



## Chatham County Planning Board Agenda Notes

Date: March 5, 2019

Agenda Item: IX-1

Attachment #: None

- Subdivision     
  Conditional Use Permit     
  Rezoning Request  
 Other:

<b>Subject:</b>	A Legislative public hearing request for general use rezoning from CU-Ind Heavy to R-1 Residential by Jim Saputo on property located at 148 Rush Rd. New Hill, Parcel No. 5545, being approx. 51.6 acres.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	None (public hearing packet provided previously)

**Introduction & Background:**

A legislative public hearing was held on February 18, 2019. Planning staff presented the request and Mark Ashness, representative for the applicant, spoke. No-one else spoke on the matter.

This property currently has a zoning designation of Conditional Use Heavy Industrial (CU-IH) which was approved in 1994 for a rock crushing operation. The conditional use permit (CUP) associated with the rezoning approval would be voided should approval for this request be granted.

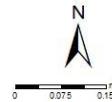
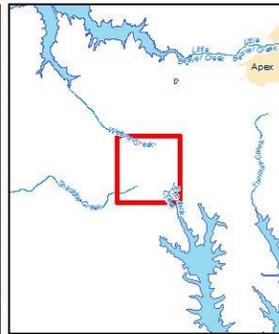
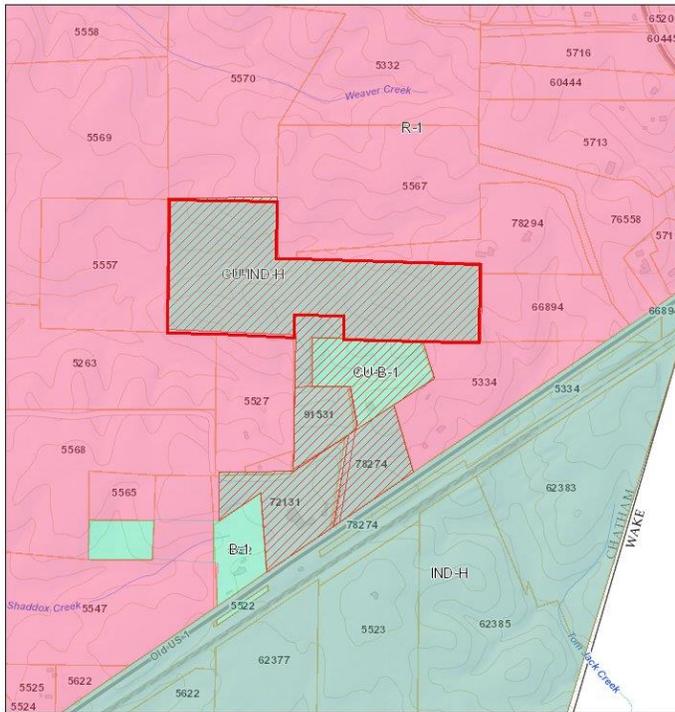
The property was never developed for the heavy industrial use and has remained vacant.

**Discussion & Analysis:**

The property is located in an area surrounded on three sides by R-1 Residential zoning. The properties to the south are zoned Conditional Use Heavy Industrial (CU-IH), Conditional Use Business (CU-B1), and Residential. The conditional use permit for the property zoned CU-IH is part of the CUP for the property under consideration for rezoning and will be voided. The CUP for the CU-B1 property is for a landscaping and nursery business. The applicant also owns the adjacent property to the east, Parcel No. 66894, which provides direct access to Old US 1.

*The zoning map below shows the current zoning in the areas surrounding the parcel.*

**Chatham County Tax Map**



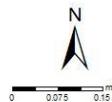
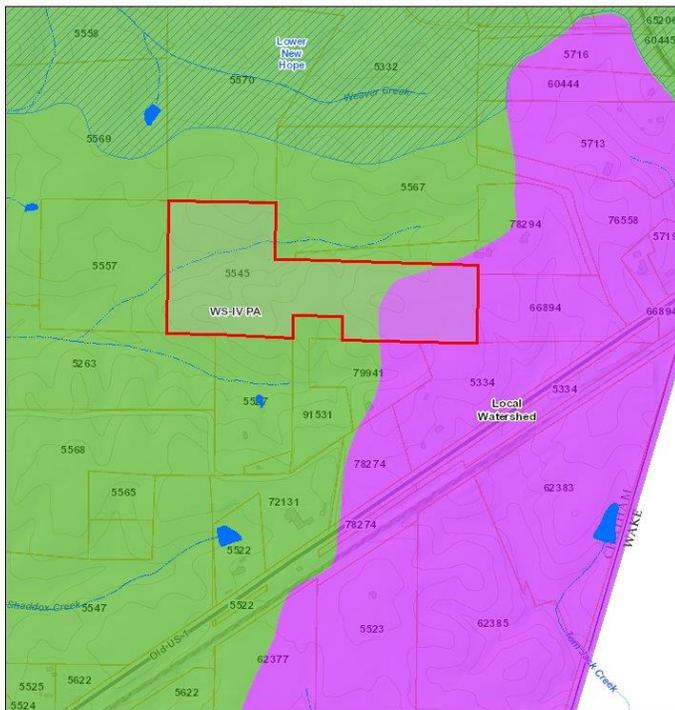
Service Layer Credits: Chatham County,  
Chatham County GIS



