential treatment center.

The proposed use falls into the use-category of "Group Care Home." The Zoning Table of Permitted Uses, set out in Section 10.13 of the Chatham County Zoning Ordinance, shows that Group Care Homes are a permitted use within an O/I zoning district. Thus, rezoning the Property to a Conditional Use Zoning District for O/I purposes as a Group Care Home will facilitate the project from a zoning standpoint.



APPLICATION ACCEPTANCE POLICY

CONDITIONAL DISTRICT REZONING

Chatham County Planning Department PO Box 54, Pittsboro, NC, 27312 Telephone 919-542-8204 | Fax 919-542-2698 www.chathamnc.org/planning

Chatham County understands that clear expectations make the application and development review processes easier for both applicants and staff. The policies outlined below will enable Planning Department staff to move the process along in a way that ensures that each application is reviewed thoroughly to avoid unnecessary delays. Staff desires to complete review of projects in an accurate and timely manner. Due to the planning staff sufficiency review, Board of Commissioners and Planning Board set schedules, working with incomplete materials detracts from the timely review of applications.

- 1. Applications are to be reviewed for completeness by staff prior to being officially accepted for review. Applications that are dropped off or mailed in cannot be accepted without prior approval from the Zoning Administrator.
- 2. Checklists for each type of request are provided with each application package. If the application does not contain all required items on the checklist, it will be considered incomplete and shall not be accepted. Please note that there are some items listed that are only required in special circumstances, along with requests from the planning department to include additional information if needed. PLEASE REVIEW SECTION 5 FOR CONDITIONAL ZONING IN ITS ENTIRETY TO MAKE SURE ALL AREAS FOR SUBMISSION ARE COVERED.
- 3. Application fees must be paid at the time an application is submitted for acceptance. Please provide ONE complete set of the application and all supporting materials when submitting. More copies will be requested by the Planning Department (16 sets) once the sufficiency review period has been completed.
- 4. In order to allow time to process fees, applications will not be accepted after 4:00 pm each day.
- 5. For your convenience, applicants may schedule an appointment with staff to review the application package before the official submission.

The Planning Department staff looks forward to working with you during the application process. If you have questions or need further assistance, please call 919-542-8285.

CONDITIONAL REZONING DISTRICT APPLICATION

APPLICATION FOR CHANGE OF ZONING OR MODIFICATION OF EXISTING CONDITIONAL DISTRICT REZONING PROJECT

Chatham County Planning Department	P. O. Box 54, 80-A East St, Pittsboro, NC 27312 Telephone: (919) 542-8204 FAX: (919)542-2698
Section A. APPLICANT INFORMATION	
NAME OF APPLICANT: CRC ED Treatment, LLC	
MAILING ADDRESS OF APPLICANT: 176 Lassiter Hom	estead Road, Durham, NC 27713-6835 (Chatham County)
PHONE NUMBER/E-MAIL OF APPLICANT: (855) 403	
PROPERTY OWNER INFORMATION (If different f Required; See end of application.	rom the applicant): *Owner Authorization Signature
Name(s) David and Wanda Hutson	
Address: 7990 NC HWY 751, Durham, NC	
	27712
Telephone:FAX:	
E-Mail Address:	
PROPERTY INFORMATION: The following informat process the rezoning request:	ion is required to provide the necessary information to
ADDRESS OF SUBJECT SITE: 7990 NC Highw	ay 751, Durham, NC 27713-6852
CHATHAM COUNTY PROPERTY PARCEL NUMBER	
CURRENT ZONING DISTRICT/CLASSIFICATION(S	i):
	CD-IH CD-MU
Communities must follow the Compact Communi	
TOTAL SITE ACRES/SQUARE FEET: +/- 6.38 acre (Do not round up acreage. Use exact acreage amount of the company o	
PROPOSED USE(S) FOR THE SITE from Section 1 Group Care Home	0.13 Table of Permitted Uses:

It is important that the applicant provide information to explain how the rezoning request satisfies the intent and purpose of various ordinances. All applications shall contain the following information. Please use a separate attachment and/or additional sheets to fully explain and detail this project. If you feel any of the below standards do not apply to this application, mark with "N/A" and explain if necessary.

SEE ATTACHED EXHIBIT 1

- 1. The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same.
- 2. The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. Please address the following:
 - A. Need and Desirability <Required> The application should describe why there is a need for the proposed use in the area being applied for. 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?
 - B. 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?
 - C. 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.
 - D. 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. Describe how this estimate was determined. What is the net result of expenditure of County services and facilities required vs. the tax revenue generated?
 - E. 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.
- 3. The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof. (I.e. Comprehensive Plan, Chatham/Cary Joint Land Use Plan, etc.) You must note specifics from the plan/s giving reference to page number and section. In support of the Comp Plan, include the following references at a minimum:

CHAPTER TWO: (begins on page 13)

Issues and Opportunities

CHAPTER THREE: (begins on page 39)

- Goals and Objectives
- Land Use Descriptions select the correct designation for your submittal and support the various bullet points as outlined.

CHAPTER FOUR: (begins on page 51)

The minimum strategies to address are the following. You may include others as you deem supportive of your application.

- Economic Development (page 53)
- Land Use (page 61)
- Natural Resources (page 103)
- Parks and Recreation (page 117)

- 4. The requested amendment is either essential or desirable for the public convenience or welfare. (i.e tell how and for what purpose/s the amendment would provide to the county as a whole)
 - A. Traffic <Required> Document projected traffic generated by the use. Document current capacity for the road that serves this site (available for all/most roads from NCDOT). What kinds of traffic will this be (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 NCDOT would be required if introduction of significant new traffic loads were 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?
 - B. Visual Impact & Screening <Required> Describe the visual presentation of the completed project in context with the adjoining properties. How will fencing and/or plantings alter the future visual presentation?
 - C. Lighting <Required> Will there be lights associated with the use? This includes but is not limited to pole lights whether for security or decorative post mounted lights, lights on buildings/structures, landscape lighting, flood lights, etc. 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?
 - D. Noise <Required> Will there be noise generated by the use? If so, what will be 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, a permit must be requested and approved to exceed the ordinance requirements.
 - E. 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.
 - F. Signs <Required> Will the use include the display of a sign (advertisement or identification)? If so, describe the method of display, lighting, color, size, number and location on the site.
 - G. Emergency Services < Optional>
 - 1. 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.
 - 2. 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.
 - 3. Rescue 911 Document the impact to rescue and ambulance ability to provide support to the site; provide approximate arrival time to site after a 911 call is placed.
 - H. 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 or create 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.
- 5. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. (i.e. watershed classification, impervious surface, utilities, infrastructure, etc.)

- A. Water Source and Requirements <Required>. How much water will the use require? What is the source of the water (county water or private well)? If the supply is to be supplied by the county, then with the help of the Public Works Dept. (542-8270) identify how the water connections are to be provided.
- B. Wastewater Management <Required>. What is the wastewater capacity needs for this use? Specify the treatment and disposal methods to be used. WWTP, public (i.e. Aqua of NC), or private septic. If individual septic, provide septic improvements permit letter from the Chatham County Environmental Health Department. If other than individual septic systems are to be used, submit a plan for wastewater management. If system requires approval from NCDENR or Aqua of NC or any other state or public source, please provide preliminary approval towards getting approval.
- C. 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.
- D. Access Roads <Required>. Describe the access to and from the site to public highways or private roadways. 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 NCDOT approved this access (include copy of the preliminary approval for a 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.
- E. Stormwater Runoff <Required>. Detail the methods and various structures that will be used to control stormwater runoff. (If disturbing more than 20,000 square feet of area, a stormwater management plan must be submitted with this application) This information will detail all points of offsite discharge with design techniques used and projected impact on neighboring properties.

STOP!

