

PLANNING & ZONING REVIEW NOTES

VIII. D.

---

**SUBJECT:** Request by Blake & Associates, Inc. on behalf of HBP Properties, LLC for a B-1 Conditional Use District with a Conditional Use Permit for Retail / Office Buildings / Restaurants / Bank / Insurance / Financial Services / Specialty Retail / Furniture / Pet Shop / Art House Theatre / Gallery / Pharmacy / Drug Store / Engineering / Service Offices / Distribution Centers (see application for specific uses), on 40 acres, located at the intersection of U. S. Hwy 15-501 N. and SR-1530, Polks Landing Road, Baldwin Township.

**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 web page:*

2. Arcview map

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

A public hearing was held on this request on July 17, 2006. The Planning staff postponed forwarding this request to the Planning Board 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 Planning staff and Planning Board are required to make recommendations 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 126, Section 8.4 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 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** – con't

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 at [www.co.chatham.nc.us](http://www.co.chatham.nc.us).

A public hearing was held on this issue on July 18, 2006. One group, The Polk’s Landing Homeowner’s Association spoke against the rezoning request and two people requested postponement of the request for further study of the area and to evaluate the need for another commercial center in the area.

**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.

This proposal joins existing residential properties and is located across US 15-501 from the approved yet undeveloped Williams Corner commercial center and newly developed Chatham Downs commercial center, and .465 tenths of a mile south (measured from Arcview software) of Chatham Crossing Shopping Center and Cole Park Plaza. Page 6 of the Plan outlines the areas of Compact Community Corridors, Economic Development Centers, and Towns as suitable locations for shopping centers. The “draft” Plan map shows US 15-501 as a Compact Community Corridor. The area described in the adopted Compact Communities Ordinance for compact communities is a smaller area and includes the proposed site. The development is suitable for future transit services along US 15-501, and sights commercial uses along major highways in clusters as stated on Page 13 of the Plan.

This proposal is supportive of an Economic Development Center for an increase in job opportunities and the tax base. It could decrease one major trend which is the economic well being going outside our county borders per Page 28 of the Plan. The discussion of Economic Development Centers in general begins on page 33 of the Plan.

This proposal supports the use of reused, reclaimed water for efficiency in its water usage as described on Pages 39 and 46 of the Plan.

The Chatham County Land Conservation and Development Plan addresses overall goals and recommendations which provides for subjective judgment but it also contains specific objective guidance on various issues including the location of commercial and industrial land uses. After reviewing the entire Plan and the referenced sections, it is the Planning Department staff opinion that the proposal change from RA-40 to Conditional Use B-1 Business District is supported by the majority of the Land Use Plan as written.

**RECOMMENDATION:** The Planning Department recommends approval of the rezoning request. The Planning Board has three meetings to make a recommendation to the Board of County Commissioners.