



APPLICATION ACCEPTANCE POLICY

GENERAL USE
DISTRICTS
REZONING MAP
AMENDMENTS

Chatham County
Planning Department

PO Box 54, Pittsboro, NC, 27312
Telephone 919-542-8204 | Fax 919-542-2698
www.chathamnc.org/planning

Chatham County understands that clear expectations make the application and development review processes easier for both applicants and staff. The policies outlined below will enable Planning Department staff to move the process along in a way that ensures that each application receives the attention it deserves. Staff desires to complete review of projects in an accurate and timely manner. Due to the preparation, reviews, and public hearing schedules, working with incomplete materials detracts from the timely review of applications.

1. Applications are to be reviewed for completeness by staff prior to being officially accepted for review. Applications that are dropped off or mailed in cannot be accepted without prior approval from the Zoning Administrator.
2. Checklists for each type of request are provided with each application package. If the application does not contain all required items on the checklist, it will be considered incomplete and shall not be accepted. **PLEASE REVIEW SECTION 19 FOR GENERAL USE REZONINGS IN THEIR ENTIRETY TO MAKE SURE ALL AREAS FOR SUBMISSION ARE COVERED.**
3. Application fees must be paid at the time an application is submitted for acceptance. **Please provide ONE complete set of the application and all supporting materials when submitting.** More copies will be requested by the Planning Department (16 sets) once the sufficiency review period has been completed.
4. In order to allow time to process fees, applications will not be accepted after 4:00 pm each day.
5. For your convenience, applicants may schedule an appointment with staff to review the application package before the official submission.

The Planning Department staff looks forward to working with you during the application process. If you have questions or need further assistance, please call 919-542-8285.



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: K&B Investment Corp
 ADDRESS: 11925 SW 128th Miami, FL 33186
Attention: Justin Booth
 CONTACT PH: (919) 740-4676
 EMAIL: justin.booth@avisonyoung.com

Landowner Information:

NAME: K & B Investment Corp
 ADDRESS: 11925 SW 128th
Miami, FL 33186
 CONTACT PH: () 518-612-8301 ext 790
 EMAIL: ejoannou@jbi.bike

PROPERTY IDENTIFICATION

Physical (911) Address: 144 Old Lystra PARCEL (AKPAR) No.: 60705
 Township: Chapel Hill Total Acreage: 13.154 Acreage to be Rezoned: 13.154
 (Do not round acreage. Use exact acreage from tax record or survey)

CURRENT ZONING DISTRICT/CLASSIFICATION: B-1

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 Mixed Use

FEMA Flood Map Information:

Flood Map No. : 3710977600 K Map Date: 11/17/2017 Flood Zone: X

WATERSHED Information:

Current Watershed Classification: WS-IV PA 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:

1. Map of the property showing the parcel or portions thereof that are affected by this rezoning request.
2. Written legal description of such land

Please address the following on a separate summary attachment:

1. Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment
2. The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary
 - a) Need and Desirability <Required> The application should describe why there is a need for the proposed use in the area being applied for. Describe how this was determined (for example, an analysis of present or projected demands on existing similar uses). This is an opportunity for the applicant to establish the benefit to the county that will result from approval of this permit. Why is the proposed use more desirable than other uses permitted under the existing zoning?
 - b) Survey of Similar Uses <Required> How many other instances of this use are currently in Chatham or within an adjacent county? Are there similar uses already approved for the requested use on adjacent