You must meet with the Chatham County Appearance Commission and hold the Community Meeting BEFORE you can submit the application to the Planning Department. Please check the boxes below once these meetings have been held:

X Chatham County Appearance Commission Date of Meeting September 23, 2020

X Held Community Meeting Date of Meeting September 21, 2020

Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Sixteen (16) completed application packets and all supporting information shall be submitted to the Planning Department upon approval of the sufficiency review by staff. (PLEASE SEE ATTACHED CALENDAR FOR ALL SUBMITTAL AND DEADLINE DATES) A digital copy of the application packet shall be submitted pursuant to the Planning Department Digital Document Submission Guidelines at the time of the original submittal to the Planning Department.
- (2) The Planning Department shall, before scheduling the public hearing, ensure that the application packet contains all the required information as specified in <u>Section 5 of the zoning ordinance</u>.
- (3) The Planning Department shall have fifteen (15) days from the date of submittal to notify the applicant that the application is complete for scheduling the public hearing.
 - a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.

- b. The Planning Department shall take no further action on the application until the applicant submits the required information.
- c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting, and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.
- d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.
- (4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.

Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION <u>and</u> REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). Please check the list below carefully before you submit:

(1) The application shall include a **site plan**, drawn to scale or as accepted by staff, with supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:

Xa. Information showing the boundaries of the proposed property as follows:

including any structure over 50 years old; None known.

□I. The approximate location of any cemetery; N/A

See attached Site Plan (Exhibit 3) and Property Description (Exhibit 2

See Site plan attached

as Exhibit 3

- 1. If the entire parcel will be zoned, a GIS or survey map and parcel number of the subject property.
- If only a portion of the parcel will be zoned, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways, See Metes and Bounds Description on Exhibit 2 \overline{X} b. Legal Description of proposed conditional zoning district; Xc. All existing and proposed easements, reservations, and rights-of-way; See Site Plan Attached as Exhibit 3 Xd. Proposed use of all land and structures, including the number of residential units and the total square footage of any non-residential development. Existing residential structure will be used as residential treatment center. square footage of any non-residential development; plus required parking Xe. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; (SECTION 12 LANDSCAPING & BUFFERING REQUIREMENTS)
 See Site Plan Attached as Exhibit 3 ☑f. All existing and proposed points of access to public and/or private streets; See Site Plan Attached as Exhibit 3 g. Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County; N/A \Box h. Proposed phasing, if any; See Transportation Xi. Generalized traffic, parking, and circulation plans; (SECTION 14 OFF STREET PARKING) Analysis Attached as ∑j. Proposed provision of utilities: On-Site Water well. Individual Septic. Progress Energy electric. Exhibit 4

□k. The location of known sites of historic or cultural significance within or adjacent to the project area,

In. Location and description of any proposed lighting on the project site with a note that any lighting will

Mm.Proposed number, location, and size of signs; (SECTION 15 SIGN REGULATIONS)

comply with Section 13; (SECTION 13 LIGHTING STANDARDS) lighting will comply with Section 13
Xo. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the
proposed development, and impervious surface calculations; and See Site plan attached as Exhibit 3
\overline{X} p. Please be sure to address all of Section 11.2.A through I in your application. See attached narrative.
q. Environmental Impact Assessment pursuant to Section 11.3 of the Zoning Ordinance, if applicable. If you are or will be disturbing 10 or more acres in connection with this application, you are required to submit and EIA with this application. Failure to do so will result in the delay of scheduling your request for public hearing or may be returned completely for resubmission. N/A
r. Please check if a Special Study is required for certain Heavy Industrial uses as described in the Table of Permitted Uses in the Zoning Ordinance, Section 10.13. The study is required to be submitted with this application. N/A
The above information is required to be shown on the site plan submitted with this application. If, for some reason, any of the required items above are not included on the site plan, reasons for excluding those requirements must be given.
(2) In the course of evaluating the proposed use, the Zoning Administrator, Planning Board, Chatham County Appearance Commission, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:
 a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features; b. Existing and general proposed topography; c. Scale of buildings relative to abutting property; d. Height of structures;
 e. Exterior features of the proposed development; f. A traffic impact analysis of the proposed development prepared by a qualified professional. The traffic impact analysis shall follow the NCDOT TIA Analysis Guidelines, and shall also include consideration for non-motorized and public transportation; g. Any other information needed to demonstrate compliance with these regulations.
NOTE: The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.

SECTION D.

SIGNATURE STATEMENTS

OWNER'S SIGNATURE*: In filing this application, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate Nicolas P. Robinson to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.
Signature:
Date:
APPLICANT SIGNATURE: I hereby acknowledge that I am making this application on behalf of the above owner's statement or myself as the owner and that all the information presented in this application is accurate to the best of my knowledge, information, and belief. I acknowledge understanding of the requirements set out in this application and in the ordinances and/or guidelines used to determine the completeness of this submittal and to proceed as determined. CREED Treatment LLC Signature: October 2, 2020
Application Fee Calculation: \$750 + \$50 per actual acreage. DO NOT ROUND UP ACREAGE OFFIE USE ONLY:
Date Application Received:
Received By:
Fee Paid: \$\\$750 + \$319 = \$1,069
☑ Check No ☐ Cash ☐ Credit Card ☐ Money Order
Application No. PL 20

SECTION D.	SIGNATURE STATEMENTS
the information presented I hereby designate <u>Nico</u> application, to receive an speak for me in any public	In filing this application, I/we as the property owner(s), hereby certify that all in this application is accurate to the best of my knowledge, information and blas P. Robinson to act on my behalf regarding this d respond to administrative comments, to resubmit plans on my behalf and to be meeting regarding this application. W-Hatson Washington 20
owner's statement or mysaccurate to the best of myrequirements set out in the completeness of this sub-	E: I hereby acknowledge that I am making this application on behalf of the abself as the owner and that all the information presented in this application is y knowledge, information, and belief. I acknowledge understanding of the his application and in the ordinances and/or guidelines used to determine the mittal and to proceed as determined.
Date:	
Application Fee Calculat OFFIE USE ONLY:	on: \$750 + \$50 per actual acreage. DO NOT ROUND UP ACREAGE
OFFIE USE ONLY: Date Application Received By:	ed:
OFFIE USE ONLY: Date Application Received By: Secure 1: \$ \$750 + \$350 \$350	ed:

ADJOINERS LIST/LABELS

David W. Hutson Wanda Hutson 7990 NC Highway 751 Durham, NC 27713-6852

Reginald Van Stephens 77 Lassiter Homestead Road Durham, NC 27713-6393

Yashwant Singh Navjot Singh 1304 Seaton Road, Apt. 29T Durham, NC 27713-2446

Steven C. and Barbara J. Howard 7880 NC Highway 751 Durham, NC 27713-6850 CRCED Treatment Inc. 176 Lassiter Homestead Road Durham, NC 27713-6835

Anthony A. Cook
Donna J. Cook
75 Lassiter Homestead Road
Durham, NC 27713-6393

Ronald Wayne Seagroves Greta Elaine Seagroves 8001 NC Highway 751 Durham, NC 27713-6855

APPLICATION SECTION A EXHIBIT 1

JUSTIFICATION OF APPLICATION

1. The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same.

No error in the Ordinance is alleged. The requested O/I use as a Group Care Home is allowed under Section 10.13 of the Chatham County Zoning Ordinance. The only change required is a zoning map amendment to show the Property as CD O/I rather than R-1.

2. The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.

This request is unique in that the Property is located directly adjacent to Applicant's Existing Treatment Facility. When the Property became available, that changed condition made the requested zoning map amendment reasonably necessary to the promotion of the public health, safety and general welfare.

Need and Desirability: At any given time, up to 20 million women and 10 million men struggle with some form of an eating disorder (Anorexia Nervosa, Bulimia Nervosa, Binge Eating Disorder

or Other Specific Eating or Feeding Disorder). This correlates to about 1 million North Carolinians, or 10% of the population.

The Existing Treatment Facility (Carolina House) had an average occupancy rate of 90% percent capacity this past year (2019) and at times was often at maximum capacity.

During the height of the pandemic, even at a time when the general public was reluctant to seek any kind of healthcare services, Carolina House was often at capacity and had to delay treatment or deny access to services.

As the stigma around eating disorders decreases and legislative initiatives strengthen around insurance coverage for eating disorders, we anticipate the need for this type of service will increase substantially over time. This addition will position Carolina House to meet the ongoing/increasing need for this service.

In addition, having the availability of this type of service to the Chatham and surrounding community makes it easier for local families to be actively involved in treatment process.

