

PLANNING & ZONING REVIEW NOTES

V. C.

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**SUBJECT:**

Request by **Redd Dog LLC** to rezone Parcels #2684 and #2683 (to be recombined) consisting of approximately 1.83 acres collectively, located at the corner of US 15-501 N and Woodbridge Dr., Baldwin Township, from R-2 to Conditional Use Community Business District.

**ATTACHMENTS:**

*The following was submitted at the December 2, 2008 Planning Board meeting:*

1. Application packet

*The following may be viewed on the Planning Department website at [www.chathamnc.org](http://www.chathamnc.org) under Rezoning & Subdivision Cases, 2009:*

2. Arcview map

**INTRODUCTION & BACKGROUND:**

A legislative public hearing was held on this request on January 26, 2009 and was continued to the February 16, 2009 public hearing. No one spoke in opposition of the rezoning request. Concerns raised at the public hearing were on the conditional use permit and not the rezoning of the property.

The Planning Department staff and Planning Board are required to make a recommendation on the requested change of the zoning district from R-2 (Residential/Agricultural) to Conditional Use Community Business District (CU-CB). 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.

**DISCUSSION & ANALYSIS:**

The Chatham County Land Conservation and Development Plan, here after referred to as the "Plan", is a general policy plan. Consistency between proposed projects and the objectives and guidelines of the Plan may be argued for or against. 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 2 of the Plan specifically mentions US 15-501 North of Pittsboro as a Compact Community Corridor. These are lands that accommodate a mix of homes, shops, offices, institutions, and civic spaces; not "strip" development. The applicant has proposed a single occupancy structure for their business on its own individual lot. This property is across from the property for the existing park and ride facility for UNC and just south of the commercial development for the County Line project. Approximately 330 feet south of this property is a contractor's business and a church.

**DISCUSSION & ANALYSIS** – cont.

Page 12 of the plan lists several things the applicant has mentioned in their application. One is to site commercial uses along major highways in clusters at specific, designed locations and design them to retain a rural crossroads or village character. The properties surrounding this proposal are residential and commercial. This business has been ongoing since it was started in 1986 at a different location. The applicant purchased the business at its current location in Cole Park Plaza in 1993. The proposed new site plan submitted displays retention of most of the mature trees and vegetation. The applicant states that where clearing of existing foliage is proposed, substantial replanting will occur. The site has been designed to keep as much existing foliage along the US 15-501 corridor as possible.

Page 12 also encourages sighting commercial uses so that they extend up side roads off main thoroughfares rather than as strips along main roads. The entrance to this property will be accessed from Woodbridge Dr. and not US 15-501. There will actually be the removal of a driveway from US 15-501.

Page 38 of the plan provides guidelines on ground and surface water resources protection. The applicant has stated in the application that land disturbance and grading will be done as minimal as possible. The total impervious surface for the site is to be approximately 31% of which 36% is allowed by the Watershed Protection Ordinance. The project is planned to use a Bio-filtration Cell (rain garden) to manage stormwater. It is expected to remove about 85% of the total suspended solids from any runoff of the project. The Environmental Resources Director, Fred Royal, has conducted a preliminary review of the stormwater plan and is satisfied the design is in keeping with the ordinance and management of stormwater runoff will be maintained.

The project will be utilizing the county water system to serve the business and will abandon the existing wells on the property as is discussed on Page 61 of The Plan.

**RECOMMENDATION:**

The Planning Department recommends approval of this rezoning request to Conditional Use Community Business (CU-CB). The Planning Board has up to three meetings to make a recommendation to the Board of Commissioners.