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*The map below shows the watershed classification and the majority of the parcel is located within the WSIV-PA (outside the Jordan Lake Buffer Rule area) and LWA Local.*

**Chatham County Tax Map**



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Chatham County GIS



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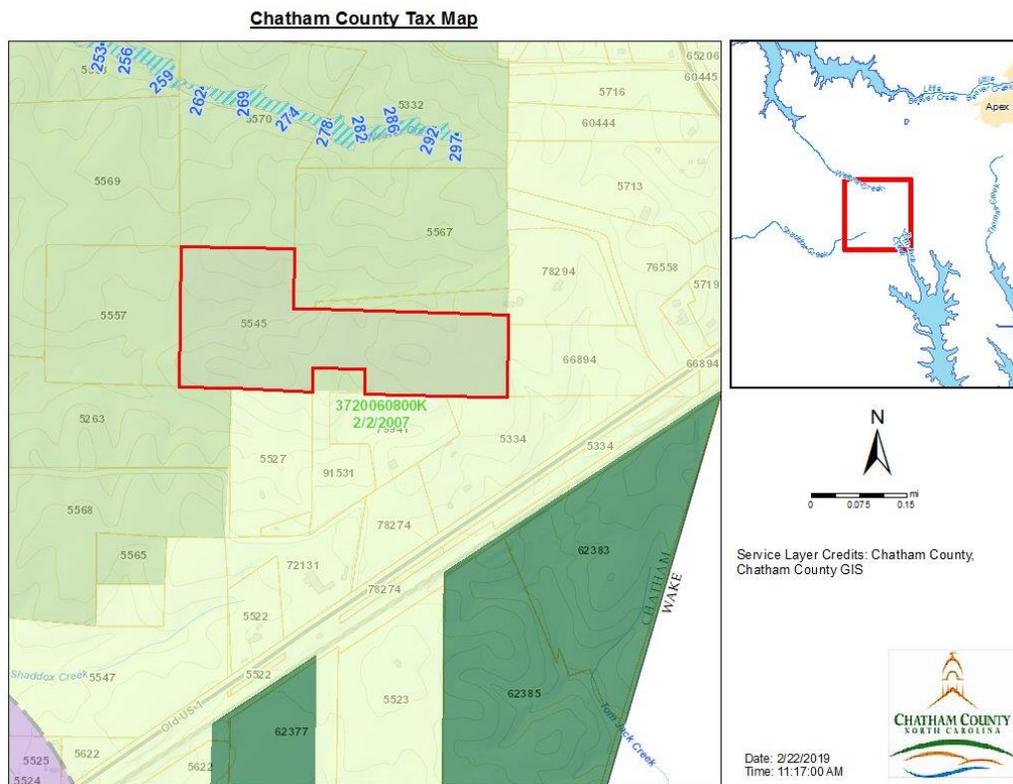


industry opens in the megasite additional residential development will be needed in that area to provide housing for employees. Additionally, development pressure is increasing in Wake County with the construction of the Western Wake Wastewater Treatment Plant.

**It is planning staff opinion this standard is met.**

**Standard No 3** – The manner in which the proposed amendment will carry out the intent and purpose of the adopted land use plan, or part thereof is: The adopted comprehensive plan identifies this area as agricultural. Within this designation the recommended uses include large-scale agriculture, related processing facilities, single family homes, farms, and some supporting commercial and service uses.

*The map below shows the Future Land Use and Conservation Map and the property is located in an area identified as Agriculture. The map is a guide showing the intended future land use pattern using various land use areas. Strict adherence to the map in making land use decisions is not recommended but should be used as a guide.*



**Standard No. 4** – All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment are: The property, due to the location to other residentially zoned properties and the fact the property never utilized the heavy industrial zoning obtained in 1994, supports rezoning to residential.

**It is planning staff opinion this standard is met.**

**The planning department recommends approval of the rezoning request based on all standards being met.**

**Recommendation:**

The planning staff recommends approval of the general use rezoning request. The Planning Board has up to three meetings in which to make a recommendation for approval or denial to the Board of Commissioners.

A proposed consistency statement has been provided below in support of the rezoning request:

It is the Planning Board recommendation that the rezoning of parcel 5545 is consistent with Plan Chatham by being located within an agricultural designation which recommends allow large-scale agriculture, related processing facilities, single family homes, farms, and some supporting commercial and service uses. The current conditional use heavy industrial zoning classification is inconsistent with the adopted plan.