- properties? Provide summary of existing similar uses. If there are already a number of such uses allowed in the County or another similar use in reasonably close proximity to the new requested site, why is this new instance of this use essential? Are these other instances currently in operation and successful?
- c) Public Provided Improvements <Required> Identify any public improvements, services, etc., that the county would be required to provide in support of this site if the use is approved. If no additional public improvements are needed, then state this as the case.
 - d) Tax considerations <Optional> If appropriate, or of advantage to the application, provide an estimate of the tax revenue (direct and indirect) to the County that this use would provide. Describe how this estimate was determined. What is the net result of expenditure of County services and facilities required vs. the tax revenue generated?
 - e) Employment <Optional> Discuss the number of jobs that would be created by this use. Designate these positions as full time or part time. If possible, describe the salary ranges of the employees.
3. The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof. **You must note specifics from the plan/s giving reference to page number and section.** In support of the Comp Plan, include the following references at a minimum:
- a) CHAPTER TWO: (begins on page 13)
 - a. Issues and Opportunities
 - b) CHAPTER THREE: (begins on page 39)
 - a. Goals and Objectives
 - b. Land Use Descriptions – select the correct designation for your submittal and support the various bullet points as outlined.
 - c) CHAPTER FOUR: (begins on page 51)
 - d) The minimum strategies to address are the following. You may include others as you deem supportive of your application.
 - a. Economic Development (page 53)
 - b. Land Use (page 61)
 - c. Natural Resources (page 103)
 - d. Parks and Recreation (page 117)
4. List all other circumstances, factors, and reason which the applicant offers in support of the proposed amendment
- a. Traffic <Required> Document projected traffic generated by the use. Document current capacity for the road that serves this site (available for all/most roads from NCDOT). What kinds of traffic will this be (car, bus, truck, etc.) and what will be the peak time of day for the traffic? Do you anticipate changes to the speed limit on the principal service road for this site? Are modifications to the road system needed (e.g. a turning lane)? How will these road improvements be financed? A letter of opinion from NCDOT would be required if introduction of significant new traffic loads were expected or there is already a high accident rate at this location. Will the road(s) included in the County Thoroughfare Plan accommodate these anticipated requirements?
 - b. Visual Impact & Screening <Required> Describe the visual presentation of the completed project in context with the adjoining properties. How will fencing and/or plantings alter the future visual presentation?
 - c. Lighting <Required> Will there be lights associated with the use? This includes but is not limited to pole lights whether for security or decorative post mounted lights, lights on buildings/structures, landscape lighting, flood lights, etc. If so, describe the wattage, type, method of support (if on poles, give height of pole), and times of night the lights would be in use. What considerations and methods have been considered to the shielding of the light from adjacent properties? Are similar lights in use elsewhere that can be evaluated?
 - d. Noise <Required> Will there be noise generated by the use? If so, what will be the source of this noise? Provide an estimate of the level of noise in decibels at the property lines of the site. Provide the basis for this estimate. If the noise generated is anticipated to exceed the County Noise Ordinance, a permit must be requested and approved to exceed the ordinance requirements.
 - e. Chemicals, Biological and Radioactive Agents <Required>. Identify types and amounts of chemicals, explosives, biological and radioactive materials that will be utilized by the requested use. What is the estimated amounts of these agents that will be generated as waste; how will they be disposed? Identify the possible biochemical or radioactive hazards that may be associated with this use; how will these be handled? Identify the potential for emissions into the air. Identify the potential for discharges or runoff of liquids that would pollute the surface and/or groundwater sources.

