



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
10-16-06

PART A

Subject:

Request by Walter Lewis to rezone approximately 5.35 acres located at the corner of US 64 E and Bob Horton Rd. (SR 1744), New Hope Township from RA-40 Residential Agricultural to Conditional Use B-1 Business.

Action Requested:

See Recommendations.

Attachments:

The following was distributed prior to the September 18, 2006 Public Hearing:

1. Application packet

The following can be viewed on the Planning Department webpage at www.co.chatham.nc.us under Planning, Rezoning & Subdivision Cases, 2006:

2. Arcview Map
3. Minutes from the September 18, 2006 Public Hearing

Submitted By:

Keith Megginson, Planning Director

Date

County Manager Review:

Charlie Horne, County Manager

Date

This abstract requires review by:

County Attorney

Date Reviewed

Finance Officer

Date Reviewed

Budget Officer

Date Reviewed

PART B

Re: Walter Lewis – district request

Introduction / Background / Previous Board Actions:

The Planning Board met on October 3, 2006 and made a recommendation to approve the rezoning request by a unanimous vote. A legislative public hearing was held to receive public input on this request on September 18, 2006. No one spoke against the request.

The Board of Commissioners are required to make a decision on the requested change of the zoning district from RA-40 to Conditional Use B-1 Business District. Such a recommendation is partially based on adopted land use plans and policies. The applicant has addressed this issue in their application under “Findings Required by Zoning Ordinance”, Page 5, Finding #4.

The Chatham County Land Conservation and Development Plan is a general policy plan. A specific plan map was not adopted but a draft map was prepared. The subjective nature of a general policy plan may be seen by review of the chart of uses on page 6 of the Plan. Non-residential development is addressed under the heading of Economic Center beginning on page 28 of the Plan. Under the heading of Overview, the text explains the six types of economic development as follows:

1. Agriculture and home based businesses in rural areas
2. Commercial and industrial development within the county’s towns
3. Neighborhood activity centers in compact community corridors
4. Cross-road commercial centers in designated rural locations
5. Economic development centers in carefully designated and planned locations
6. Continued development within other areas currently zoned commercial or industrial.

The text reads as follows: “To focus economic development in these six settings, the County will discourage industrial and commercial development in other places, especially as strip development along the major highways, in environmentally sensitive areas, and in agricultural areas. Continuation of current activities will be supported in existing industrial and commercial areas.” You are encouraged to read the entire Land Conservation and Development Plan of 69 pages, which is on the Planning page of the County web site.

Issues for Further Discussion and Analysis: The Land Conservation and Development Plan, hereinafter referred to as “the Plan”, outlines many plan objectives towards approving areas that reflect balanced growth while maintaining the form and function of rural character. The Plan refers to a “Plan Map”, not yet adopted, identifying this area as a general location of an Economic Center.

Page 35 of the Plan notes the area west of the Chatham/Wake County line near the US 64/NC 751 intersection may link to infrastructure and build on the economic activity in western Wake County. There is approximately sixth tenths (.6) of a mile from this property to the intersection of NC 751. Currently located on three (3) quadrants of this intersection are non-residential uses. They are to the east of Bob Horton Rd. George Farrell’s commercial development consisting of mini warehouse storage, outdoor boat and RV storage, a modular display home sales office, and a retail sales area. Across US 64 are Builder’s First Source (home improvement facility) and John Deere Landscapes. All of these businesses operate under conditional use zoning. Page 36

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Issues for Further Discussion and Analysis – con't

of the Plan encourages stores and services to be located at “cross-roads” commercial centers that can serve surrounding rural areas. They should be designed to accommodate the needs of the residents of the surrounding area. This type of “clustering” eliminates strip commercial development along major highways.

Page 39 of the Plan refers to wastewater and storm water protective measures. There will be no wastewater generated on this site. There is an existing well that will be used for outdoor use only. No public utility services are requested for this site.

Recommendation: In reference to Section 17, Item 17.1 of the Chatham County Zoning Ordinance, because of changed or changing conditions in a particular area or in the county generally, it is the recommendation of the Planning Department and the Planning Board to approve the rezoning request. This quadrant of US 64 has been the home of commercial zoning since 1996 with the approval of what is known now as Farrell’s Storage (Old Handy Andy’s) and in 1997 with Builders First Source (Goldston Building Supply) and John Deere Landscape (Cosgove Landscapes).