

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: JNNJ, LLC

MAILING ADDRESS OF APPLICANT: 58 Chapelton Court, Suite 120, Chapel Hill, NC 27516

PHONE NUMBER/E-MAIL OF APPLICANT: 919-949-7838, 832-594-7464, Dr.Adigun@DICofChapelHill.com

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

Name(s)	<u>Lisa Parrish Bryant</u>	<u>Polly Parrish Wise</u>
Address:	<u>1800 SE St Lucie Blvd</u>	<u>1320 Oregon Crossing</u>
	<u>Bldg 3, Unit 205</u>	<u>Chesapeake, VA 23322</u>
	<u>Stuart, FL 34996-4298</u>	<u>757-482-7233</u>
	<u>919-819-4291</u>	<u>ZIP</u>

Telephone: _____ FAX: _____

E-Mail Address: _____

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

ADDRESS OF SUBJECT SITE: 10441 US 15-501 N

CHATHAM COUNTY PROPERTY PARCEL NUMBER (AKPAR #): 0069884

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

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

TOTAL SITE ACRES/SQUARE FEET: 4.994 Acres/217,545 SF
(Do not round up acreage. Use exact acreage amounts from tax records or as a recorded survey)

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: _____
Medical clinics – inpatient and outpatient care; Office – business, professional and governmental;
General, professional, medical and governmental offices

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 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.**
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.** (i.e. Comprehensive Plan, Chatham/Cary Joint Land Use Plan, etc.) You must note specifics from the plan/s giving reference to page number and section.
4. **The requested amendment is either essential or desirable for the public convenience or welfare.** (i.e tell how and for what purpose/s the amendment would provide to the county as a whole)
5. **All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.** (i.e. watershed classification, impervious surface, utilities, infrastructure, etc.)

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>June 24, 2020</u>
<input checked="" type="checkbox"/> Held Community Meeting	Date of Meeting <u>June 17, 2020</u>

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
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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;
 - c. All existing and proposed easements, reservations, and rights-of-way;
 - d. Proposed use of all land and structures, including the number of residential units and the total square footage of any non-residential development;
 - e. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; **(SECTION 12 LANDSCAPING & BUFFERING REQUIREMENTS)**
 - f. All existing and proposed points of access to public and/or private streets;
 - g. 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;
 - h. Proposed phasing, if any;
 - i. Generalized traffic, parking, and circulation plans; **(SECTION 14 OFF STREET PARKING)**
 - j. Proposed provision of utilities;
 - k. The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old;
 - l. The approximate location of any cemetery;
 - m. Proposed number, location, and size of signs; **(SECTION 15 SIGN REGULATIONS)**
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- n. 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)**
- o. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and
- p. Please be sure to address all of **Section 11.2.A through I** in your application.
- N/A 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.
- N/A r. Please check if a Special Study is required for certain Heavy Industrial uses as described in the Table of Permitted Uses in the Zoning Ordinance, Section 10.13. **The study is required to be submitted with this application.**

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 JNNJ, LLC 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: *Lisa Parrish Bryant* *Polly Parrish Wise*
Date: 7/1/2020 7/1/2020

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: *Christy*
Date: 6/25/2020

OFFICE USE ONLY:
Date Application Received: 1 July 2020
Received By: Janie Phelps
Fee Paid: \$ 1000.00
 Check No. 2504 Cash Credit Card Money Order
Application No. PL 20201015



To: Chatham County
Planning Department

Date: June 29, 2020

Memorandum

Project #: 39164.00

From: JNNJ, LLC. (Applicant)
& Wesley Mize, PE (VHB)

Re: Section A Rezoning Application Question Response
Chatham Professional Park
10441 US 15-501 N
Chatham County, NC

The questions below are from Section A of the Chatham County conditional rezoning application with responses and supporting information prepared by the applicant for the above referenced project.

- 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.**

N/A.

