

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.