

# Shipman Engineering, PLLC

## Section A Questions

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 would correct the same.

**SE Response: We do not allege any error in the ordinance as it pertains to the zoning district of the subject parcel.**

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.

**SE Response: Our response to each of the questions posed in the application to items A-E is as follows below:**

- A. Need and Desirability:** The area in the general vicinity of this property is slowly developing with commercial type uses. As presently zoned, the current R-1 district is geared towards low to moderate residential development in residential and/or agricultural areas of the County. Given the location of the property and frontage to US Highway 64, a low to moderate density residential development does not match the spirit of the existing development in this area, and we believe would be an undesirable location for residential occupation. Additionally, the Chatham County Future Land Use map identifies the areas surrounding the Highway 751 intersection as a future employment center. Rezoning this parcel to the CD-CB district promotes development in the area towards this employment center goal by allowing desirable land uses along the busy travel corridor that encourage business and employment opportunities.
- B. Survey of Similar Uses:** Existing uses in the immediate area are primarily commercial in nature. D&H RV Center, The Extra Garage Storage Center, Builders-First Source, and Highway 64 Boat & RV Storage are all located either immediately adjacent or in close proximity to the property. Additionally, commercial uses are common place in this area among properties that have frontage on the Highway 64 corridor.
- C. Public Provided Improvements:** We do not anticipate any necessary public provided improvements in association with the rezoning request.
- D. Tax Considerations:** We anticipate the tax value of a newly completed commercial warehouse and flex space to be higher than that of a single-family detached residence. As a result, we anticipate increased tax revenue would be realized by the County as a result of rezoning this parcel.
- E. Employment:** Development of this property as a commercial space is in accordance with the Future Land Use Map's stated goals of this area developing as an employment center. Employment opportunities and the number of new jobs created by this use would be dependent on the tenants who lease the space and cannot be confidently assessed at this point. However, we expect that at a minimum several full-time jobs would be generated as a result of the completed facility.

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 use specifics from the plans giving reference to page number and section.

**SE Response: The intersection of Highway 751 and US Highway 64 is denoted on the Future Land Use Map as an employment center. This property is located approximately 2700 linear feet from that intersection. The uses allowed in the CB District would support the growth of this area as an employment center per the future land use map. Maintaining the current residential zoning does not allow for business uses, and thus discourages the development of this area in that manner.**

**Chapter Two-Issues and Opportunities: The areas surrounding the Highway 751/US 64 intersection is denoted on the Future Land Use Map as an employment center. This property is located approximately 2700 feet west of that intersection. The uses allowed in the CD-CB district would support the growth of this area an employment center per the Comprehensive Plan. Specifically, we note that the Land Use Suitability Analysis shown on Page 21 of the plan indicates this area as highly suited for Commercial and Industrial Growth patterns.**

**Additionally, the Land Suitability Map indicates low suitability for residential uses. Lastly, review of the Tax Base Paragraph of the Comprehensive Plan (page 20) indicates that the County collects more tax revenue on commercial uses than it does on residential uses.**

**Commercial properties generate more tax revenue than the cost of provided services, and thus should be encouraged in employment center areas such as this.**

**Chapter Three:**

- **Goals and Objectives: The proposed rezoning supports the Objectives outlined in Chapter 3 of the plan in several ways. First, in accordance with Objectives 1, 2, and 3 (page 41), rezoning of this parcel to allow commercial development will help preserve the rural character of the County, protect and preserve agriculture and forestry, and promote compact growth by allowing for commercial development in close proximity to a heavily travelled highway (i.e. Highway 64 frontage) within the confines of an identified employment center cluster. By concentrating commercial development in localized hubs, other existing rural and agricultural areas can remain undeveloped. Additionally, commercial development complies with Objective 4 by assisting in diversifying the tax base and adding high-quality, in-county jobs for local residence. This will assist with a reduction of out-commuting for residents who are employed at this facility.**
- **Land Use Descriptions: The proximity of this property to the Highway 751 Employment Center (page 47) will support the Comprehensive Plan by generating future jobs at the facility, and by including a potential mix of commercial or industrial tenants. Employees, customers, and facility users will in tern create demand for nearby retail, restaurant, service, and recreation uses which further benefit the County.**

**Chapter Four:**

- **Economic Development: Rezoning this property to CD-CB is in compliance with ED Policy 2 (Encourage growth in designated Employment Centers, Page 55), Strategy 2.1 (Encourage small-scale retail development, service, office, flex space, and other small business-Page 55), Strategy 2.3 (consider zoning to**

allow distribution and warehouse uses along major transportation corridors, page 55), and ED Policy 4 (support existing businesses, including small and medium sized firms). We note that the proposed development for this parcel within the proposed CD-CB district, is as a warehouse/flex space, designed to house and attract small and medium sized tenants.