- 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.**

Our medical practice (Dermatology & Laser Center of Chapel Hill) is currently located near the entrance of Briar Chapel (58 Chapelton Court Suite 120) within a commercial center that shares parking between restaurant, retail and medical tenants. The amount of available parking at this location is a serious issue as there are not enough spaces for practitioners, employees and patients. This is especially detrimental to patients with mobility difficulties when accessible spaces are not available for their use. In addition, the size of our current space is not large enough for the practice to accommodate current demand and patient volume.

When the existing parking and space constraints became too great at our current location, we completed an extensive search of available office space but were not able to locate anything that would address the current issues we are experiencing at our Chapelton Court location. Following this evaluation of existing space, we began our search for a lot that would be able to accommodate a building large enough for our patient volume as well as sufficient parking, especially accessible parking. We wanted to remain in our community to be able to continue to serve our community, which narrowed our search significantly. We also wanted to invest directly into our community, and thus were in search of space that we could own. We determined that the location most suitable is this site (10441 US 15-501 N) located less than a mile to north.

- 3. The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof. (I.e. Comprehensive Plan, Chatham/Cary Joint Land Use Plan, etc.) You must note specifics from the plan/s giving reference to page number and section.**

Through an extensive public engagement process, Plan Chatham was developed and adopted with the purpose of providing a strategic guide for future decisions in order to address the most pressing needs of the County and improve the quality of life enjoyed by current and future residents (Page 6).

Venture I
940 Main Campus Drive, Suite 500
Raleigh, NC 27606-5217
P 919.829.0328



Memorandum

This project meets the intent and purpose of Plan Chatham goals, policy recommendations and detailed strategies that will help the County achieve the community-supported goals including the following:

- Primary Goal: Diversify the tax base and generate more high-quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce out-commuting (Page 53). This project will increase the non-residential tax base and increase the number of high-quality, in-county jobs.
- Recommendation 02: Increase employment opportunities across the County (Page 55). This project will increase the number of jobs in Chatham County.
- Strategy 2.2: Direct larger-scale retail (and complimentary uses such as professional and medical offices) to locate to existing towns and at designated Community and Neighborhood Centers as well as in Employment Centers (Page 55). The site is located within the Chatham Downs Community Center node as shown on the Future Land Use and Conservation Plan Map (Page 45).

4. The requested amendment is either essential or desirable for the public convenience or welfare. (i.e tell how and for what purpose/s the amendment would provide to the county as a whole)

This project would allow our medical practice to stay within the County and continue to provide essential medical services to Chatham County residents. This project is consistent with Plan Chatham and compatible with adjacent land uses that include retail, restaurant, daycare, office and medical office tenants. This project will increase the non-residential tax base, keep jobs in Chatham County and provide necessary services to residents.

5. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. (i.e. watershed classification, impervious surface, utilities, infrastructure, etc.)

Additional factors to consider about this project include the following:

- The proposed parking lot and building are located as close to the 15-501 as possible that helps maintain a large buffer to the neighbors to the west - 225'-295' and 340'-375' separation from property line to parking lot and building, respectively
- Stormwater management system will be designed to detain and treat runoff in accordance with the Chatham County Watershed Protection Ordinance, Chatham County Stormwater Management Ordinance and Jordan Lake Rules
- The proposed impervious is only 21%± of the lot area, which is well below the maximum 36% allowed in the Chatham County Watershed Protection Ordinance.

**REPORT OF COMMUNITY MEETING REQUIRED BY
THE CHATHAM COUNTY ZONING ORDINANCE**

To: Chatham County ZONING ADMINISTRATOR

Date: Wednesday, June 17, 2020

Proposed Zoning: CD-O&I


The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the adjacent property owners set forth on the attached list by first class mail on (date) June 2, 2020. A copy of the written notice is also attached.