Survey of Similar Uses: There is one similar treatment center in Durham but none known in Chatham County other than the Existing Treatment Facility and the family care home operated by applicant which is further south on NC Highway 751.

<u>Public Provided Improvements</u>: The County will not be required to provide any new public improvements to serve this site

and use. An on-site water will be used as well as an on-site septic system.

<u>Employment</u>: It is anticipated that the new facility will result in hiring of new staff. The allocation between full-time and part – time staff is not yet known. But it is anticipated that there will be hiring of direct patient care registered nurses, therapists and registered dieticians.

Given that the change in use will have no significant impact on the surrounding area but will favorably and significantly impact wellness in the area for patients and families, this proposed use is reasonably necessary to the promotion of public health, safety and general welfare.

3. The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.

A healthcare facility in this location is entirely consistent with Plan Chatham, the Comprehensive Plan 2017, adopted by the Board of Commissioners in November 2017 (the "Plan Chatham").

The need for healthcare facilities is highlighted in CHAPTER TWO: "Big Picture Issues + Opportunities" of Plan Chatham. "[A]ccess to mental health services and access to healthcare are priorities identified in the 2014 Community Health Assessment." (Plan Chatham, p. 37). This section elaborates that "promoting . .

. improved access to health services" is a part of a "Health in All Policies (HiAP) approach, which is advocated in this plan." (Plan Chatham, p. 37). Approving this requested conditional use rezoning to allow for an eating disorder residential treatment facility is directly in line with the big picture approach to creating access to healthcare promoted by Plan Chatham.

CHAPTER THREE: One of the stated Objectives of Plan Chatham is to "foster a healthy community" by assuring "access to healthcare for all county residents." (Plan Chatham, p. 43). In addition, Plan Chatham encourages uses which support active lifestyles, including walking. (Plan Chatham, p. 43). This project will result in a combined +/- 16.5 acres of land with preserved wooded areas and pedestrian access to trails within the combined sites.

Plan Chatham shows this area of the County as a Conservation area. This plan meets many of the bullet-points listed for Conservation areas under the Future Land Use Description found at page 49 of Plan Chatham. The plan seeks to have development that is predominantly residential and "sensitively integrated into the landscape." (Plan Chatham, p. 49). This is a unique rezoning in that, while it seeks to change the zoning from residential to office/institutional, the project will maintain the residential appearance and impact for all practical purposes. The building will meet the 1-2 stories in height recommendation (Plan Chatham, p. 49). It will also meet the "limited streets" recommendation in that it will not create any new roadways. (Plan Chatham, P. 49). It also meets the open space suggestion in that Applicant intends to retain all existing

wooded areas and vegetation on all sides of the property, with the only exceptions being as needed to install a pedestrian nature trail between the Existing Treatment Facility and the new facility for the purposes of allowing the residents to engage in exercise and health-enhancing activity and any slight disturbances related to monument sign installation and paving of existing driveways.

In addition, this proposal is consistent with the Chatham Cary Plan. Under the Chatham Cary Plan, this location is shown as a Conservation Area and designated for Very Low-Density Residential ("VLDR") development. (Chatham Cary Plan, Section 3.2, p. 3-1). The Chatham Cary Plan limits VLDR areas to one unit per acre for traditional residential development. But the Chatham Cary Plan goes on to encourage "institutional uses that are compatible and complementary to the surrounding neighborhood . . . such as churches, parks, schools, libraries, daycare facilities . . . " (Chatham Cary Plan, Section 3.2, 3-2). The proposed use is very much an institutional use that is compatible and complementary to the surrounding neighborhood, as evidenced by the presence of the Existing Treatment Facility and its excellent integration into the surrounding, low density residential area.

Both the Town of Cary Planning Staff and the Chatham County Planning Staff agree with this interpretation that the proposed use is consistent with the terms of the Chatham Cary Plan.

Overall, this project is entirely consistent with Plan Chatham and meets many of its recommended policies, recommendations and strategies, including the following:

- 1. Provide flexibility for rural businesses that have limited impact on adjacent properties and preserve rural character (Plan Chatham, ED Policy 1, p. 54).
- 2. Modify zoning regulations to allow for more flexibility for rural businesses that have minimal impact on adjacent properties, traffic, and rural character (Plan Chatham, Strategies 1.2 and 7.4, p. 55 and p. 68).
- 3. Bring open space to the forefront (Plan Chatham, Recommendation 03, p.68).
- 4. Encourage low-density development in conservation areas (Plan Chatham, Strategy 9.2, p. 68).
- 5. Increase cooperation with adjacent jurisdictions (Plan Chatham, Recommendation 04, p. 69).
- 6. Allow healthcare facilities near residential areas with compatible site/building design and operations (Plan Chatham, Strategy 7.1, p.83).
- 7. Accommodate healthcare facilities as long as there is minimal impact on adjacent properties (Plan Chatham, Strategy 7.1, p. 83).
- 8. Expand mental health services (Plan Chatham, HL Policy 8, p. 84).
- 9. Conserving natural resources (Plan Chatham, p. 103).
- 10. Preserving rural character (Plan Chatham, p.103

4. The requested amendment is either essential or desirable for the public convenience or welfare.

Applicant hereby incorporates all of the prior information cited above and below regarding the need and desirability of this project. The fact that the Existing Treatment Facility is at or near capacity speaks well to the essential need and desirability of the project. Additionally, the fact that the project squares so thoroughly with the Plan Chatham goals, objectives and strategies, as well as with the Chatham Cary Plan is a strong indication that the request is desirable for the public convenience and welfare. The healthcare benefits alone support the positive impacts on the public convenience and welfare.

The project meets the Application checklist items for this finding as follows:

- A. Traffic. The project will have no noticeable traffic impact on the site nor on the surrounding area. See the Transportation Assessment from Kimley Horn, attached hereto as Exhibit 4. The two (2) existing access drives will be improved to accommodate two- way traffic. We have discussed the proposed change in use with NCDOT. They have not raised any concerns other than noting the existing drive radius will need to be widened where connecting with NC 751. A Driveway permit application will need to be filed after conditional zoning approval.
- B. Visual Impact and Screening. As detailed at the Appearance Commission, this project will have essentially no new visual impact in that the exterior of the residence will remain essentially unchanged. The existing site is

heavily vegetated. All of the existing vegetation will remain except as needed to add the pedestrian trails, any approved signage and as may be needed for paving of existing driveways. Per suggestion from the Appearance Commission, we have added some Dogwoods and Azaleas at each driveway entrance to provide accent. See (i) existing vegetation on the Existing Conditions Map (Exhibit 3), (ii) Landscaping Plan (Exhibit 6 hereto) and Picture Key Plan (Exhibit 3 Site Plan, p. G-107) and Photo Views (Exhibit 3 Site Plan, p. G-108).

- C. Lighting. See lighting plan attached hereto as Exhibit 5.

 Overhead lighting is limited to the (3) parking areas. All fixtures will be full cutoff. A few wall packs are also planned at each building entrance and will be full cutoff as well. Ground story low voltage lighting fully shielded is also planned along the driveways instead of overhead lighting. All lighting will be in accordance with the lighting requirements of the Zoning Ordinance.
- D. Noise. There will be no appreciable additional noise generated by this use.
- E. Chemicals, Biological and Radioactive Agents. None.
- F. Signs. There will be two signs added in the locations shown on the Site Plan. The signs will be in conformity with the Chatham Sign regulations set out in the Zoning Ordinance and will be in keeping with the style of the existing Carolina House signage.
- 5. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.

Given that Carolina House already exists on the adjacent property and is currently providing this critical healthcare service to the community, this is not one of those proposals where the County will not have to imagine whether it will be a successful and meaningful addition to the array of services and uses in the area. Its impact on the immediate neighborhood and on our community in general is already a known beneficial impact.

