

CONDITIONAL ZONING DISTRICT

APPLICATION FOR CHANGE OF ZONING OF PROPERTY

Chatham County
Planning Department

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

Section A. APPLICANT INFORMATION

NAME OF APPLICANT: Sanders Automotive LLC

MAILING ADDRESS OF APPLICANT: 5701 US Hwy 15-501 N Pittsboro, NC 27312

PHONE NUMBER/E-MAIL OF APPLICANT: 919-542-1386 chris@sanders-auto.com

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

Name(s) Same

Address: _____

_____ ZIP _____

Telephone: _____ FAX: 919-642-0479

E-Mail Address: Chris @ Sanders - Auto . com

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

ADDRESS OF SUBJECT SITE: Ruth LN, Pittsboro NC

CHATHAM COUNTY PROPERTY PARCEL NUMBER (AKPAR #): 77022

CURRENT ZONING DISTRICT/CLASSIFICATION(S): CU-OI & R-1

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

TOTAL SITE ACRES/SQUARE FEET: 7.07

(Do not round up acreage. Use exact acreage amounts from tax records or as surveyed)

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: Automobile Service Stations, Retail Stores & Personal Service Shops,

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.

See Attached

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.

See Attached

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

See Attached

4. The requested amendment is either essential or desirable for the public convenience or welfare.

See Attached

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

See Attached

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>3/27/2019</u> |
| <input checked="" type="checkbox"/> Held Community Meeting | Date of Meeting <u>11/12/2018</u> |

CONDITIONAL REZONING NARRATIVE

1. N/A
2. CHANGED OR CHANGING CONDITIONS MAKING THE PROPOSED AMENDMENT REASONABLY NECESSARY.

The applicant has operated a automobile service facility on the west side of US Highway 15-501 in its current location since 2013. The site was used for the same commercial use for more than twenty years previously. Because of the current site's physical limitations, including access to and from the US 15-501 corridor, applicant purchased a 7 acre parcel across US 15-501 and wishes to relocate the auto service facility and provide additional flex space for future commercial development. The proposed site will allow better access and increased room to service automobiles.

The Applicant's property is located adjacent to existing business uses on the east side of US Highway 15-501. The site is currently zoned CU O&I for a professional office and partially R-1, but has never been developed for either purpose.

The Property is part of the Bynum Commercial Center along the 15-501 Corridor described in the County's "15-501 Corridor Market Profile and Analysis". According to that source:

The 50-square mile study area east and west of US 15-501 contains a population of 19,385. The 8,587 households have an average size of 2.25 persons, less than the Chatham County average of 2.44 persons. This area is substantially older, more educated, and wealthier than average. Median age is 50.6 compared with the Chatham County median of 45.5 and the U.S. median of 38.0. Median household income is \$80,984 versus a county-wide median of \$57,140 and a national median of \$54,149. Sixty-two percent of residents have at least a bachelor's degree, with nearly 33% having obtained a graduate or professional degree. The population has lower racial and ethnic diversity, with a diversity index score of 42.5 based on a 0 to 100 scale, with higher numbers indicating greater diversity. North Carolina's diversity index score is 58.9 and the United States' overall score is 63.5. (ESRI 2016 data, 2014 US Census Bureau estimates) The study area has experienced rapid population growth since 2000. The corridor saw 4.35% annual population gains between 2000 and 2010, and 3.03% annual increases from 2010 to 2016. The rate of population growth is projected to continue to outpace North Carolina and the nation. One estimate for 2016 – 2021 is for the 15-501 corridor area to experience annual population growth of 2.55%, compared with 1.16% annual growth statewide and 0.84% nationally. (ESRI 2016 data) Residents' employment by occupation is shown as 72% white collar (including professional, managerial, sales, and administrative); 15% in service positions; and 13% blue collar

(including construction, production, maintenance, and farming and forestry jobs). Note that these numbers are for study area residents regardless of where they work – whether inside the study area, in Chatham County or elsewhere. Seventy percent of 15-501 corridor residents (compared with 55% of all Chatham residents) commute outside the county for work. (p.4)

In the County’s Market Profile study traffic along US 15-501 was found to have increased to 15,000 trips per day near Bynum. Likewise residential development in the general vicinity has also increased; there are more than 9,000 dwelling units in the 15-501 area.

The Property is served by public water and has at least two approved septic sites. It is large enough to accommodate the new structures proposed by the applicant and comply with required impervious surface environmental limits. Situated off the highway, the facilities will preserve the essentially rural character of the neighborhood with its limited commercial development and still allow the continuation and expansion of the Applicant’s existing business. The new facilities will be compatible with and complement the existing uses in the neighborhood.