The meeting was held at the following time and place: Breakaway Cafe, 58 Chapelton Court, Chapel Hill, NC 27516 5-6 PM

The persons in attendance at the meeting were: See attached sign-in sheet

The following issues were discussed at the meeting: See attached meeting notes

As a result of the meeting, the following changes were made to the rezoning petition: No changes were made following the Community Meeting.

Date: 6/25/2020
Applicant: 
By: Abayomi Adigun and Chris Adigun

Please submit this Report to the Chatham County Planning Department located at 80-A East Street, Dunlap Building or mail it to Angela Birchett, Zoning Administrator, PO Box 54, Pittsboro, NC 27312.

A receipt or stamp from the US Postal Service that shows the date of the mailings shall also be provided with this application.

June 2, 2020

Re: 10441 US 15-501 N

Community Meeting Notification

Dear Neighboring Property Owner,

We would like to personally invite you to a community meeting regarding our medical office project that we are proposing on 5 acres adjacent to your property on Parcel Number 69884 located at 10441 US 15-501 N. An informal community meeting will be held on June 17, 2020 beginning at 5 pm at the Breakaway Café patio located at 58 Chapelton Court, Chapel Hill, NC 27516, lasting approximately one hour.

We will share the plans for our project and you will have the opportunity to ask questions about the details of our project and voice your concerns to us. Our plans may be revised based on your input before we submit them to the County.


Although this community meeting is a necessary step as part of the County zoning process, County staff will not participate in the meeting. This is purely a chance for neighbors to share their input and get any questions answered.

We are planning to submit our official plans to the County Planning Department at the beginning of July. You will receive a notice from the County about this submittal once the application has been made.

Please do not hesitate to contact us directly at 919-590-9759 or dr.adigun@dlcofchapelhill.com should you have any questions or wish to discuss any details of the project.

We look forward to meeting you!

Chris and Yomi Adigun



58 Chapelton Court, Suite 120
Chapel Hill, NC 27516



Place: Breakaway Cafe
58 Chapelton Court
Chapel Hill, NC 27516

Date: June 17, 2020
Project #: 39164.00

Meeting Notes

Time: 5-6 PM

Re: Community Meeting
Chatham Professional Park
10441 US 15-501 N
Chatham County, NC

ATTENDEES

See attached sign-in sheet

The following meeting notes have been prepared for the above referenced project's Community Meeting:

- Overview of Adigun's (Applicant) background, limitations of any available medical office space in Chatham County to move to, review of their existing office and parking issues at current site, and overview of why this site would work to meet their current and future needs while still being able to stay in Chatham County
- Site overview including access, layout, stormwater, lighting and residential buffering
- Exterior building material overview
- Review of soils, septic design and retention of trees 6" and larger in septic area
- Review of possible cross access with 501 Landing if allowed by the Board of Commissioners and if feasible to work within site constraints
- Discussion of project's rezoning and construction process/schedule
- Discussion by some residents expressing support for the proposed project
- Responded to question about who would manage 2nd floor office, which will be managed by a 3rd party that is currently unknown
- Responded to question about two parcels to the north. Adigun's explained that the only option from the seller was to purchase all three parcels and that there are no plans for those parcels currently. Also, explained that only one parcel is going through the conditional rezoning process



Thank you for joining our meeting today. Please sign in below. 6-17-2020

Name	Phone/Email	Address
1. Deb + Scott Christner	919-619-1888(2332)	104 Hidden Valley Dr
2. Susanna Williams	910.599.5841	108 Hidden Valley Dr.
3. John J. Hoff	957-409-8492	4117 Pavilion Pl.
4. John High	919-817-6192	3515 Meadowrun Dr.
5. Wes Mize	828-817-3884	2624 Wells Ave
6. Rebecca Evans	NEVANS103@NC.HI.com	106 Hidden Valley Dr.
7. JASON DELL	919 260 1857	501 LANDING
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* Please note that 4 community attendees declined to sign this roster.
julie english.