- f. Signs <Required> Will the use include the display of a sign (advertisement or identification)? If so, describe the method of display, lighting, color, size, number and location on the site.
 - g. Emergency Services <Optional>
 - 1. Fire Protection - Document the impact on respective volunteer fire department's ability to service the site with the requested use. This should come from the Chatham County Fire Marshal as a letter.
 - 2. Police Protection - Document the impact to the Chatham County Sheriff Department's ability to provide protection for the site with the requested use. This should come from the Sheriff in the form of a supporting letter.
 - 3. Rescue 911 - Document the impact to rescue and ambulance ability to provide support to the site; provide approximate arrival time to site after a 911 call is placed.
 - h. Impact to surrounding Land Values <Optional> What will be the impact to surrounding land values as a result of the proposed use? Is this impact anticipated to change with time or create possible changes in use of the surrounding properties? Note that if the applicant does choose to provide this information to support the application, then the basis for the information must be provided. For example, if a real estate appraiser's opinion is presented, then the opinion is expected to be derived from an analysis of comparison sites with requested use, some other real estate study or survey.
5. All other information required on this application or as offered by the applicant in support of the request.
- a) Water Source and Requirements <Required>. How much water will the use require? What is the source of the water (county water or private well)? If the supply is to be supplied by the county, then with the help of the Public Works Dept. (542-8270) identify how the water connections are to be provided.
 - b) Wastewater Management <Required>. What is the wastewater capacity needs for this use? Specify the treatment and disposal methods to be used. WWTP, public (i.e. Aqua of NC), or private septic. If individual septic, provide septic improvements permit letter from the Chatham County Environmental Health Department. If other than individual septic systems are to be used, submit a plan for wastewater management. If system requires approval from NCDENR or Aqua of NC or any other state or public source, please provide preliminary approval towards getting approval.
 - c) Water/Sewer Impact Statement <Required>. All applications where a public utility is to be utilized, (water or sewer) must state clearly the amount of usage that is anticipated. The usage estimate must be validated by the County Public Works Director, along with an updated usage vs. capacity statement. The impact statement should provide a projection of the demand after the site is fully developed.
 - d) Access Roads <Required>. Describe the access to and from the site to public highways or private roadways. If the requested use will require a new driveway or enhancement to existing highway(s), address the following questions. If a new driveway access is part of the proposal, has NCDOT approved this access (include copy of the preliminary approval for a commercial driveway permit)? If the site is located on a road designated as a "major collector", is the site accessed by an existing or proposed service road? Describe any upgrades of public or private roads necessary to serve the property.
 - e) Stormwater Runoff <Required>. Detail the methods and various structures that will be used to control stormwater runoff. (If disturbing more than 20,000 square feet of area, a stormwater management plan must be submitted with this application) This information will detail all points of offsite discharge with design techniques used and projected impact on neighboring properties.

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: **DO NOT ROUND ACREAGE**

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

PLEASE SIGN THE MOST ACCURATE SIGNATURE OPTION BELOW (1, 2, OR 3)

(1) I hereby certify that **I am the owner or authorized agent of said property** and that the information provided is complete and the statements given are true to the best of my knowledge.



9/30/20

Signature

Date

Eric Joanou, OBO K & B Investment Corp.

Print Name

The owner must sign the following if someone other than the owner is making the application.

(2) I hereby certify that (please print) Justin Booth is an authorized agent for said property and is permitted by me to file this application.



9/30/20

Signature

Date

Eric Joannou, OBO K & B Investment Corp.

Print Name

(3) I acknowledge that **I am not the landowner OR authorized agent** of the property for which this application is being made, but I do live within the zoned area of the county.

Signature

Date

Print Name

FOR OFFICE USE ONLY

Application No.: PL20 201675

Date Received: 30September 2020

Payment Received: \$ 828.75

Check No. _____

Cash

Credit Card

Money Order

Janie Phelps

Planning Department

Revised June 2020 adp

Economic Development (ED) Recommendation 02:

