



## APPLICATION ACCEPTANCE POLICY

## CONDITIONAL DISTRICT REZONING

Chatham County  
Planning Department

PO Box 54, Pittsboro, NC, 27312  
Telephone 919-542-8204 | Fax 919-542-2698  
[www.chathamnc.org/planning](http://www.chathamnc.org/planning)

Chatham County understands that clear expectations make the application and development review processes easier for both applicants and staff. The policies outlined below will enable Planning Department staff to move the process along in a way that ensures that each application receives the attention it deserves. Staff desires to complete review of projects in an accurate and timely manner. Due to the preparation, reviews, and public hearing schedules, working with incomplete materials detracts from the timely review of applications.

1. Applications are to be reviewed for completeness by staff prior to being officially accepted for review. Applications that are dropped off or mailed in cannot be accepted without prior approval from the Zoning Administrator.
2. Checklists for each type of request are provided with each application package. If the application does not contain all required items on the checklist, it will be considered incomplete and shall not be accepted. **PLEASE REVIEW SECTION 5 FOR CONDITIONAL ZONING IN ITS ENTIRETY TO MAKE SURE ALL AREAS FOR SUBMISSION ARE COVERED.**
3. Upon determination by staff that an application is complete, it will be officially accepted by the Planning Department by accepting payment and issuing receipt. Staff will not hold materials for incomplete applications or any monies associated with the submittal of an application. Application fees must be paid at the time an application is submitted for acceptance.
4. In order to allow time to process fees, applications will not be accepted after 4:00 pm each day.
5. For your convenience, applicants may schedule an appointment with staff to review the application package before the official submission.

The Planning Department staff looks forward to working with you during the application process. If you have questions or need further assistance, please call 919-542-8285.

# CONDITIONAL ZONING DISTRICT

## APPLICATION FOR CHANGE OF ZONING OF PROPERTY

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Chatham County  
Planning Department

P. O. Box 54, 80-A East St, Pittsboro, NC 27312  
Telephone: (919) 542-8204 FAX: (919)542-2698

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## **Section A.** *APPLICANT INFORMATION*

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**NAME OF APPLICANT: Jack Haggerty, Architect Inc.**

**MAILING ADDRESS OF APPLICANT: 205 W. Main St., Ste. 211, Carrboro, NC 27510**

**PHONENUMBER/E-MAIL OF APPLICANT: 919 967-5191 jack@jackhaggertyarchitect.com**

**PROPERTY OWNER INFORMATION** (If different from the applicant): **\*Owner Authorization Signature Required**; See end of application.

Name(s) **Cook, Ridgely W Jr. & Cooper, Julia Ann**  
**126 Estes Dr. Ext., Carrboro, NC 27510**

**Owner Representative/Agent: Jeff Cooper (notarized authorization letter attached)**

Address: **3066 S. Hwy 15-501**  
**Pittsboro, NC 27312**  
**27312**

Telephone: **919 545-1147**

E-Mail Address: **jeffcooper17@yahoo.com**

**PROPERTY INFORMATION:** The following information is required to provide the necessary information to process the rezoning request:

**ADDRESS OF SUBJECT SITE: 11311 US 15/501 N, Chapel Hill, NC 27517**

**CHATHAM COUNTY PROPERTY PARCEL NUMBER (AKPAR #): 0002639**

**CURRENT ZONING DISTRICT/CLASSIFICATION(S): RA - 40**

**PROPOSED ZONING DISTRICT(S):** X CD-NB  CD-CB  CD-RB  CD-O&I  CD-IL  CD-IH

**TOTAL SITE ACRES/SQUARE FEET: 1.67 ac. (72,745 s.f.) per tax map. The surveyed size is 1.299 ac. (56,584 s.f.)**

**PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: Furniture and General Retail Sales, with outdoor (covered) display of furniture**

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It is important that the applicant provide information to explain how the rezoning request satisfies the following questions. All applications shall contain the following information. Please use attachments and/or additional sheets if necessary to fully explain and detail this project. If you feel any of the below standards do not apply to this application, mark with "N/A" and explain if necessary.

1. The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same.

**There is no alleged error in the ordinance.**

**For the responses to Question 2,3 & 4 below, see attached sheet.**

2. The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.
3. The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.
4. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.