The proposed map amendment is therefore reasonably necessary to serve and promote the public health, safety and welfare by allowing the relocation of an existing commercial use to a better location with less adverse impacts to surrounding properties.

3. MANNER IN WHICH THE PROPOSED AMENDMENT WILL FULFILL THE INTENT AND PURPOSE OF COUNTY PLANS.

Rezoning of the site to Conditional District Neighborhood Business (CD-NB) will allow construction of a new automobile service facility and accessory uses consistent with the goals and objectives of the Comprehensive Plan for the area. A new service facility would allow the applicant to better serve the automobile service and repair needs of the community. Additional areas of the site will be available for future development for retail stores and other personal service shops as well as business and professional offices. According to the Comprehensive Plan historic centers like Bynum should accommodate small-scale, local serving retail, office, institutional, and service uses, restaurants, and some residential. This application and its limited uses is consistent.

The 2017 Comprehensive Plan and its Future Land Use and Conservation Plan Map identifies the area including this site as a “Village & Village Center” near Bynum along the US Highway 15-501 north of Haw River. The property is located adjacent to existing business uses on the east side of US Highway 15-501 and directly opposite the applicant’s existing commercial property. The site is currently zoned CU O&I for a professional office and R-1, but never developed. It is part of the Bynum Commercial Center along the 15-501 Corridor described in the County’s “15-501 Corridor Market Profile and Analysis”.

The “Village” concept in the Comprehensive Plan includes a mixture of uses including retail, restaurants, services and office uses clustered in close proximity. There are existing restaurant, retail and services uses in the immediate vicinity of the site. The requested rezoning is meant to serve the small retail market north of Bynum along US Highway 15-501 with the uses

proposed in this application. Expansion and relocation of the applicant's current automobile service business is one of the proposed uses for the property which will support the increased residential growth in the immediate area including Briar Chapel.

The proposed amendment will allow utilization of the Property consistent with the County's existing Comprehensive Plan and promote economic development in the Bynum Area.

4. THE PROPOSED AMENDMENT IS DESIRABLE FOR THE PUBLIC CONVENIENCE AND WELFARE.

The need for additional limited commercial development including automotive services is obvious based upon the increased traffic along 15-501, the development of Briar Chapel, Chatham Park and other residential neighborhoods along the US 15-501 highway corridor. Existing and projected traffic volumes and the lack of nearby service facilities make this site appropriate for rezoning. Applicant's existing business is proof of the need for the services it provides. The Property will actually be more convenient for the public and safer as well.

5. OTHER CIRCUMSTANCES, FACTORS, AND REASONS IN SUPPORT OF THE PROPOSED AMENDMENT.

The limited neighborhood business uses proposed by this application are supported by the Comprehensive Plan and existing commercial development in the vicinity of the site. Its proximity to a major thoroughfare and existing businesses make it unsuitable for residential development. The Application and Property has undergone a satisfactory review by the County Appearance Commission.

Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Sixteen (16) completed application packets and all supporting information shall be submitted to the Planning Department upon approval of the sufficiency review by staff. **(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 packet 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.
 - 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.

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

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 or as accepted by staff, 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:
 - 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,
 - b. Legal Description of proposed conditional zoning district; *-dec*
 - c. All existing and proposed easements, reservations, and rights-of-way;

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- d. Proposed number and general location of all building sites, their approximate location, and their approximate dimensions;
 - e. Proposed use of all land and structures, including the number of residential units and the total square footage of any non-residential development;
 - f. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; **(SECTION 12 LANDSCAPING & BUFFERING REQUIREMENTS)**
 - g. All existing and proposed points of access to public and/or private streets;
 - 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;
 - i. Proposed phasing, if any;
 - j. Generalized traffic, parking, and circulation plans; **(SECTION 14 OFF STREET PARKING)**
 - k. Proposed provision of utilities;
 - 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;
 - m. The approximate location of any cemetery;
 - n. Proposed number, location, and size of signs; **(SECTION 15 SIGN REGULATIONS)**
 - o. 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)**
 - p. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and
 - q. Environmental Impact Assessment pursuant to **Section 11.3** of the Zoning Ordinance, if applicable.
if you are or will be disturbing 10 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;
 - d. Height of structures;
 - e. Exterior features of the proposed development;
 - f. 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: *Chris Deary*

Date: 3-28-19

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: *Chris Deary*

Date: 3-28-19

OFFICE USE ONLY:

Date Application Received: 5 April 19

Received By: Janie Phelps

Fee Paid: \$ 1103.50

Check No. _____ Cash Credit Card Money Order

Application No. PL 20 190705