



Chatham County Planning Department
 PO Box 54/80-A East Street
 Pittsboro, NC 27312
 Ph: (919) 542-8204
 Fax: (919) 542-2698

CHATHAM COUNTY APPLICATION FOR
 CHANGE IN GENERAL USE ZONING
DISTRICTS

Applicant Information:

NAME: Chatham County Alcoholic Beverage Control Board
 ADDRESS: 11312 US Hwy 15-501, Suite 302
Chapel Hill, NC 27517
 CONTACT PH: (919)942-1142
 EMAIL: chatabc1@att.net

Landowner Information:

NAME: Lila Watson Heirs, P. Ryan Lockamy, Commissioner
 ADDRESS: 3130 Hope Valley Road
Durham, NC 27707
 CONTACT PH: (919)401-5913
 EMAIL: ryan@lockamylaw.com

PROPERTY IDENTIFICATION

Physical (911) Address: ~~No number assigned~~, Moncure Pittsboro Road PARCEL (AKPAR) No.: 83475
 Township: Haw River Total Acreage: 0.80 Acreage to be Rezoned: 0.80
 (Do not round acreage. Use exact acreage from tax record or survey)

CURRENT ZONING DISTRICT/CLASSIFICATION: R-5

PROPOSED ZONING DISTRICT/CLASSIFICATION:

- R-1 Residential R-2 Residential R-5 Residential O & I Office & Institutional
 NB Neighborhood Business CB Community Business Regional Business IL Light Industrial
 IH Heavy Industrial

FEMA Flood Map Information:

Flood Map No. : 3710967800L Map Date: 11/17/2017 Flood Zone: X

WATERSHED Information:

Current Watershed Classification: RCSA Within Jordan Lake Buffer Area: Yes No Unknown

APPLICATION SUBMITTAL REQUIREMENTS

Attach the following as required in Section 19.4.C of the zoning ordinance:

- Map of the property showing the parcel or portions thereof that are affected by this rezoning request.
- Written legal description of such land
- Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment
- The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary
- The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof
- List all other circumstances, factors, and reason which the applicant offers in support of the proposed amendment
- All other information required on this application or as offered by the applicant in support of the request

Please provide 16 sets of this application submittal with all supporting documentation, maps, summaries, etc.

No application packets will be taken after 4pm. All fees must be paid at the time of application submittal. For the purposes of calculating this application fee, use the following:

Application Fee: \$500.00 plus \$25/per acre (ex: \$25 x 1.42ac = \$35.50 plus \$500 = \$535.50 total fee)

Alleged Error in the Ordinance Which Would be Remedied by the Proposed Amendment

No error b/c in conservation

The introduction to the Chatham County Zoning Ordinance sets out a number of purposes for the adoption of the Zoning Ordinance and specifically states that those purposes are to be pursued, "all in accordance with the adopted Land Use Plan." The adopted Chatham County Comprehensive Plan identifies the Moncure area as a village and employment center where a mix of job-generating uses, including industrial, office and supporting retail, restaurant, service, recreation and other uses, should be permitted.

The property that is the subject of this application, located near the intersection of Moncure Pittsboro Road and U.S. Highway 1, is currently landlocked. However, when combined with adjacent property owned by the Applicant, Chatham County Alcoholic Beverage Control Board, it will have excellent access to existing transportation infrastructure and County water. Use of the property for neighborhood-scale business would be compatible with the area's environment, because there are several other properties zoned for business use in close proximity. The property is located in the River Corridor Special Area ("RCSA") watershed area under the Chatham County Watershed Protection Ordinance. The RCSA is less restrictive than the River Corridor watershed area because of access to existing infrastructure, which makes the property appropriate for business use under the Watershed Protection Ordinance.