**STOP!**

**You must meet with the Chatham County Appearance Commission and hold the Community Meeting BEFORE you can submit the application to the Planning Department. Please check the boxes below once these meetings have been held:**

- |                                     |                                      |                 |                      |
|-------------------------------------|--------------------------------------|-----------------|----------------------|
| <input checked="" type="checkbox"/> | Chatham County Appearance Commission | Date of Meeting | <u>May 28, 2014</u>  |
| <input checked="" type="checkbox"/> | Held Community Meeting               | Date of Meeting | <u>June 19, 2014</u> |

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## **Section B. SUBMITTAL INFORMATION AND PROCEDURE**

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- (1) Sixteen (16) completed application packets and all supporting information shall be submitted to the Planning Department at least forty-five (45) days prior to the Public Hearing. **(PLEASE SEE ATTACHED CALENDAR FOR ALL SUBMITTAL AND DEADLINE DATES)** A digital copy of the application packet shall be submitted pursuant to the Planning Department Digital Document Submission Guidelines.
  - (2) The Planning Department shall, before scheduling the public hearing, ensure that the application contains all the required information as specified in **Section 5 of the zoning ordinance.**
  - (3) The Planning Department shall have fifteen (15) days from the date of submittal to notify the applicant that the application is complete for scheduling the public hearing.
    - a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
    - b. The Planning Department shall take no further action on the application until the applicant submits the required information.
    - c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting, and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.
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d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.

(4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.

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## **Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION and REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN**

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**PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF).** Please check the list below carefully before you submit:

(1) The application shall include a **site plan**, drawn to scale, with supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:

**X a.** Information showing the boundaries of the proposed property as follows:

1. If the entire parcel will be zoned, a GIS or survey map and parcel number of the subject property.
2. If only a portion of the parcel will be zoned, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways,

**X b.** Legal Description of proposed conditional zoning district;

**X c.** All existing and proposed easements, reservations, and rights-of-way;

**X d.** Proposed number and general location of all building sites, their approximate location, and their approximate dimensions;

**X e.** Proposed use of all land and structures, including the number of residential units and the total square footage of any non-residential development;

**X f.** All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; **(SECTION 12 LANDSCAPING & BUFFERING REQUIREMENTS)**

**X g.** All existing and proposed points of access to public and/or private streets;

**X h.** Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County;

**X i.** Proposed phasing, if any;

**X j.** Generalized traffic, parking, and circulation plans; **(SECTION 14 OFF STREET PARKING)**

**X k.** Proposed provision of utilities;

**None l.** The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old;

**None m.** The approximate location of any cemetery;

**X n.** Proposed number, location, and size of signs; **(SECTION 15 SIGN REGULATIONS)**

**X .** Location and description of any proposed lighting on the project site with a note that any lighting will comply with Section 13; **(SECTION 13 LIGHTING STANDARDS)**

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p. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and

**Lot is less than 2 ac.**  q. Environmental Impact Assessment pursuant to **Section 11.3** of the Zoning Ordinance, if applicable. **If you are or will be disturbing two or more acres in connection with this application, you are required to submit and EIA with this application. Failure to do so will result in the delay of scheduling your request for public hearing or may be returned completely for re-submission.**

**The above information is required to be shown on the site plan submitted with this application. If, for some reason, any of the required items above are not included on the site plan, reasons for excluding those requirements must be given.**

(2) In the course of evaluating the proposed use, the Zoning Administrator, Planning Board, Chatham County Appearance Commission, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:

- a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features;
- b. Existing and general proposed topography;
- c. Scale of buildings relative to abutting property; **Immediately to the south is a single story residence. To the west are single, story abandoned homes.**
- d. Height of structures;
- e. Exterior features of the proposed development;
- f. **See sheet SP-1 for current traffic volume at Hwy. 15/501 and expected trip generation by proposed re-zoning and project.** A traffic impact analysis of the proposed development prepared by a qualified professional. The traffic impact analysis shall follow the NCDOT TIA Analysis Guidelines, and shall also include consideration for non-motorized and public transportation;
- g. Any other information needed to demonstrate compliance with these regulations.

**NOTE: The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.**

**SECTION D. SIGNATURE STATEMENTS**

**OWNER'S SIGNATURE\*:** *In filing this application, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate \_\_\_\_\_ to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**APPLICANT SIGNATURE:** *I hereby acknowledge that I am making this application on behalf of the above owner's statement or myself as the owner and that all the information presented in this application is accurate to the best of my knowledge, information, and belief. I acknowledge understanding of the requirements set out in this application and in the ordinances and/or guidelines used to determine the completeness of this submittal and to proceed as determined.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**OFFICE USE ONLY:**

Date Application Received: \_\_\_\_\_

Received By: \_\_\_\_\_

Fee Paid: \$ \_\_\_\_\_

Check No. \_\_\_\_\_  Cash  Credit Card  Money Order

Application No. PL 20 \_\_\_\_\_

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**Attachment (2 pages) to:  
Application for Change of Zoning of Property  
Conditional District Rezoning.**

**Address – 11311 Hwy. 15 501 South, Pittsboro NC  
Owner – Ridgely Cook and Julia Ann Cooper  
Owner Representative – Jeff Cooper  
Parcel # - 2639  
PIN: 9776-22-9351  
Applicant – Jack Haggerty, Architect Inc.**

2. *The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.*

Parcels north of the intersection of Highway 15 501 and Mann's Chapel Rd. have been developed as commercial uses for some time. More recently parcels to the south of the intersection have been developed as commercial properties. The surrounding area has seen considerable residential development. The requested rezoning in this application proposes changing the zoning on the subject lot from residential to Neighborhood Business. What was once a rural crossroad has become a commercial center for the surrounding area. The proposed rezoning is consistent with the recent development of the intersection area, and the proposed project, located just to the south of the intersection, is consistent with the goals listed in the Chatham County planning documents: The Chatham Plan (CP), the Chatham County Strategic Plan (CCSP) and the Chatham County Farmland Preservation Plan (FPP), see below. These documents recognize the changing nature of the county in certain areas and outline a plan for the development and growth of Chatham County with the specific goals of providing for the health, safety and welfare of the county residents now and in the future.

