



## CHATHAM COUNTY COMMISSIONERS

Jim Crawford, Chairman  
Diana Hales, Vice Chair  
Mike Cross  
Karen Howard  
Walter Petty

## COUNTY MANAGER

Renee Paschal

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200

## Resolution of the Chatham County Board of Commissioners

### ADOPTING A CONSISTENCY STATEMENT FOR THE APPROVAL OF


#### A Rezoning Request for Opus Financial Advisors

**WHEREAS**, the Chatham County Board of Commissioners has reviewed the application for a rezoning request from R-1 Residential to CD-NB Conditional District Neighborhood Business on Parcel No. 2516, being all of 6.05 acres, located at 4421 Manns Chapel Rd for general and professional offices and an event center limited to approve and allow said uses based on the information provided in the application, plans, and other submittal materials (the "Amendment") and finds that the same is consistent with the Chatham County Land Conservation and Development Plan; and

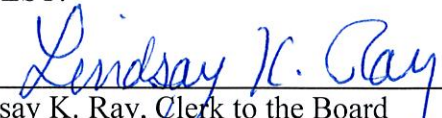
**WHEREAS, in addition**, the Chatham County Board of Commissioners considers the Amendment to be reasonable and in the public interest because it is consistent with the goals and objectives of the Land Use Plans of Chatham County by supporting a mix of development that encourages and supports growth in designated economic center areas and extends up side roads, and protects ground and surface waters by limiting ground disturbances;

**NOW, THEREFORE, BE IT RESOLVED**, by the Chatham County Board of Commissioners that, for the reasons set forth above, the Amendment and presented documentation are found to be consistent with the county land use plan, and are determined to be reasonable and in the public interest.

Adopted, this the 20th day of June 2016.

  
\_\_\_\_\_  
James G. Crawford, Chairman  
Chatham County Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Lindsay K. Ray, Clerk to the Board  
Chatham County Board of Commissioners



TO THE HONORABLE SECRETARY OF THE  
NAVY  
WASHINGTON, D. C.

RE: [Illegible]

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Established 1771

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## **AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY**

**For** Rezoning to Conditional District Neighborhood Business on behalf of Opus Financial Advisors

**WHEREAS**, the Chatham County Board of Commissioners has considered the request by Nina Staples Lloyd of Opus Financial Advisors to rezone approximately 6.05 acres, being all or a portion of Parcel No.2516, located at 4421 Manns Chapel Road, Baldwin Township, from R-1 Residential to CD-NB Conditional District Neighborhood Business to operate a general and professional office and event center limited, and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

**WHEREAS**, the Board finds that the uses set forth in the Application and incorporated herein by reference, if approved as "conditional" pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning under the conditions attached; and

**WHEREAS**, the Board finds the four (4) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. The applicant is not claiming any error in the ordinance; and

No. 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. There is a lack of general and professional office space that is available in the area. There are retail and personal service businesses at the intersection of Mann's Chapel Road and US 15-501 and extending north and south along US 15-501 N. Residential growth is developing around this area with Briar Chapel, Legend Oaks, and other subdivisions currently under construction. There is also residential development in Orange County that could utilize commercial and business services in this area. It is customary for accessory and associated functions for an office use to include meetings, employee appreciation events, fundraisers for the company, etc. and these types of events would not be required to be permitted through an event center limited. The primary use of the property is proposed for the general and professional office within the existing structure. The property will remain virtually unchanged and maintain the same character as was the case for the bed and breakfast inn which was also permitted to hold events on the site for the guests of the B & B. No additional approval or zoning classification was needed for those events to be held. ; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. On page 10 of The Land Conservation and Development Plan (the Plan) growth





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is encouraged that consists of a mix of different types of development. There is little general or professional office space available in this community. The Plan also encourages development that reflects balanced growth where the benefits and burdens are shared. This also includes encouraging commercial development to extend up side roads off major thoroughfares as seen on page 12.

The Plan also addresses Economic Development Centers. The US 15-501 North corridor is specifically mentioned as a link to infrastructure and the ability to build on the economic activity south of Chapel Hill. The property is not identified as an area that is a protected resource or natural conservation area and is maintaining the rural character by keeping the existing look and feel of the property; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare by repurposing an existing structure previously used for a bed and breakfast inn that also was permitted to hold events for guests. The interior of the structure was changed from single family to a bed and breakfast inn by the previous owner. The applicant believes these rooms will easily transition into office space and a conference room for their company. Although the previous use was approved for 70 parking spaces, this project proposed to utilize 21. The office use and events center limited could fill a void in the area due to the lack of general and professional office space availability. This is also encouraged in the Land Conservation and Development Plan to allow for a mix of uses. The major activity centers are at the intersection of Mann's Chapel and US 15-501 and along the 15-501 corridor with retail, personal service shops, grocery, banking, etc. These are high intensity activity areas that should be clustered together outside of primarily residential areas. Lower intensity activity areas are encouraged to extend up side roads where residential areas are more prominent; and

No. 5: All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment include maintaining the character with the repurposing of the existing structure and keeping the impervious surface at or below 12%. Lighting will be limited in use and signage will be placed in the location of the former sign with added landscaping. The use/s would be restricted to what is approved, unlike a general use neighborhood business rezoning which would allow for any of the uses listed in Section 10.13 Table of Permitted Uses table under that category.

The use of the property for general and professional office would be in harmony with the surrounding area based on the information in this application. The use of the property as an Events Center Limited is also supported due to the limiting nature of the approved site plan, septic usage, and conditions as noted below; and

**BE IT ORDAINED**, by the Board of Commissioners of Chatham County as follows:

1. The Application to rezone a portion of the property described as Parcel No. 2516 and being approximately 6.05 as depicted on Attachment "A", located at 4421 Manns Chapel Road, from R-1 Residential to CD-NB Conditional District Neighborhood Business, Baldwin Township is approved and the zoning map is amended accordingly.

2. The following Conditions shall also be approved as part of this Ordinance approving the rezoning. They are:

### Site Specific Conditions

1. The recommendations of the Chatham County Appearance Commission shall be followed and required plantings shall be installed by the next optimal planting season following the approval of the request.



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Additional plantings or other screenings shall also be installed to fill in any areas between adjoining properties where the existing vegetation does not provide coverage for a Type A opaque buffer. This includes the installation of the berm at the rear of the property and the landscaping between the new parking lot and the side property line as shown on the revised site plan. The existing exterior lighting in the back corner shall also be removed.

2. A Certificate of Occupancy for the general and professional office use shall be issued within two (2) years of this approval or it shall become null and void.
3. Accessory events associated with the business that involve outside gatherings, shall comply with all lighting, noise, and occupancy permitting and standard requirements.
4. Outside business events shall end by 8pm Sunday through Thursday and 10pm Friday and Saturday and shall not start earlier than 8am per the applicant's request.

**Standard Site Conditions**

5. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
6. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control, Environmental Health Division, Stormwater Management, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department prior to the initiation of the operation/business.

**Standard Administrative Conditions:**

7. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
8. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
9. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
10. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.



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3. This ordinance shall become effective upon its adoption.

Adopted this 20th day of June 2016

James Crawford, Chair  
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, Clerk to the Board  
Chatham County Board of Commissioners







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## ATTACHMENT "A"

Tax Parcel No. 2516, 6.05 acres to be zoned CD-NB Conditional District Neighborhood Business, located at 4421 Manns Chapel Road, Baldwin Township.





