

**Subject:** Lee-Moore Oil Rezoning Application

**Date:** September 18, 2006

My name is Beverly Murdock and I live in Chatham County on Luna Lane off Old Lystra Road.

This application has a number of problems and errors that must be corrected before this application can be considered.

- The application was submitted late; it should have been submitted on August 18 but was not submitted until August 21. The late submission cost the affected citizens valuable time needed for investigating and understanding the impact of this rezoning.
- The application states that signs giving notice of the public hearing were to be posted; only one sign was posted and it was not visible part of the time after the application was submitted. Therefore, the notification of the hearing was not adequate.
- The existing B-1 zone is large enough already to make reasonable business use of the property. While it might not be big enough for a big box, it is certainly adequate for many business uses.
- The traffic increase from the shopping center mentioned, including the resulting increase in pollution and the potential for more traffic accidents, does not benefit nearby property owners or the public at large.
- A shopping center is not in the best interests of anyone who will work there because retail jobs are typically low-quality, low-paying jobs.
- If this land is rezoned, an even larger amount of land will be cleared, increasing the likelihood of stormwater runoff and water quality problems in our watershed, neither of which benefit nearby property owners or the public at large.
- Creating the requested district will not be consistent with the “existing conditions in the area”, as the application states, because the created business district will be almost completely surrounded by residential areas.

This application is not consistent with the Land Use Plan:

- The application refers to the Land Use Plan’s call for balanced growth. The economic center located 1.2 miles south on 15-501 already has many retail businesses; therefore, something other than retail at this location would provide more balance; therefore, something other than retail at this location would provide more balance, for example, a well-designed office complex, which could include

an attractive visitor's center as this property is at the gateway to Chatham county.

- The economic center also is not "very near the site" as the application states. What is very near the site is almost entirely residential area.
- The application refers to the Land Use Plan's call for development to be "designed appropriately". This business district intrudes into the surrounding residential areas and is therefore inappropriate.
- The Land Use Plan does not encourage shopping centers, as the application states.
- The application mentions compact communities. The shopping center is neither a compact community nor part of one. Inserting a shopping center into a residential area does not create a compact community.

---

One last point, the Land Use Plan says that tourism is an important component of the county's economy. Is this shopping center, which will supposedly have gas pumps and a convenience store, the first image you want visitors coming south to have of Chatham county; is this the best that Chatham county can do? I think not.

Because this application was submitted late, and because it contains errors and is not consistent with the Land Use Plan, it needs to be reworked and resubmitted at a later time.

Public Hearing September 18, 2006

Bob Murdock  
288 Luna Lane (in Chatham County)

My name is Bob Murdock, I live on Luna Lane in Chatham County, and I oppose the Lee Moore Oil application to increase the business zone by over 50% and to reconfigure the shape of the business zone in such a way as to be even more intrusive into the surrounding neighborhoods.

The application claims adherence to the Land Use Plan and that rezoning the 30 acres in the proposed configuration will be to the benefit of the applicant, the surrounding property owners, and the community at large. I challenge its claim to adhere to the Land Use Plan and that it benefits anyone other than the applicant.

The application makes a case for being a part of an economic development center which is encouraged by the Land Use Plan. But the Land Use Plan actually identifies an economic center to the south of the subject property that is in no way connected to the subject property. Economic development centers are supposed to be planned to enhance economic growth in the community. The application before us will actually compete directly with the economic center to the south, threatening those businesses.

Just in case the claim of economic development center does not work, the application makes a case for compact community, suggesting that in this case the residences are already there and the applicant is simply adding the shops. This is a big stretch, don't you think? Take a look at 2 fairly well designed compact communities – Southern Village and Meadowmont. There is housing very close to the shops; however, the shops are tastefully done, there are no big boxes, and the residents living near the shops chose those locations for the convenience of being within walking distance of the shops. The well-planned compact community has walkways and greenways, is thoughtfully integrated, and potential home owners have choices regarding where they will be in relation to the shops. There is no thoughtful integration in the proposed plan and our residents have no such choices.

I had the option to live in a compact community, but chose to live away from shops and in a less densely populated area. I knew the 19.66 acres on the subject property along 15-501 would become a business one day and believed that a progressive county like Chatham would encourage tasteful design with the least negative impact on the surrounding neighborhoods and the community. I knew the remaining 43 acres of RA40 could be developed into single-family housing on one acre lots, and knew that this progressive county would govern

that development through lighting ordinances and other restrictions that would enhance, not lessen, the value of adjacent properties and would not negatively impact the happiness and well-being of the neighbors.