- CP - The Chatham Plan – Executive Summary, The Vision for Chatham County.
  - CCSP - The Chatham County Strategic Plan, Outcomes and Goals, 12/99
  - FP – The Chatham County Farmland Preservation Plan, Executive Summary, 12/09
- These documents are on the Chatham County Planning Department website.

3. *The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.*

Highway 15 501 north of Pittsboro has been identified as a Compact Community Corridor (CP), an area suitable for a mix of homes, shops and offices. The 15 501 and Mann's Chapel Rd. intersection has become a commercial intersection. The 1.5 ac.(+/-) lot, now vacant and empty of structures, was formerly the location a single family residence. The proposed re-zoning, from residential to Neighborhood Business, is entirely consistent with the development matrix for Compact Community Corridors, which indicates that single-family homes on 1.5 ac. lots are better situated away from the

commercial corridors (CP). The requested rezoning is consistent with the stated county goal of balanced growth (CCSP). The concentration of a mix of commercial developments in the corridors serves to reduce travel distances for residents. There are multiple benefits to reduced travel distances: fewer cars on the road, less air pollution and shorter travel times. This is convenient and desirable for county residents. Commercial properties provide tax revenue (CCSP), which reduces the tax burden on residents and agricultural property owners. The proposed development will employ Chatham County residents and quite likely draw customers not only from Chatham County (meeting a local need locally) but will also draw clients from adjoining counties. By collecting appropriate businesses in the commercial corridors, the currently rural areas, with both open space and agricultural uses, will be preserved. This provides residents with scenic areas free of commercial development and a place for the valuable and continuing agricultural tradition of the county (CP, CCSP, FP). The requested rezoning does not take active farmland out of use.

*4. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.*

The proposed use is a retail furniture store. The county is recognized as a desirable commercial location (CCSP.) The Cooper family has been in Chatham County for generations. The business, Furniture Follies, has been located out of the county, and the family wishes to bring the business home and to put it on a family property. The Coopers are in Chatham County to stay. Small businesses are encouraged in the county (CCSP).

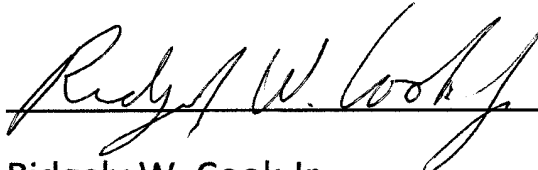
The proposed structure is a one story, trim, neat and efficient metal building. The nature of the structure - long spans without columns - make it simple to display and accommodate large items. The metal siding and simple form are reminiscent of agricultural buildings. This is not a superstore surrounded by asphalt and brightly lit at night. With the site design incorporating many mature trees as well as large swaths of mown grass, the design captures the former agricultural nature of the area. The use being residential furniture, the interest to the increasing number of residents in the area is obvious. The building also has the merits of being highly insulated (energy efficiency,) and the pre-fabrication of many of the building components results in less construction waste.



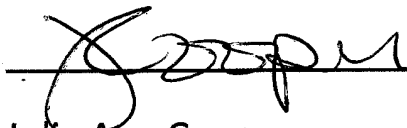
Date 3/27/2014

To whom it may concern,

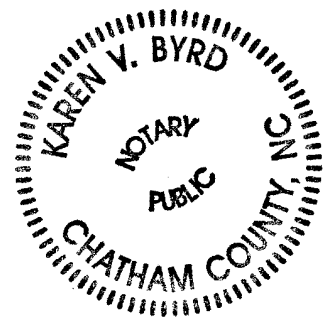
We, Ridgely Worthington Cook Jr. and Julia Ann Cooper, of 126 Estes Dr. Ext, Carrboro, NC 27510, certify that we are the legal owners of real property, located at 11311 US Hwy 15-501 N, and that we hereby consent/allow Jeff Cooper of 3066 US 15-105 N, Pittsboro, NC 27312 to perform all tasks and duties relating to the process of building, including applying for land zoning changes, requesting permits, and representing us at meetings and hearings, for building a commercial structure to be located at 11311 US 15-501 N, Pittsboro, NC 27312.

  
\_\_\_\_\_  
Ridgely W. Cook Jr

Date: 03-28-14

  
\_\_\_\_\_  
Julia Ann Cooper

Date: 03/28/2014



  
Karen V. Byrd  
Commission Expires 5-4-2017