Should mention about properties adjoining that are zoned NB

The Official Zoning Map that is adopted pursuant to Section 6.1 of the Zoning Ordinance shows the subject property as being in the R-5 Residential zoning district. The residential zoning district does not allow many of the business uses that would be necessary and appropriate to the development of a village and employment center in the Moncure area that includes this property, which is ideally situated to be part of a village and employment center. The existing Zoning Map is in conflict with the stated purposes of the Zoning Ordinance, which are to be pursued in accordance with the Land Use Plan, and is, therefore, in error. Rezoning the subject property to the NB Neighborhood Business zoning district would make the Zoning Map consistent with the Land Use Plan and the purposes of the Zoning Ordinance and would remedy the error.

*This is in conservation on the Comp Plan
→ This parcel is in conservation*

Changed or Changing Conditions Which Make the Proposed Rezoning Reasonably Necessary

Parcel 61969, located to the south across U.S. 1 from the subject property, has been zoned B-1 General Business and actively used for business purposes for many years. Parcel 78285, north of the subject property across Moncure Pittsboro Road, was zoned B-1 General Business in 2009. Parcel 78290, adjacent to 78285 and closer to the subject property, was zoned to NB Neighborhood Business in December 2015. Parcels 11417, 11503, and 11505, which are adjacent to the subject property and surround it on three sides, are owned by the Applicant, Chatham County Alcoholic Beverage Control Board, and were zoned to NB Neighborhood

*Give examples of the business purposes
Probably mention these first*

Business in 2016 and 2017. Because the area in which the property is located has been viewed as having high potential for business use for many years, as is reflected in the Land Use Plan, zoning in the area has been changing to allow property owners to fulfill that potential. Rezoning the subject property to NB Neighborhood Business is necessary to make the uses on this property consistent with the changing zoning and uses on other nearby properties and to fulfill the goals of the Land Use Plan.

→ Conservation

what?

Manner in Which the Proposed Rezoning Will Carry Out the Intent and Purpose of the Adopted Land Use Plan

The adopted Chatham County Comprehensive Plan identifies the Moncure area as a village and employment center where a mix of job-generating uses, including industrial, office and supporting retail, restaurant, service, recreation and other uses, should be permitted. The subject property, located near the intersection of Moncure Pittsboro Road and U.S. Highway 1, when combined with adjacent property of the Applicant, will have excellent access to existing transportation infrastructure and County water. Use of the property for neighborhood-scale business would be compatible with the area's environment, because there are several other properties zoned for business use in close proximity. The property is located in the RCSA watershed area under the Chatham County Watershed Protection Ordinance. The RCSA is less restrictive than the River Corridor watershed area because of access to existing infrastructure, which makes the property appropriate for business use under the Watershed Protection Ordinance, but water resources will still be protected because development in the RCSA is limited to 36% built-upon area. Rezoning the subject property to NB Neighborhood Business will carry out the intent and purpose of the Land Use Plan by promoting the development of a village and employment center in the Moncure area, while also protecting environmental and water resources.

→ outside of this node, but in close proximity.

→ in Conservation

Other Circumstances, Factors and Reasons Which the Applicant Offers in Support of the Proposed Amendment

The subject property is located in the RCSA watershed area under the Chatham County Watershed Protection Ordinance. The RCSA is less restrictive than the River Corridor watershed area because of access to existing infrastructure. As discussed above, the subject property will have access to existing transportation infrastructure and County water. That makes the property appropriate for business use under the Watershed Protection Ordinance, but the environment and water resources will still be protected because development in the RCSA is limited to 36% built-upon area. Further, NB Neighborhood Business is the least intensive business district established in the Zoning Ordinance, in terms of building size limitations and uses allowed, so rezoning the property will promote the purposes of the Land Use Plan and the Zoning Ordinance while limiting the impact on nearby residential uses. Finally, the subject property is currently landlocked. Zoning it consistently with the adjacent property of the Applicant will allow it to be used productively in conjunction with those other properties.