- A. Water Source and Requirements. Water is already available through water well on the Property. An existing well is located in front of the main house adjacent to NC 751. The existing yield of 3 GPM should be adequate for the proposed low intensity use.
- B. Wastewater Management. The Property has an existing, State Issued septic permit which, if necessary, will be modified to accommodate the slight increase in usage caused by 8 resident patients and two employees.
- C. Water Impact Statement. Water will be supplied by an existing, on-site well.
- D. Access Roads. The site has access from NC highway 751 and also from Lassiter Homestead Road. No highway or driveway improvements will be necessitated by this change in use other than the existing drive radius may need to be widened where connecting with NC 751. A Driveway permit application will need to be filed after conditional zoning approval. .
- E. Stormwater Runoff. The site is gently falling from the NW corner to the southeast. Existing slope is +/- 2.7% which will allow the proposed site improvements (additional drive width and parking to be installed with minimal grading). It is likely that we will be disturbing more than

20,000 SF to facilitate the improvements. If the proposed improvements do exceed 20,000 SF a stormwater plan along with erosion control plan will be submitted to the County. Curb and gutter is not planned and with an ultimate impervious area of under 20% we anticipate utilizing "Disconnected Impervious Surface" (DIS) practices to control runoff.

PROPOSED CONDITION

Applicant offers the following specific condition in support of the approval of this Mixed Use Conditional District: To the maximum extent possible and consistent with the submitted site plan, all existing trees and natural vegetation both within the setbacks and on the Property in general will be retained in place.

EXHIBIT 2

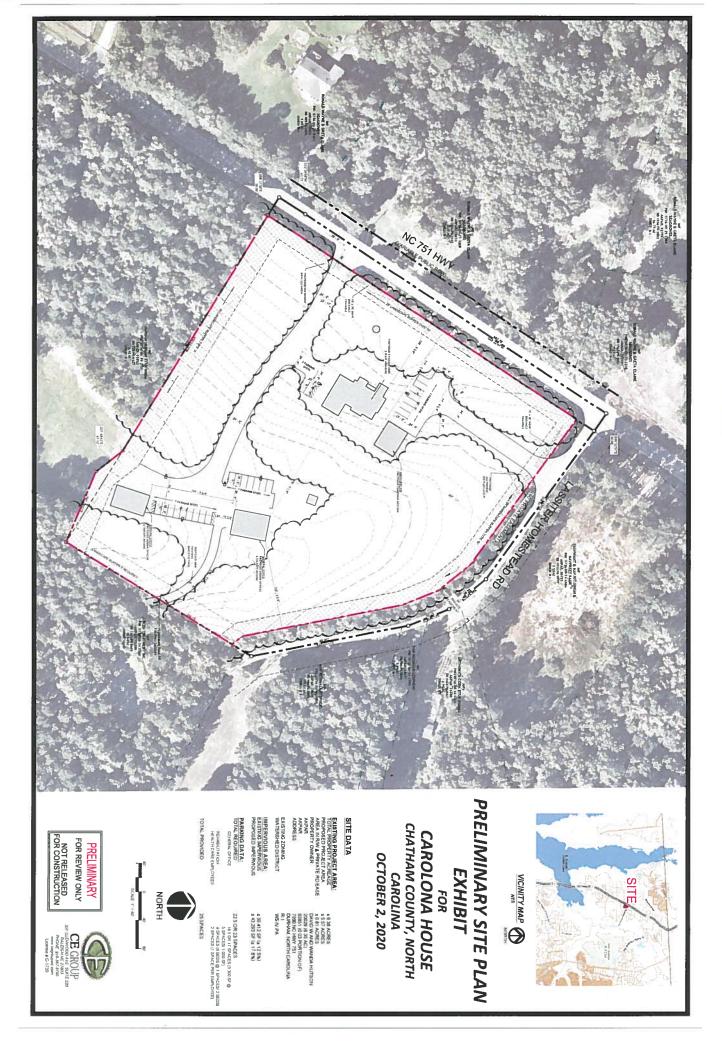
PROJECT AREA DESCRIPTION PROPERTIES OF DAVID W. HUTSON AND WANDA HUTSON

LYING AND BEING IN CHATHAM COUNTY, WILLIAMS TOWNSHIP, NORTH CAROLINA

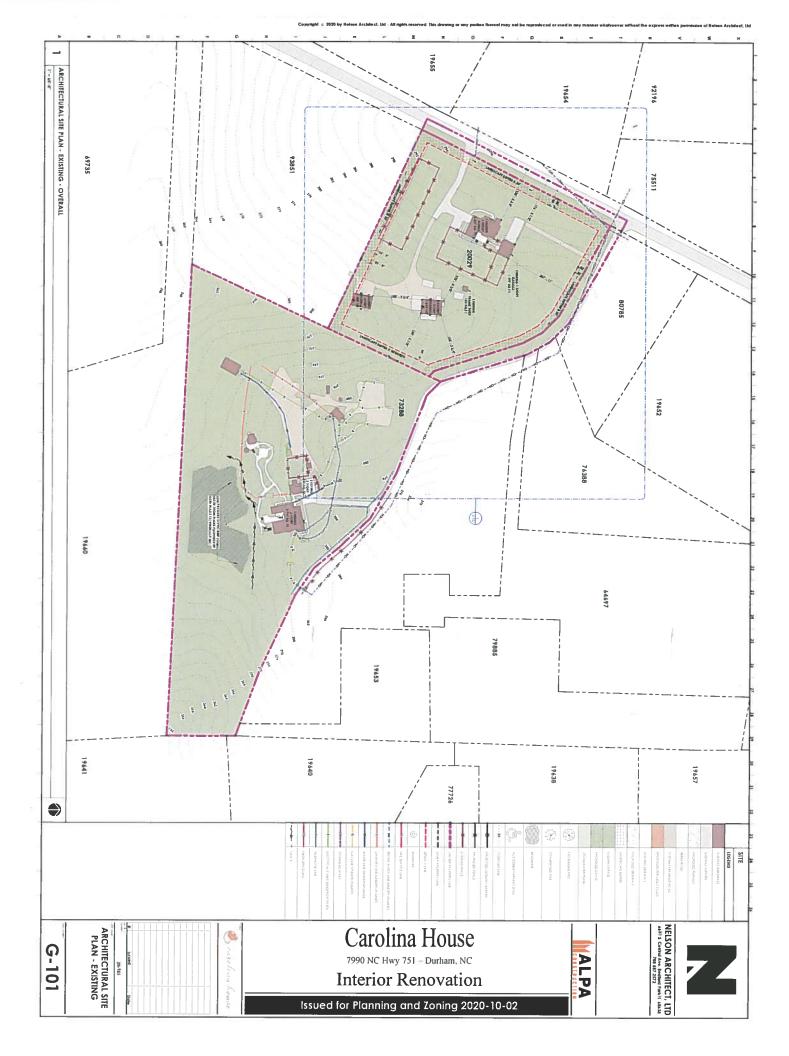
Beginning at a point as measure form an iron located on the approximate centerline of N.C. Highway 751 approximately 1.1 miles South of the intersection of N.C. Highway 751 and O'Kelly Chapel Road, along an old farm road, said old farm road being the boundary of the lands, now or formerly, of R.E. Daughtery described in Deed Book 88 Page 17 of the Chatham County Registry, The Following courses and distances along a private access easement, South 55°32'57" East 30 feet, South 54°01'00" East 258.54 feet, South 38°52'00" East 66.8 feet, South 21°56'00" East 61.86 feet, South 11°02'00" East 224.48 feet to an iron, thence South 31°38'40" West 306.16 feet to a new iron, thence North 67°14'02" West 107.13 feet to a computed point, thence North 37°49'42" West 47.12 feet to a computed point, thence North 58°21'20" West 388.39 feet to an iron, thence continuing in said line 30.0 feet to an iron in the approximate centerline of N.C. 751; thence with the approximate centerline North 32°24'58" East 43.73 feet to an iron, thence continuing with the approximate centerline of N.C. 751 North 33°22'47" East 507.75 feet to the Place and Point of Beginning; and comprising all of Lot 2 Comprising 6.38 acres, more or less, as shown on the Plate and survey thereof by Ritchie Surveying Co. dated June 9, 1996.