- **Land Use:** The proposed development complies with Land Use Policy 6 (Avoid Strip commercial development along key road corridors-Page 67), and Strategy 6.1 (Limit shopping centers and highway commercial development only in areas indicated as suitable for commercial development on the Future Land Use Map, Employment Centers, etc.- Page 67). Note that this project is located in proximity to the Highway 751 employment center and is configured in such a way that complies with the Land Use section of the Comprehensive Plan.
  - **Natural Resources:** The proposed rezoning complies with the Natural Resources policy strategies in various ways. Stormwater management devices for commercial development comply with Recommendation 01 and NR Policy 1 to maintain and improve water quality and to ensure the long timer quality of water resources (page 104). Additionally, allowing commercial development within an established commercial area limits the fragmentation of rural or agricultural land (page 103).
  - **Parks and Recreation:** The proposed rezoning is not injurious to the County's Comprehensive Plan goals with regards to Parks and Recreation. While small-scale commercial development does not directly contribute to access to available parks and recreation space, it is our belief that commercial development of this property encourages a policy of clustering development within the established employment center, which minimized fragmentation of available recreation and natural resources for residents to enjoy.
4. The requested amendment is either essential or desirable for the public convenience or welfare (i.e. tell how and for what purpose the amendment would provide to the county as a whole.)
- A. **Traffic-Traffic generation from the proposed rezoning is anticipated to be minimal. The proposed use of warehouse/flex space does not cause intense vehicular traffic (we estimate between 125 and 400 trips per day, depending on final tenant makeup). Note that the AADT for US Highway 64 is 24,000 vehicles per day. The trips estimated from this development are negligible in comparison to this ADT. Peak traffic from this facility would be estimated during the standard AM and PM peak hours due to employee movements at the facility.**
  - B. **Visual Impact and Screening-Visual screening will be provided from neighboring properties in accordance with the Chatham County UDO. We are proposing a landscape buffer on the eastern and northern property lines (20' Type A) and a landscape buffer along the Highway 64 Frontage (20' Type C). Additionally, we will preserve existing vegetation to the extent possible along the western property line. Architectural plans for the structure have yet to be developed, but we anticipate providing a building façade which has a positive impact for proposed tenants and adjacent properties.**
  - C. **Lighting-Pole mounted lights are proposed for the facility and will be installed in accordance with County regulations. The lights are for parking lot and area lighting**

only and would be used during evening hours only. We would propose to use LED light fixtures with a maximum height of 30 feet for full-cut off light fixtures and 15 feet maximum for non-directional fixtures. Wattage and model information has yet to be determined.

- D. **Noise-** We do not anticipate significant noise to be generated by the proposed rezoning use. Any noise generated would be limited to traditional business hours and would comply with the existing County Noise Ordinance.
  - E. **Chemicals, Biological and Radioactive Agents:** We do not anticipate any chemicals, hazardous waste, biological, or radioactive agents to be used at the proposed facility. Additionally, we do not anticipate any emissions or polluted runoff or discharges from the facility.
  - F. **Signs-** A freestanding sign is proposed for the facility, with a height of less than 30 feet and sign area of 100 square feet maximum. Specifics of the sign have not been developed at this point, but we will ensure that the sign conforms to all applicable County regulations.
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.).
- A. **Water Source and Requirements:** Water for the project can be provided by an existing public water main located in the Highway 64 right-of-way. We would propose running a dedicated domestic water connection into the property (with meter and backflow protection), as well as a dedicated fire protection service (with backflow protection) to the building if required. The required domestic water demand will be severely limited by the on-site septic system and available drainfield area. Preliminary indications are that the requested domestic demand will be less than 1,000 gallons per day.
  - B. **Wastewater Management:** A private septic system will be utilized for on-site wastewater disposal. A preliminary evaluation of the soils for the property has been conducted, and areas suitable for surface drip irrigation are available towards the rear of the property.
  - C. **Water/Sewer Impact Statement:** County water service is requested for the facility. Water usage will be severely limited by the available on-site wastewater system drainfield area. We estimate a peak domestic demand of no more than 1,000 gallons per day.
  - D. **Access Roads:** Access to the property will be provided via a driveway onto Highway 64. Note that an existing driveway is in place for the vacant residence. We have not applied for a driveway permit from NCDOT at this point, but will comply with all applicable NCDOT requirements and regulations regarding access for the site.
  - E. **Stormwater Runoff:** Stormwater will be managed via the use of a stormwater SCM device such as a bioretention cell or wet-detention basin. Stormwater will be analyzed at the nearest point-of-analysis using standard engineering calculation methods such as the NRCS Curve Number method and/or the Rational Method. Stormwater will be analyzed in accordance with County regulations for the first-flush water quality volume, nutrient and TSS removal, pre/post peak flow attenuation control, and any downstream drainage impacts.