

PLANNING & ZONING REVIEW NOTES

VI. B.

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**SUBJECT:** Request by Baycorp Development, Inc. on behalf of Ridgely W. Cook, Jr. and Julia Ann Cooper to rezone 1.35 acres, located off US 15-501 N, Baldwin Township from RA-40 Residential Agricultural to a Conditional Use B-1 Business District.

**ATTACHMENTS:** *The following was distributed at the June 6, 2006 Planning Board Meeting.*

1. The application packet

*The following can be viewed on the Planning Department webpage:*

2. Arcview Map (Watershed & Zoning)

**INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:**

The Planning staff postponed forwarding this request to the Planning Board on August 1, 2006 meeting due to the number of requests submitted for review, an extended public hearing to hear requests, and time to prepare recommendations to the board. The applicant requested that the application be postponed from the September 5 meeting until the October 3 meeting. The Planning Board has three meetings including the October meeting to make a recommendation on this request.

The Planning staff and Planning Board are required to make a recommendation 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 on page 10, Reference to Existing County Plans.

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 Centers 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.

**INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS**

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.

A public hearing was held on this issue on July 18, 2006. No one spoke against rezoning the property from RA-40 Residential Agricultural to a Conditional Use B-1 Business District.

**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, on three of the four corners of the main intersection as a general location of an Economic Center and a Compact Community Corridor with related Neighborhood Activity Centers as described on Page 35 of the Plan.

On Page 36 of the Plan, the location of stores and services at Cross-roads Commercial Center areas are encouraged to serve the surrounding rural area. The intersections of US 15-501 N, Mann’s Chapel Road and Plaza Drive host commercial uses on all four corners as well as an array of commercial properties between the intersection and the Chatham/Orange County line. This property is located north of the recently approved but yet undeveloped Williams Corner mixed use planned unit development and partly developed Chatham Downs commercial properties. This property is located directly across US 15-501 N from the Chatham Crossing Shopping Center and next to property also owned by the applicant, which has a Conditional Use B-1 Zoning District with a Conditional Use Permit for various uses. The intersection has been expanded and redesigned through the widening of US 15-501 N. This change was made in part to assist in traffic flow from and to the Chapel Hill area and to relieve current and upcoming development traffic such as the approved but yet undeveloped Briar Chapel planned unit development, which will house approximately 2500 residences with mixed commercial uses. Page 35 of the Plan lists the US 15-501 corridor north of Pittsboro as a link to infrastructure and an area to build on the economic activity south of Chapel Hill. Since First Citizens Bank closed their branch at the Lowe’s Foods Store across US 15-501 N, the State Employee’s Credit Union has been the only banking service available in this area between the county line and Ferrington Village. There is one other approved site for a bank to be located at the new Chatham Downs development at the corner of US 15-501 and Lystra Road but it has not been developed at this time.

Page 13 of the Plan states commercial uses are to be clustered at specific, designated locations along major highways so that they might be served by future transit services. The new Park and Ride lot for transit service to and from the Chapel Hill area at the corner of US 15-501 N and Old Lystra Road has been operational for approximately six months.

**DISCUSSION AND ANALYSIS** – con't

This project according to the applicant anticipates ultimately bringing 10-15 full time positions to the county and an increase in the tax base of this property from approximately \$500/yr to approximately \$16,853/yr. (Page 12 of the application under Finding #2 and Page 28 of the Plan).

The request may be considered as the expansion of an existing commercial district. It appears that the request is in conformity with the majority of goals and objectives of the land development plan.

**RECOMMENDATION:** In order to have conditions on the entire site shown on plans submitted the entire tract should be under the classification of a conditional use district and accompanying conditional use permit. The Planning Department recommends approval of the rezoning request with the entire tract being combined into one parcel and being zoned conditional use business district. The Planning Board has three meetings including this one to make a recommendation to the Board of County Commissioners.