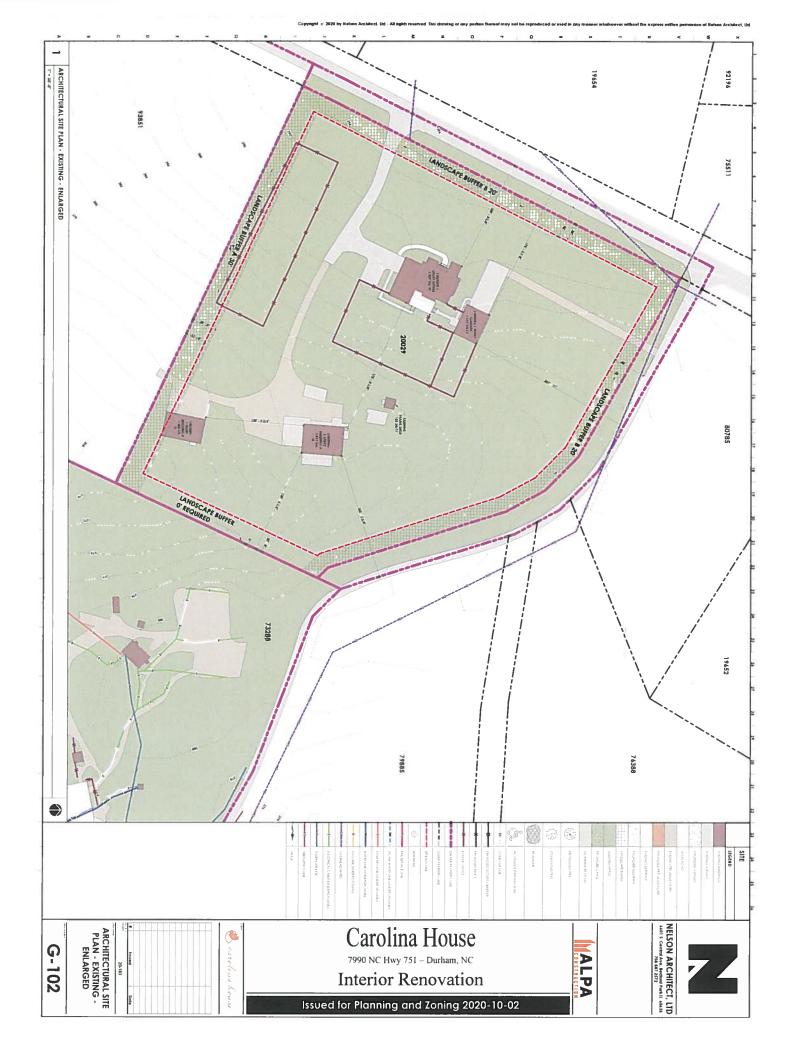
This description includes all of AKPAR 20029 (6.35 Ac.) and 0.03 Ac. of AKPAR 93851.

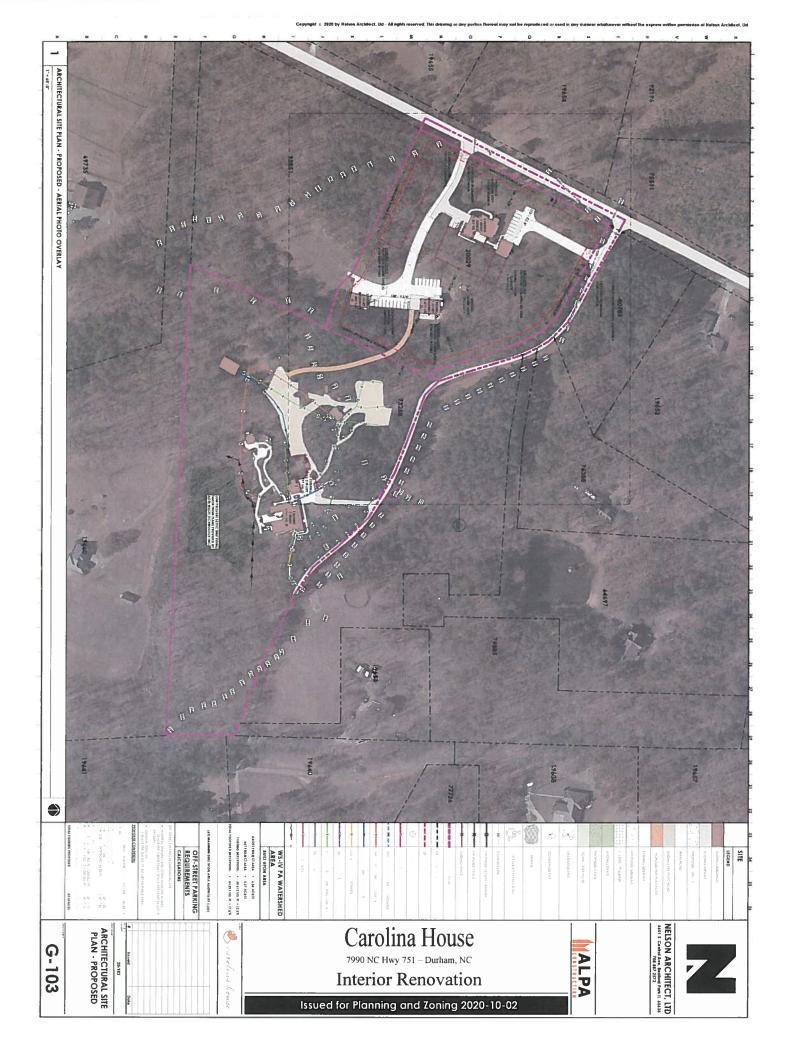
EXHIBIT 3 (10 pp.)

