

Ferrington Place
Conditional Use Permit (CUP)

My name is Robert Eby. I live at 19 East Madison, Pittsboro. I am a member of the board of CCEC.

Commissioners, if you want to reject this proposal, you can just vote "No" on rezoning the tract to B-1. I'm making the following comments in case you do rezone.

Quasi Judicial hearings call for factual information. Lets look at some facts.

1. Once again we are faced with a proposed development where not a single business has been defined.
2. The applicant lists plans for tenants on his property, but as yet no one has signed up.
3. He plans to sell the 4 out-parcels on 15-501 and Morris Road and lists what he hopes will be built. These include a sit down restaurant, a bank, a drug store, and a business to be defined later.
4. While the developer projects a sit down restaurant, once he sells the property, the buyer could build any one of the 48 requested allowable businesses. What would stop him, for example, from putting in a fast food, drive-through restaurant?
5. In conversations the developer has told several of us that the plans for the 4th parcel are for a "C-Store," i.e. a convenience store with a gas station. One can only speculate why that use doesn't appear in the submitted proposal.
6. There is considerable detail given regarding a possible specialty food store such as Whole Foods. If one looks at Whole Foods' web page, you find that they give a specific list of criteria for locations seeking a new Whole Foods store. These include a building 40K to 70K sq. ft. in size. (Ferrington Place plans a 35K sq. ft. structure.) Whole Foods also says that a minimum of 200,000 people must live within a 20 minute drive of the location. (Such density just doesn't exist around Ferrington Place.) They also state that they prefer a stand alone building with "abundant parking for exclusive use." While some type of specialty food store might decide to locate in Ferrington Place, I wouldn't be optimistic that Whole Foods would do so.
7. The applicant states that "given the proposed uses, no chemicals are anticipated on the site." Maybe he doesn't consider gas, oil, and dry cleaning fluids to be chemicals. I do. The applicant might say that since no businesses have been signed up, he can't anticipate that chemicals would be involved. If so, then just remove gas stations and dry cleaning establishments from the list of permitted uses.
8. The application plays up the buffering that will be provided from neighbors and US 15-501, so that it looks like Ferrington Village. But the devil is in the details. He proposes a 50' set back from the 15-501 right-of-way. A set back requires that no building can be closer than 50' from the right-of-way. It does, however, permit parking lots, and presumably paved gas station areas, to extend within 10' of the right-of-way. That doesn't give much room for a scenic screen.

I don't think this project meets all of the five findings needed to obtain a CUP. Particularly Finding #2 which says, "...it is essential or desirable.."

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