NB.
↑
possible 50%
w/ SNEHR

Alleged Error in the Ordinance Which Would be Remedied by the Proposed Amendment

The property that is the subject of this application is surrounded on three sides by property owned by the Applicant, Chatham County Alcoholic Beverage Control Board, that is already zoned NB Neighborhood Business. Located near the intersection of Moncure Pittsboro Road and U.S. Highway 1, the property is currently landlocked. However, when combined with adjacent property owned by the Applicant, it will have access to existing transportation infrastructure and County water. Use of the property for neighborhood-scale business would be compatible with the area's zoning, because there are several other properties zoned for business use in close proximity, including the adjacent property on three sides.

The adopted Chatham County Comprehensive Plan identifies areas in and near Moncure as a village and employment center where a mix of job-generating uses, including industrial, office and supporting retail, restaurant, service, recreation and other uses, should be permitted. The property that is the subject of this application, is not directly in one of those areas, but it is near them. The Official Zoning Map that is adopted pursuant to Section 6.1 of the Zoning Ordinance shows the subject property as being in the R-5 Residential zoning district. While there is no error in the existing zoning under the current land use plan, rezoning the property to NB Neighborhood Business would be consistent with the intent of the land use plan for nearby areas and would allow this small landlocked parcel to be put to some use. It would also improve the configuration of the Applicant's adjacent property and enhance the design and use alternatives on all of the property.

Changed or Changing Conditions Which Make the Proposed Rezoning Reasonably Necessary

Parcels 11417, 11503, and 11505, which are adjacent to the subject property and surround it on three sides, are owned by the Applicant, Chatham County Alcoholic Beverage Control Board, and were zoned to NB Neighborhood Business in 2016 and 2017. Parcel 61969, located to the south across U.S. 1 from the subject property, has been zoned B-1 General Business and actively used for business purposes for many years, currently a convenience store and ABC store. Parcel 78285, north of the subject property across Moncure Pittsboro Road, was zoned B-1 General Business in 2009. Parcel 78290, adjacent to 78285 and closer to the subject property, was zoned to NB Neighborhood Business in December 2015. Rezoning this small landlocked parcel to NB Neighborhood Business is reasonably necessary to make it accessible and usable in conjunction with the adjacent property that is already zoned NB Neighborhood Business and would be consistent with the business zoning enacted over the past ten years or more on other nearby parcels.

Manner in Which the Proposed Rezoning Will Carry Out the Intent and Purpose of the Adopted Land Use Plan

The adopted Chatham County Comprehensive Plan identifies areas in and near Moncure as a village and employment center where a mix of job-generating uses, including industrial, office and supporting retail, restaurant, service, recreation and other uses, should be permitted. The subject property is not directly in the village and employment centers designated in the land use plan, but it is in close proximity to them. When combined with adjacent business-zoned property of the Applicant, it will have access to existing transportation infrastructure and County water. Use of the property for neighborhood-scale business would be compatible with the area's zoning, because there are several other properties zoned for business use in close proximity. Rezoning the subject property to NB Neighborhood Business will support and promote the intent and purpose of the Land Use Plan to develop a village and employment centers in the Moncure area.

Other Circumstances, Factors and Reasons Which the Applicant Offers in Support of the Proposed Amendment

The property is located in the River Corridor Special Area ("RCSA") watershed area under the Chatham County Watershed Protection Ordinance. The RCSA is less restrictive than the River Corridor watershed area because of access to existing infrastructure. As discussed above, the subject property will have access to existing transportation infrastructure and County water. That makes the property appropriate for business use under the Watershed Protection Ordinance. Further, NB Neighborhood Business is the least intensive business district established in the Zoning Ordinance, in terms of building size limitations and uses allowed, so rezoning the property will support and promote the purposes of the Land Use Plan and the Zoning Ordinance while limiting the impact on nearby residential uses. Finally, the subject property is currently landlocked. Zoning it consistently with the adjacent property of the Applicant will allow it to be used productively in conjunction with those other properties.



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