



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
10-20-08

PART A

Subject:

A request by Irene Faircloth Gattis and Joseph Mosnier dba Historic Mann’s Chapel Event Center & Café to rezone approximately 4.545 acres, Parcel No. 62230 (1.4 acres) and Parcel No. 62254 (3 acres out of 6.61), Baldwin Township, located off Poythress Road and Lamont Norwood Road, from O & I (office and institutional) and RA-90 (residential/agricultural) to Conditional Use B-1 Business district.

Action Requested:

See Recommendations.

Attachments:

The following was submitted prior to the 9-15-08 Public Hearing and may be viewed on our website referenced below:

- 1. Application packet

The following may be viewed on the Planning Department website at www.chathamnc.org under Rezoning & Subdivision Cases, 2008:

- 2. Arcview map

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: Gattis / Mosnier - rezone

Introduction / Background / Previous Board Actions:

(Planning Board recommendations can be viewed in the bold, italicized wording)

A legislative public hearing was held on this request September 15, 2008. No one spoke in opposition of the request. Attorney Nick Robinson represented the applicants and stated there had been a community meeting held and no opposition was made. There are letters of support that can be viewed on the website for the Conditional Use Permit portion of the request.

The Planning Board met at their regularly scheduled meeting on October 7, 2008. Some concern was made about recommending approval for a district change when the review of the requested uses and overall site plans had not been reviewed. Chair Kost advised current procedures and regulations do not allow for that type of review process. The Board recommended approval of the request by a 9-1 vote.

The Planning Department staff and Planning Board are required to make a recommendation on the requested change of the zoning district from RA-40 (Residential/Agricultural) to CU-B1 (Conditional Use Business District). Such a recommendation is partially based on adopted land use plans and policies as well as changing conditions as noted in the Chatham County Zoning Ordinance under Section 17. The applicant has addressed this in the application.

Issues for Further Discussion and Analysis:

The Chatham County Land Conservation and Development Plan, here after referred to as the "Plan", is a general policy plan. A specific plan map was not adopted but a draft map was prepared. You are encouraged to read the entire Land Conservation and Development Plan of 68 pages, which is on the Planning page of the County web site.

Page 1 of the Plan lists several policies that are to be considered when development is proposed. Two of those policies are to preserve the form and function of rural character and to develop an approach to protect and promote historic and tourism locations. Parcel No. 62230 is where the old church is located formerly named the Mann's Chapel United

Methodist Church. The property has a current zoning of Office and Institutional (O&I). The church itself has been closed for approximately 20 years when it was "de-sanctified" in 1987. At that time the Mann's Chapel Historic Preservation Society owned and maintained the property. Per the Chatham County Historical Association, the church was also placed in the Chatham County Historical Architectural Study but was not put into the National Register of Historic Structures. The current landowners purchased the property in 2007 and state in their application the historic significance and appearance will be maintained as a complement to the newly proposed business. Churches are generally viewed as part of rural character as seen on Page 16 of the

Re: Gattis / Mosnier - rezone

Issues for Further Discussion and Analysis – cont.

Plan. Another component of rural character is sustaining of farm lands to support traditional rural activities as found with farming. This property is proposed as having an addition of a café where area farms will be utilized and those products served at the eating establishment. This type of activity brings in the objectives for Economic Development Centers and Cross-roads Commercial Centers where both encourage development that will serve the surrounding residential area as well as sustain the county's rural character. (Pages 27 & 35)

Parcel No. 62254 is where approximately 3 acres out of the 6.61 acre tract will be used for the wastewater field. In order for this to happen, this portion of the property should be zoned the same as the property where the use is generating the waste. The owners have stated they will run the county water line from Mann's Chapel Road up to this development as guided on Page 61 of the Plan. The Plan, as can be seen on Page 62, further encourages the use of more efficient use of water resources by reducing water use and increasing reuse of reclaimed water. An innovative system is being designed by Dr. Hal House to accomplish this objective of the Plan. A system will be designed to pump waste over to the site, treated, and recycled back to flush toilets and the remainder will be sprinkled in the wooded area. The properties are located within a WSIV-PA Protected Area designation where up to 36% impervious surface is allowed. The total projected impervious surface is to be approximately 20% furthering the protection of ground and surface waters as described beginning on Page 38 of the Plan.

The parcel above the area for the wastewater treatment area has a Conditional Use-B-1 Business zoning for an auto repair garage. The parcel across Lamont Norwood is not developed at this time.

Recommendation: The Planning Department and Planning Board, by vote of 9-1, recommend approval of this rezoning request to conditional use business district based on the information provided above.