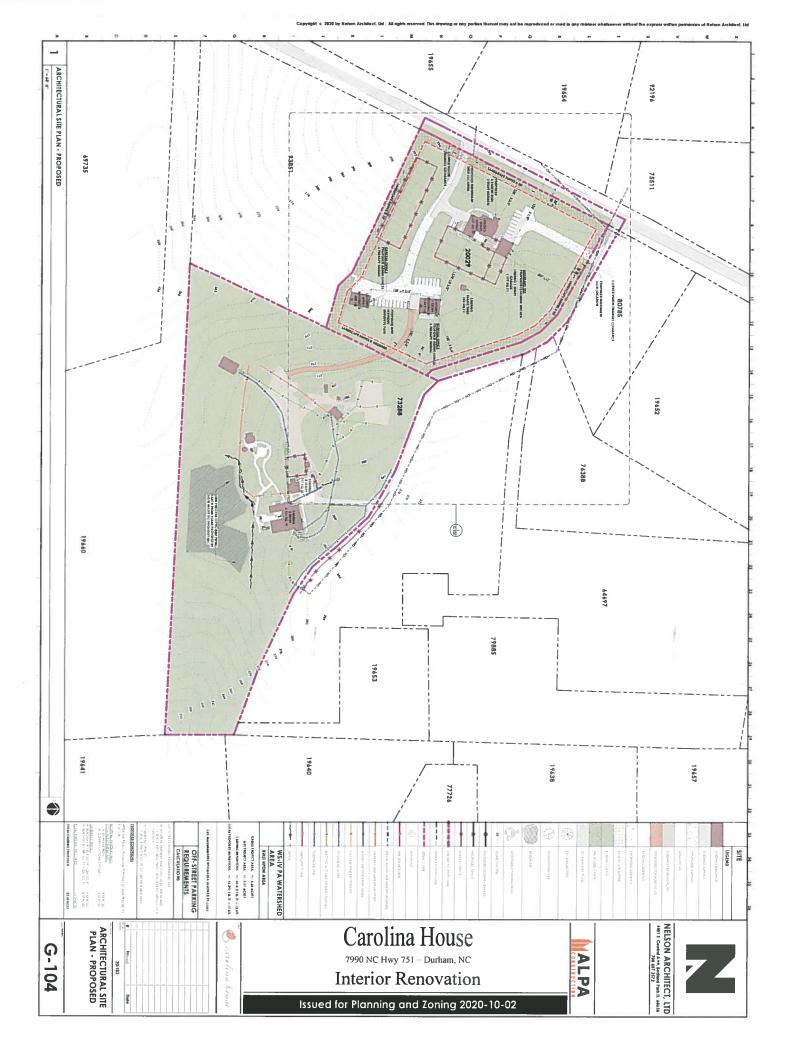


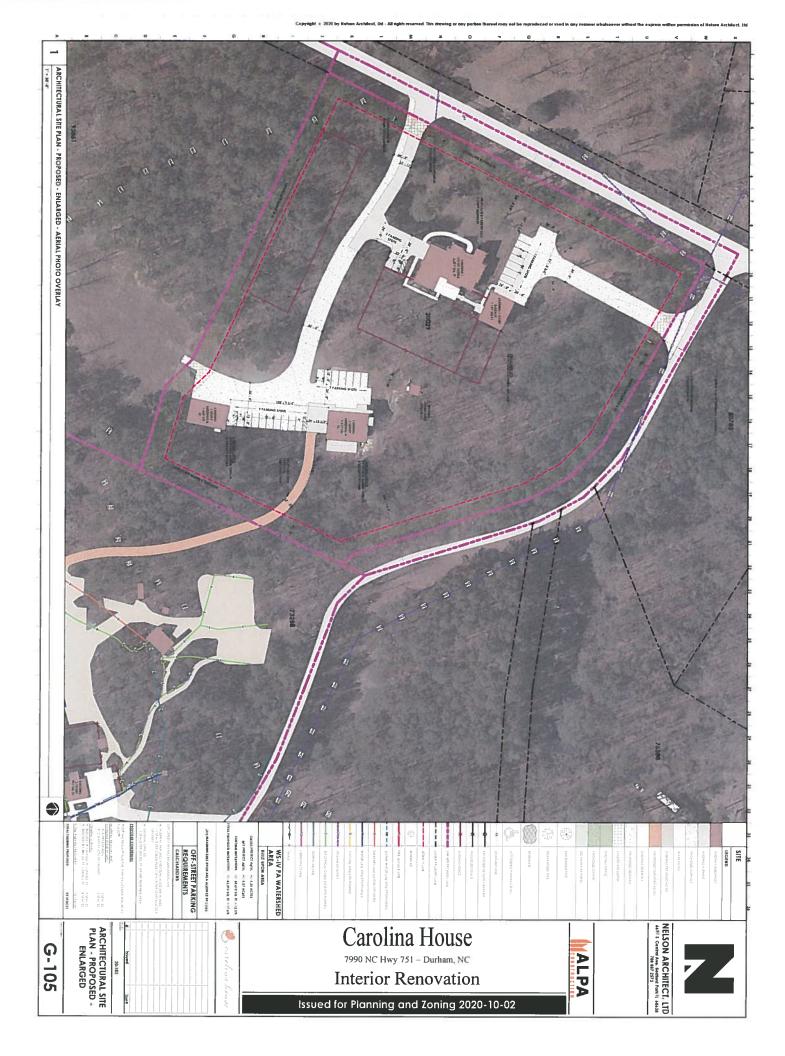


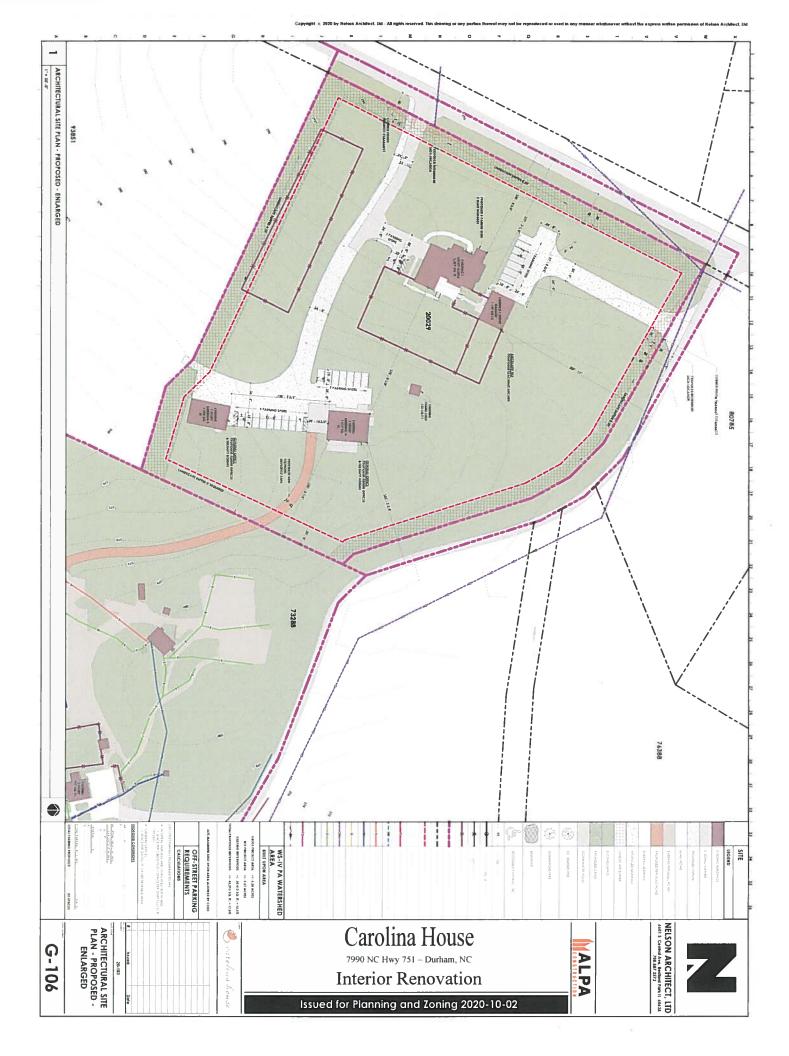


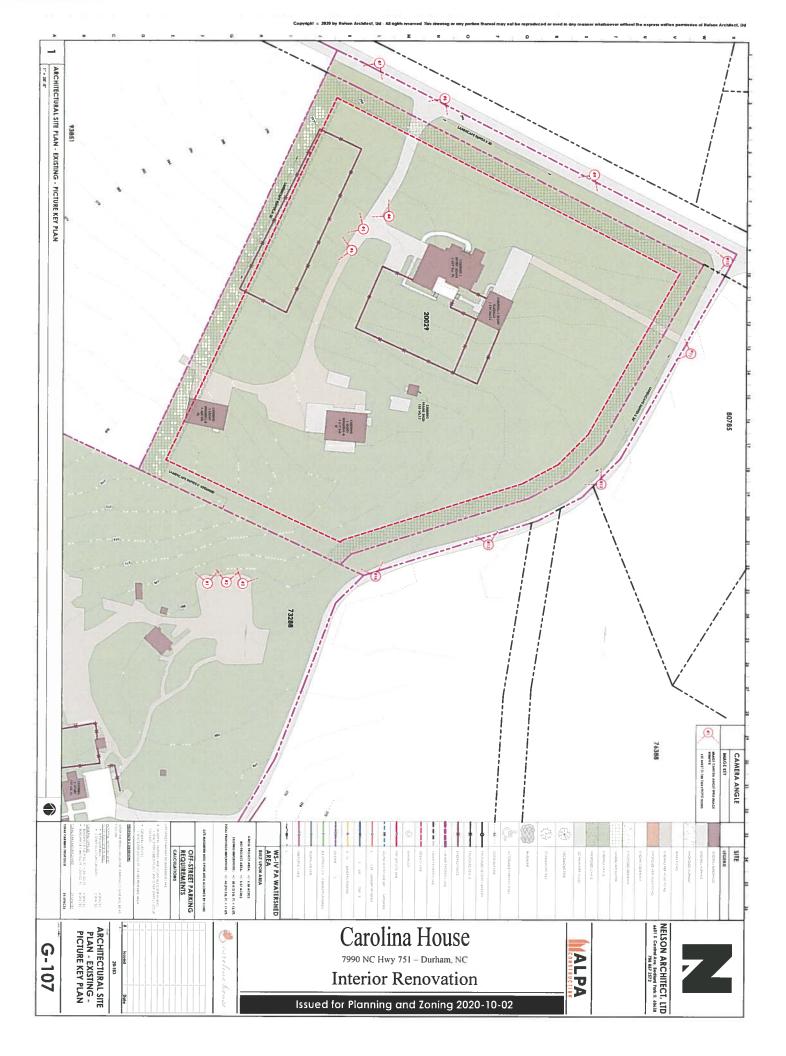
















KIMLEY-HORN AND ASSOCIATES, INC NC License #F-0102

MEMORANDUM

To: Mr. Keith Thompson

Acadia Healthcare Company, Inc.

