

PLANNING & ZONING REVIEW NOTES

VII. A.

SUBJECT:

Request by **Chatham Development Corporation** to rezone approximately 15.16 acres located on the south side of US 64 E, 0.92 miles west of NC 751, New Hope Township, from RA-40 Residential Agricultural to Conditional Use B-1 Business.

ATTACHMENTS:

The following was submitted at the September 4, 2007 Planning Board meeting:

1. Application packet

The following may be viewed on the Planning Department website at www.chathamnc.org under Rezoning & Subdivision Cases, 2007:

2. Arcview map
3. A copy of an on-line petition signed by approximately 11 participants.

INTRODUCTION & BACKGROUND:

A legislative public hearing was held on September 17, 2007. Four people spoke against the proposal. A copy of an on-line petition from approximately 11 participants was also presented at the public hearing. The applicant was the only one who spoke in favor of the request. The minutes may be viewed on the County webpage after their approval on October 1, 2007.

The Planning Department staff and Planning Board are required to make a recommendation on the requested change of the zoning district from RA-40 (Residential/Agricultural) to CU-B1 (Conditional Use Business District). Such a recommendation is partially based on adopted land use plans and policies as well as changing conditions as noted in the Chatham County Zoning Ordinance under Section 17. The applicant has addressed this issue in her application.

DISCUSSION & ANALYSIS:

The Chatham County Land Conservation and Development Plan, here after referred to as the "Plan", is a general policy plan. A specific plan map was not adopted but a draft map was prepared. You are encouraged to read the entire Land Conservation and Development Plan of 68 pages, which is on the Planning page of the County web site.

Re: Chatham Development Corporation rezoning request
DISCUSSION & ANALYSIS – con't

Economic Development Centers are described beginning on Page 27 of the Plan. The Plan encourages development in six settings. They are:

- Agriculture and home –based businesses in rural areas
- Commercial and industrial development within the county's towns
- Neighborhood activity centers in compact community corridors
- Cross-road commercial centers in designated rural locations
- Economic development centers in carefully designated and planned locations
- Continued development within other areas currently zoned commercial or industrial

The Plan goes on to say on page 35, commercial and industrial development in other settings, especially as “strip commercial development” along major highways and in environmentally sensitive areas is discouraged. There exists a “quadrant” of commercial uses at the intersection of US 64 and Bob Horton Rd. The Plan states there is to be an economic development center just west of the US 64/NC 751 intersection. A draft map was prepared in connection to the Plan. This parcel does not appear to fall within the proposed Economic Development Center location ring. This property has residential subdivisions on two of its three sides.

Page 38 of the Plan addresses ground and surface water resources. The County is directed to ensure sustainable management and protection of surface water and ground water resources are protected. The site plan provided by the applicant shows a “wash down area” on the eastern side of the property. There is a perennial stream, and intermittent stream, and wetland areas on this property. Even though there is a proposed 100 foot buffer along the perennial stream, runoff from the wash down area has not been addressed in the application. This activity will produce wastewater and as stated on page 38 of the Plan non-point source pollution is reported to be the major cause of water quality impairment, but point source wastewater discharges also contribute significantly to water quality impairment in some stream reaches. The application does not comment on stormwater retention and runoff protection measures.

The Plan also addresses protection of water supply watersheds. The application indicates there will be a 23.3% impervious surface calculation for this project. The allowable impervious surface percentage is 36%.

Page 47 of the Plan addresses the needs and concerns for open space, recreation, historic assets, and tourism. The application indicates this project has met the goals of the Plan. The site plan provided with the application does show an area to the west of the proposed structures as “no disturbance”. This could be the designated open space. However, the applicant is requesting to reserve the right for “future” development of this area. This would not preserve the open space objective.

RECOMMENDATION:

It is the opinion of the planning staff to recommend denial of this rezoning request based on the information provided above. The Planning Board has up to three meetings to make a recommendation to the Board of Commissioners.