We bought our property in Chatham and gladly paid the county impact fee because Chatham had the potential to be a model community for thoughtful and well-planned development. In other words, we looked at the zoning as it existed as a contract between the county and its residents. We had no idea that in a single election we would shift so dramatically from a county we were proud of to a developer's paradise and a resident's nightmare.

The applicant wants us to believe they are generously adhering to the Land Use Plan. The plan begins with a vision. It reads, "Chatham County will be a place that cooperatively controls its own destiny to assure the state of well-being by all of our people, while preserving diverse cultural heritages and the county's rural character."

If the applicant wants and, indeed if we want the Land Use Plan to truly be the standard, then let's talk about how the property can be well-integrated into the community, assuring the well-being desired by all.

I ask the Board to please deny this rezoning request.

Thank you.

Lee Moore Oil Rezoning  
Chatham County Board of Commissioners  
Public Hearing

Good Evening Gentlemen

I am against the application to rezone the Lee-Moore Oil Company tract.

Together with our neighbors, Robert and Beverly Murdock we purchased our property on Luna Lane, off Old Lystra Road in 1998. We spent a considerable amount of time looking for property and evaluating the merits and risks of various tracts on which we planned to build a new home.

For an individual the purchase of property for a home is a major investment. We treated our investment in this property as a just such an investment and thought that we did our homework. Before we made an offer to purchase our property we made several trips to the courthouse in Pittsboro to research the area. We investigated the surrounding properties, reviewed the covenants in Arbor Lea and Sun Forest subdivisions and looked closely at the zoning of the Truby Proctor (now Lee-Moore oil) tract. We <sup>found</sup> ~~were concerned~~ at the time that since the property that we were evaluating was relatively close to Chapel Hill there would be development around us.

From the research we did we found that the Lee-Moore Oil tract had a portion – approximately 20 acres zoned business. This area zoned for business was along 15 501 and there appeared to be sufficient residential area between this portion of the tract and

our property that any commercial development would be sufficiently buffered that it would not impact us greatly. Based on the zoning of this property and our assessment of the other property we purchased our property in December 1998.

This rezoning application increases the size of the B-1 commercial portion of this tract and changes the configuration of the B-1 district in such a way as to move the siting of the commercial development much closer to our home and to many of our neighbors homes. It is an unacceptable breach of the zoning process to change the zoning on a parcel when surrounding homeowners have made their biggest lifetime investment based on the county's classification. This request must be denied and the county must keep its commitment to the adjacent homeowners as to how the property next to us will be developed.

Thank you.

David W Keesee

360 Luna Lane

Chatham County

Dee Reid, 590 Old Goldston Road, Pittsboro:

I'm here to talk about traffic from the perspective of a commuter, and specifically what is missing from the traffic engineer's report.

According to the latest <sup>alone</sup> census and employment figures, there <sup>are at least</sup> ~~are about~~ 15,000 of us now in eastern Chatham <sup>alone</sup> who commute to work by car. Our median commuting time is 27.3 minutes, and at least half of us -- about 7,500 -- are heading north and east to jobs outside the county.

At least 3,000 of us are driving regularly past the proposed shopping center site at the county line. That's a lot of traffic. To get a better picture, take a look around this courtroom. Try to envision a crowd that is ~~30~~ times bigger than this with all of us driving separate cars, and then you will have a sense of what U.S. 15-501 at the county line already looks like as Chatham commuters go to and from work twice a day.

I don't have to imagine because I live with this reality every day. I have lived in Chatham for 28 years and have spent 20 of those years commuting on U.S. 15-501 to work in Durham and now Chapel Hill. I travel this road twice a day, five days a week and my commute is exactly 27 minutes -- on good days. I'm as close to an expert traffic witness as you'll find from the commuting sector.

Please allow me to add a real-world perspective to the traffic engineer's report, which I must say bears no resemblance to what I actually encounter on my daily commute:

- 1) On page 3, the traffic analysis describes the property north of the Lee Moore Oil Co. site as "mostly undeveloped and scattered residential use." I guess nobody told them about Southern Village.
- 2) The report, written in February 2006, talks about the "future widening" of U.S. 15-501. Could someone please inform them that the widening project was completed long before their traffic study?
- 3) The engineer's report says that future traffic trips were calculated using projections prepared for the U.S. 15-501 widening, which means their calculations are already seriously out of date. They don't take into consideration the future traffic stemming from Briar's Chapel, Williams Pond, Booth Mountain, Chatham Downs, Chapel Ridge or any of the other major developments that have already been approved in the highway. We all know there is plenty of data available about that because it's been presented at every public hearing.
- 4) The traffic engineer did take an actual count of the number of cars passing through the U.S. 15-501/ Smith Level Road intersection. The bad news is that the count was taken on Jan. 3 and 4, 2006 -- during one of the slowest commuting weeks of the year due to winter holidays!