1. Survey (attached)
2. Legal Description

LEGAL DESCRIPTION

BEING all that property shown and described in that survey drawn by W. G. Autry, RLS, dated September 28, 2013, entitled Performance Bicycle, and described as follows: Beginning at an iron, a control corner located at the Southern boundary of the right of way of Old Lystra Road and a common corner with the property now or previously owned by Billy C. and Judy Akridge, thence with the common line of the Akridge property South 03 degrees 00 minutes 00 seconds, West, 988.24 feet to an iron; running thence with the common line of the property now or previously owned by J. Ben Oldham Heirs, North 85 degrees 52 minutes 19 seconds West, 678.68 feet to a tree located on the corner; running thence with the common line of the property now or previously owned by Public Service Co. of NC, the following courses & distances: North 21 degrees 34 minutes 13 seconds East, 130.00 feet to an iron; thence North 38 degrees 44 minutes 44 seconds East, 70.09 feet to an iron; thence North 11 degrees 41 minutes 37 seconds East, 100.67 feet to an iron; running thence with the common line of the property now or previously owned by State Employees Credit Union with the following courses and distances: North 16 degrees 33 minutes 54 seconds East, 245.47 feet to an iron; North 14 degrees 55 minutes 43 seconds West, 446.20 feet to an iron located in the Southern boundary of Old Lystra Road; running thence along the Southern boundary line of Old Lystra Road South 89 degrees 46 minutes 54 seconds East, 661.55 feet to an iron, the point and piece of Beginning, and containing 13.15391 acres, more or less, in Chatham County, North Carolina.

Summary Attachment

1. NA

2a. There have been multiple requests from potential occupants to both the current owner and Chatham EDC about bringing investment and employment opportunities to this building. However, those requests are not able to be completed under the current zoning. A General Use rezoning to Light-Industrial increases the chances of a new business occupying a vacant building in the county with a similar previous use, while still fitting in with surrounding parcel uses.

2b. The building is in between two Neighborhood Centers identified on the Land Use Plan, is an existing building with a previous business use that was occupied for decades, next to a Conditional Use-Light Industrial Zoning, and adjacent to an important transportation corridor for the county.

2c. 15-501 is an important transportation corridor in the county which is why a previous distribution and warehouse business was located at the subject property. This rezoning would support this strategy. Apart from this, the building is existing and no other improvements are needed.

2d. NA - Tax

2E. Specific job numbers would depend on the type of future occupant, but given the size of the building a modest estimate would be about 50 new jobs to the county.

Item 3:

Issues and Opportunities – As the facility currently exists, the uses are limited. With a growing population and projected increase in population from 70,928 (page 14) to 128,327 (page 14) in 2040, the building will provide an employment hub for those moving to Chatham County. As it currently stands, the building could present an eye-sore to future residents and deter Community growth. Being located right off of US 15-501, one of Chatham County’s larger transportation corridors, we believe this

rezoning fits the Economic Development Strategy 2.3 from the Land Use Plan that states, “As demand warrants, consider zoning to allow distribution and warehouse uses along major transportation corridors, particularly US 421.”

The goal and objective of this re-zone would be to utilize existing infrastructure to support economic objectives. Given the building currently exists, the impact of development would not change, but the potential for job growth would increase to create a diverse tax base as outlined in item 4, of page 41 of the Chatham plan.

Given the building already exists, we have reached out to economic development on local and State levels to help assist in this process. On page 53, the big idea is to have 14,000 new jobs in Chatham County by 2040 (page 53). We are attempting to create approximately 50 jobs immediately with the re-zone of the subject property that directly supports Economic Development Recommendation 02 from the Land Use Plan to “increase employment opportunities across the County.”

Lastly, given the targeted areas in the county for Heavy-Industrial identified in the plan, we wanted to rezone to Light-Industrial to still increase employment opportunities, follow the goals of the plan, and better our chances to follow Economic Development Strategy 3.1 in the plan that expresses the desire to have a sustainable, clean industry occupy the building.

Item 4:

4a - Traffic – Building is existing, any changes depends on scope of new occupant.

4b – Visual Impact – Screening – Building is existing

4c – Lighting – Building is existing

4d – Noise – Building is existing. Noise will consist of trucks making delivery and employees arriving/departing office.

4f – Signs – Building is existing

4g – Emergency Services –

- a. Fire Protection – Sprinkler system exists
- b. Police Protection – As previously existed
- c. Rescue 911 – As previously existed

4h – Land Values – Improve Land Values because the facility will no longer remain vacant.

5.

5a. Municipal water currently exists. Facility is on a septic system.

5b. Facility Exists

5c. Facility Exists.

5d. Currently exists