From: Kevin Dean, P.E. Kimley-Horn

Date: October 1, 2020

Subject: Carolina House Rezoning - Chatham County, NC - Preliminary Transportation Assessment

Docin Signed to Person 10/1/2020

Kimley-Horn has performed a transportation assessment in conjunction with the proposed rezoning of the property at 7990 NC Highway 751 to accommodate an expansion of the Carolina House in-patient treatment center in Chatham County, North Carolina. The site is currently occupied by one single-family home with access onto NC 751 and is adjacent to the existing Carolina House on Lassiter Homestead Road. As currently envisioned, the rezoning would allow for repurposing of the existing dwelling to accommodate 8 patient beds and a maximum of two staff members (in addition to the existing facility), with additional site access provided onto Lassiter Homestead Road. While multimodal cross-access is proposed with the existing Carolina House facility, no vehicular cross-access will be provided.

Based on discussions with the applicant, typical site operations do not generate a significant volume of traffic. While 25 parking spaces will be provided to meet County requirements, the 8 patients only enter and exit the site for intake and discharge and do not make regular trips while receiving care. Additionally, there are two staff members on-site providing continuous care, with limited other staff entering and exiting the site in shifts to provide additional care and support.

This report presents traffic analyses, including site trip generation and roadway capacity evaluations, as well as other transportation-related findings.

Site Trip Generation

Daily and weekday AM (7-9am) and PM (4-6pm) peak hour site trip generation was calculated based on rates from the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (10th Edition, 2017). Based on a review of available land use categories provided by ITE, the "Nursing Home" land use (Land Use Code 620) was found most-applicable for these calculations. The trip generation for an 8-bed facility is summarized in <u>Table 1</u> below, and trip generation calculations are also attached.

	ITE Trip (Table Generat		cles)			
Land Use	Size	D	aily	AM		PM	
Land Use	Size	In	Out	In	Out	In	Out
Nursing Home (LUC 620)	8 beds	12	12	1	1	1	2

As shown in Table 1, ITE indicates that an 8-bed facility is expected to generate approximately 24 new daily trips on a typical weekday, with 2 new AM peak hour trips and 3 new PM peak hour trips.



As noted previously, it is also expected that 25 total parking spaces will be provided on-site. Even if it were assumed that 100% parking space turnover occurs in the AM and PM peak hours, which is extremely conservative and highly unlikely given typical facility operations, the project still would not be expected to generate a significant volume of site traffic. Given the minor volume of daily and peak hour site traffic expected to be generated by this project, no improvements are recommended to be performed by this development.

NC 751 Capacity Review

The NCDOT Transportation Planning Branch (TPB) has established Level of Service (LOS) D Standards for roadways based on facility types to identify volume thresholds for acceptable operations. NC 751, which would be best-classified as a "rural two-lane highway" with 10-foot lanes from the provided facility types list, is estimated to have a capacity of approximately 11,800 vehicles per day (vpd) per NCDOT TPB standards. Based on a review of applicable transportation plans, no changes are proposed to the roadway segment of NC 751 in the vicinity of the project.

NCDOT reported a 2018 ADT volume of 8,900 vpd on NC 751 north of Lassiter Homestead Road, with historic traffic growth rates of approximately 2% since 2010 and 5% since 2015. If a conservative 5% annual growth rate is applied up to 2020, existing year ADT volumes are estimated to be 9,800 vpd.

If a 5% annual growth rate was assumed to continue on NC 751 through project build-out in 2021, and daily project site trips are added, build-out volumes along NC 751 are anticipated to be less than 10,500 vpd. As daily volumes along NC 751 are expected to be below capacity at project build-out even using very conservative assumptions for volume development, and given the very minor impact of project traffic on the corridor, no improvements are recommended to be performed as part of this project based on this daily capacity analysis.

Crash Data Review

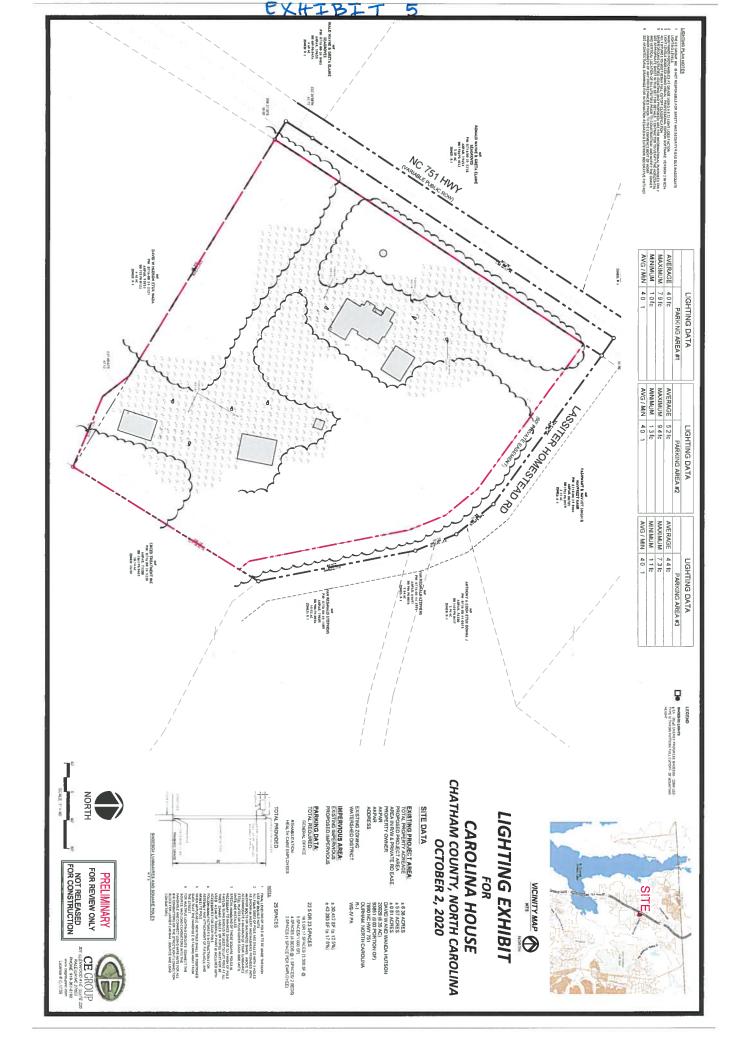
The NCDOT Highway Safety Improvement Program (HSIP) identifies intersections and roadway segments across the state with crash histories or patterns that meet established safety warrants and, where appropriate, develops projects to address those conditions. Based on a review of the NCDOT HSIP website, neither the intersection of NC 751 at Lassiter Homestead Road nor portions of NC 751 within one mile of the site met crash warrants between 2016 and 2020. There is no reason to expect that traffic associated with this development will increase crash rates in the study area, and no roadway improvements are recommended based on this review.