This report is incomplete, it lacks credibility and it's an insult to the thousands of commuters who know too well what rush hour traffic is really like at the county line and what it is likely to become when all the new developments are open.

I have three recommendations before you take any further action:

- 1) **Demand a real traffic study based on actual traffic, that:**
  - a. incorporates actual car trips during typical peak commuting times
  - b. uses traffic projections based on the latest data
  - c. counts the massive traffic that will be associated with recently approved residential and commercial developments in the corridor.

**I recommend continuing this public hearing so that after we have a full traffic impact study, citizens can have a chance to review and comment on it.**

- 2) **Visit the proposed shopping center site yourselves, during morning and evening rush hour traffic,** especially the section of highway just north of the county line. You might also take a rush-hour drive on the Chapel Hill-Durham Boulevard to get a sense of what U.S. 15-501 in Chatham will look like in 10-15 years if we don't begin using sound planning policies for the highway corridor.
- 3) **Do not approve any major rezoning requests or conditional use permits in the U.S. 15-501 corridor until a Highway Corridor Plan is developed** that will address traffic and other impacts. Appoint a task force for this that will include adjacent residents and commuters.

As any daily commuter can tell you, traffic on U.S. 15-501 at our northern county line is already becoming seriously congested during morning and evening rush hours, without including the additional traffic that will occur once the new developments are open. If hundreds of commuters turn left into the proposed shopping center on their way southward each evening -- and hundreds more cross over from Smith Level Road -- there will be unbearable gridlock at the county line. Not good for future economic development.

What's more, if we continue to approve developments without addressing the impact of actual traffic -- and requiring developers to mitigate those impacts -- Smith Level Road, which was not designed to be a commuter thoroughfare, will become dangerously burdened with rush hour traffic. Not good for residents and commuters.

At the very least you should demand a more realistic assessment about U.S. 15-501 traffic, so that we can prevent further traffic pileups -- and dangerous mishaps -- before it's too late.



## ARBOR LEA NOTES.

My name is Michael Winslow. My wife and I live at 385 Meadow Run Drive, in the Arbor Lea neighborhood, off Old Lystra Road in Chatham County.

I was born in rural, eastern North Carolina. And I grew up with an appreciation for the balance between the needs for economic development and the protection of the environment.

And somewhere in the middle there also is the preservation of the character of many of the state's unique communities.

The proposition on the table, the County Line Plaza, I believe, presents issues and unanswered questions regarding its impact on the surrounding neighborhoods. I urge the County Commissioners to gather more information for study and analysis before approving this proposal.

As you've heard in many presentations tonight, there is potential for major traffic congestion and the pollution of ground water. The water could affect the wells of some residents in our neighborhood, which is adjacent to the proposed development.

The lots in Arbor Lea are large. Not just because the residents enjoy the beautiful acreage, but for practical reasons also. The lot sizes were developed to allow for the difficulty in getting the land to perk, to provide adequate space to locate approved wells and septic. The original approvals did not come easily. It took us a year and half working with Chatham County.

I would expect the county to apply equal scrutiny to this proposed adjacent development, considering the potential negative impact on the quality of surrounding water from parking lot runoff and seepage.

As you drive south on 15-501, crossing the border from Orange County, approaching where the proposed development is planned, there is a new sign welcoming visitors to Chatham County. The design-- bands of color in green, brown, yellow and blue represent an idyllic, rolling countryside, with streams and beautiful blue sky.

But if developments like this go through without some control, the reality of this welcome to Chatham County will be quite different.

I have heard people say that a lot of the issues raised about this development will have to be addressed Downstream. Well, that's my greatest fear. What will it be like to live downstream? Do any of us want to be there living with the consequences of a decision made without adequate information and robust analysis?

Because folks once the decision's made, it's made.

This is not just an issue for us, it's an issue for our children and the safety of the environment and the quality of life we leave them as well.

It's their world we're creating.

I won't mind driving a little further down the road to find low, every day prices if it'll ensure I can walk over to my kitchen faucet and get a healthy drink of water.

Please don't let downstream in our community turn into a future that goes down hill.

Take the time to gather all the information needed to properly evaluate the impact of this development on our county.

What is ultimately decided is something we could very well be reminded of every time we water our plants, wash our clothes...or take a drink of water.