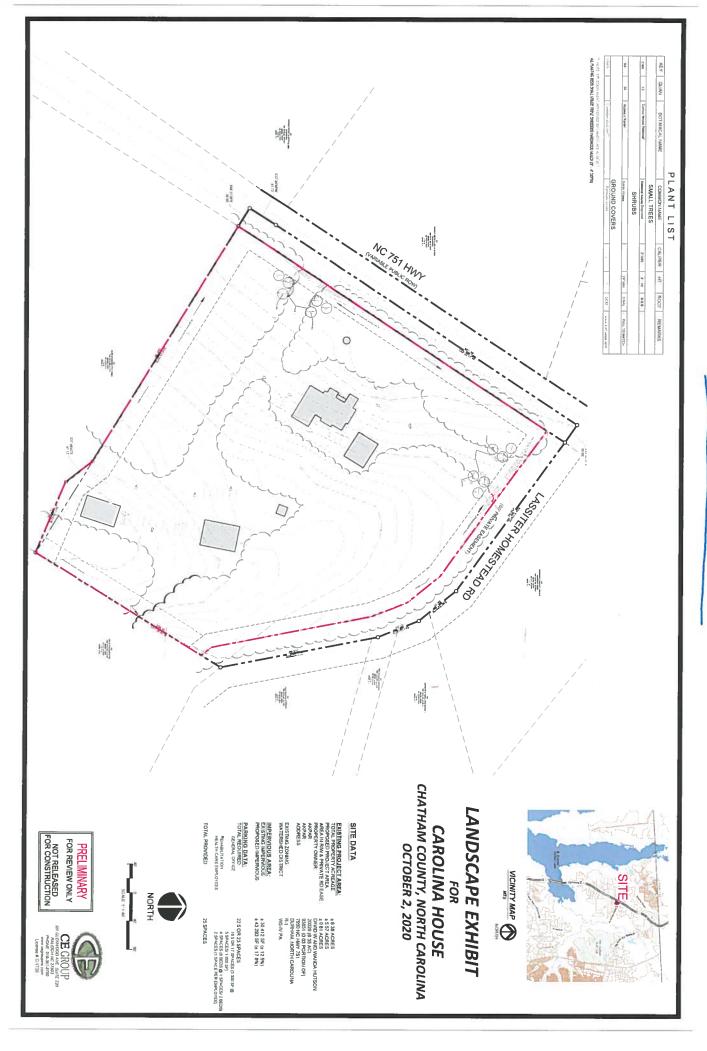
Conclusion

Given the low traffic volumes expected to be generated by the proposed rezoning, no roadway improvements should be required, and no further traffic analysis should be needed for this development. Additionally, based on the data summarized in this assessment, there is no evidence that, from the perspective of traffic safety, the proposed facility would materially endanger public safety.

Should you have any questions or comments, please do not hesitate to contact me at (919) 678-4185 or kevin.dean@kimley-horn.com.

Carolina House Expansion (7990 NC Highway 751, Chatham County, NC)	se Expansi	N 0662) uo	IC Highw	ay 751, (Shatham	County,	NC)				
		Table 1 - Trip Generation	rip Gene	ration							
and line	Intensity	, tiet		Daily		AN	AM Peak Hour	ıur	PIV	PM Peak Hour	5
		rains)	Total	п	Out	Total	n	Out	Out Total	ln.	Out
620 Nursing Home	œ	peds	24	12	12	2		-	က	-	2



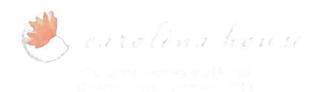


REPORT OF COMMUNITY MEETING REQUIRED BY THE CHATHAM COUNTY ZONING ORDINANCE

To:	Chatham County ZONING ADM	MINISTRATOR
Date:	September 21, 2020	
Proposed Zoning:	Conditional District Rezoning fro	om R-1 to CD O/I
application was giv mail on (date) Sept The meeting was h Bradshaw Robinson SI The persons in atte	en to the adjacent property owner tember 4, 2020 A copy eld at the following time and place awter, LLP, 128 Hillsboro Street, Pittsboro endance at the meeting were:	, NC at 5:00 -6:30 pm, September 21, 2020
	a Shapiro with the applicant. Nicolas Rob	inson for the applicant.
The following issue	_	
As a result of the m	neeting, the following changes we	ere made to the rezoning petition:
	_	0.11 0.0000
	Date:	October 2, 2020 CRE ED Treatment, LLC
	Applicant: By:	Nicolas P. Robinson

Please submit this Report to the Chatham County Planning Department located at 80-A East Street, Dunlap Building or mail it to Angela Birchett, Zoning Administrator, PO Box 54, Pittsboro, NC 27312.

A receipt or stamp from the US Postal Service that shows the date of the mailings shall also be provided with this application.



700 to 3 19-50 5 11/13 75-67 17-77-17-14

September 4, 2020

Carolina House Eating Disorder Treatment Center 176 Lassiter Homestead Road Durham, NC 27713 (Chatham County)

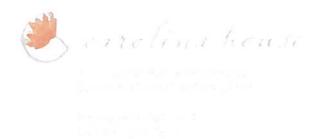
Re: Development Input Meeting for Carolina House Facilities Expansion located at 7990 N.C. Highway 751 (Chatham County AKPAR Parcel No. 20029) on September 21, 2020 from 5:00-6:30 pm

Dear Adjacent Property Owner:

This letter is to invite you to a community meeting regarding a proposed rezoning to allow conversion of the residence located at 7990 NC Highway 751, Durham, NC 27713 (Chatham County) into a residential treatment center for individuals suffering from eating disorders. The subject residence is located on a 6.35 acre (+/-) tract near your property with Chatham County AKPAR Number 20029. As you may or may not know, Carolina House has operated the adjacent property to the rear of the subject property for the same purpose since 2006. Our proposal is to expand the same kind of treatment into the home located on this adjoining site. We do not intend to make substantial modifications to the property or residence.

An informal open-house community meeting will be held on September 21, 2020 beginning at 5:00 p.m. at the law offices of Bradshaw Robinson Slawter LLP, located at 128 Hillsboro St., Pittsboro, NC 27312. You can drop in any time between 5:00 p.m. and 6:30 p.m. Detailed directions are set forth below. Because of the Covid-19 recommendations, the meeting is scheduled to take place outdoors, weather permitting. If the weather does not cooperate, there is a large front porch where folks can be socially distant while we safely rotate visitors through the interior office to show them the project details and respond to any questions. The proposed project will be served by its own water well and will have on-site septic. Plans of our proposed conversion of the existing house into an eating disorder residential treatment program will be shown and you will have the opportunity to voice any concerns and ask questions of people knowledgeable about the details of our project. Our plans may be revised based on your input before we submit to the County.

This meeting is required as part of the County zoning process; however County staff will not participate in the meeting. We are planning to submit our official plans to the County Planning Department in the near future. You will receive a notice from the County about this submittal once the application has been made.



We would appreciate your attendance and input at the community meeting. If you have questions before the meeting, you may contact the person noted below.

Respectfully,
ToAnna Shapire

For More Information, Please Contact:

JoAnna Shapiro, CEO Carolina House

Direct Dial (919) 913-8996

JoAnna.Shapiro@carolinaeatingdisorders.com

DIRECTIONS TO COMMUNITY MEETING LOCATION:

From the traffic circle in Pittsboro, take the 15-501 North/Hillsboro St. exit off the circle as though you are heading to Chapel Hill, NC. The meeting place is two blocks from the circle on the left. It is a two-story, white historic house at the corner of Hillsboro St. and Thompson St. Address: 128 Hillsboro St., Pittsboro, NC 27312. Ample parking is available in the parking lot behind the office (accessed from Thompson St.).

Proof of Mailing

GREENSBORD

NC 274 04 SEP 20 PM 1.1 Nicolas P. Robinson P.O. Box 607 Pithebaro, NC 27312

CAROLINA HOUSE COMMUNITY MEETING

SEPTEMBER 21, 2020

HALL-LONDON HOUSE

128 HILLSBORO ST. PITTSBORO, NC 27312

5:00 p.m. – 6:30 p.m.

<u>NAME</u>

ADDRESS

CONTACT INFO/ EMAIL **ADJOINER?**

No attendees.

CAROLINA HOUSE COMMUNITY MEETING SEPTEMBER 21, 2020 HALL-LONDON HOUSE 128 HILLSBORO ST. PITTSBORO, NC 27312 5:00 p.m. – 6:30 p.m.

DISCUSSION TOPICS

No attendees.

David W. Hutson
Wanda Hutson
7990 NC Highway 751
Durham, NC 27713-6852

Reginald Van Stephens (3) + (4)
77 Lassiter Homestead Road
Durham, NC 27713-6393

Yashwant Singh
Navjot Singh
1304 Seaton Road, Apt. 29T
Durham, NC 27713-2446

CRCED Treatment Inc.

176 Lassiter Homestead Road

Durham, NC 27713-6835

Anthony A. Cook

Donna J. Cook

75 Lassiter Homestead Road

Durham, NC 27713-6393

Ronald Wayne Seagroves Greta Elaine Seagroves 8001 NC Highway 751 Durham, NC 27713-6855

Chatham County Tax Map

