



Chatham County Planning Board Agenda Notes

Date: March 2, 2021

Agenda Item: IX-1

Attachment #: None

- Subdivision Conditional Use Permit Rezoning Request
 Other:

Subject:	A Legislative public hearing for a general use rezoning request by Brendie Vega, on behalf of Moncure Holdings, LLC & Moncure Holdings West, LLC, to rezone in full or a portion of Parcel No's. 92884, 92883, 5604, 5620, 5321, 5814, and 92449, being approximately 249.036 acres total, from R-1 Residential, to IH Heavy Industrial, located off Old US 1, Pea Ridge Rd, Christian Chapel Church Rd, and Moncure Flatwood Rd., Cape Fear Township.
Action Requested:	See Recommendation
Attachments:	None

Introduction & Background:

A public hearing was held on February 15, 2021. Planning staff, Brendie Vega, representative for the property owner, Jason Kaplan, property owner, and Sam Rauf presented the item.

Donald Brown, a nearby property owner, voiced his concerns about the request for more industrial zoning and wanted to know why it was not done previously in 2018, what to expect, and had questions about the road.

Commissioner Dasher asked if his property was adjacent to the properties requested to be zoned, and they are not. He made the statement that these properties have been within the Moncure Megasite area since its inception.

Commissioner Howard asked where Mr. Brown's properties are in relation to the rezoning request. Staff displayed where Mr. Brown's properties are in relation to the request. They are about 1.3 miles south of the closest rezoning request off Moncure Flatwood Road.

Brendie Vega stated that their main goal is to set up the site to be more marketable. Sam Rauf gave input on behalf of the Economic Development Corporation that they are in support of the rezoning.

These properties are zoned IND-H, Heavy Industrial, and R1, Residential. The initial rezoning of the properties was approved on June 18, 2018 for 1670.45 acres to be zoned IND-H, Heavy Industrial. This area is identified as suitable for industrial use and is located within the Moncure Megasite Employment Center. The rezoning request is to rezone an additional 7 parcels, totalling 249.036 acres, from a split IND-H and R1 zoning, and R1 zoning, to IND-H, Heavy Industrial.

There are over 50 adjacent properties to the rezoning request. They include zoning districts of R1, Residential, IND-H, Heavy Industrial, and CU-IND-H, Conditional Use Heavy Industrial (McGill-Merry Oaks Composting Facility | McGill Environmental Systems).

Discussion & Analysis:

When considering a general use rezoning, all uses listed in Section 10.13 of the Chatham County Zoning Ordinance listed under the proposed zoning classification are permitted. However, due to possible limiting situations such as wastewater capacity, access to public utilities, impervious surface limits, etc., not all uses are feasible. The decision to approve a general use rezoning shall be determined by the following criteria.

- 1. Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment.** The applicant is not claiming any error in the ordinance.

It is the planning staff opinion that this standard has been met.

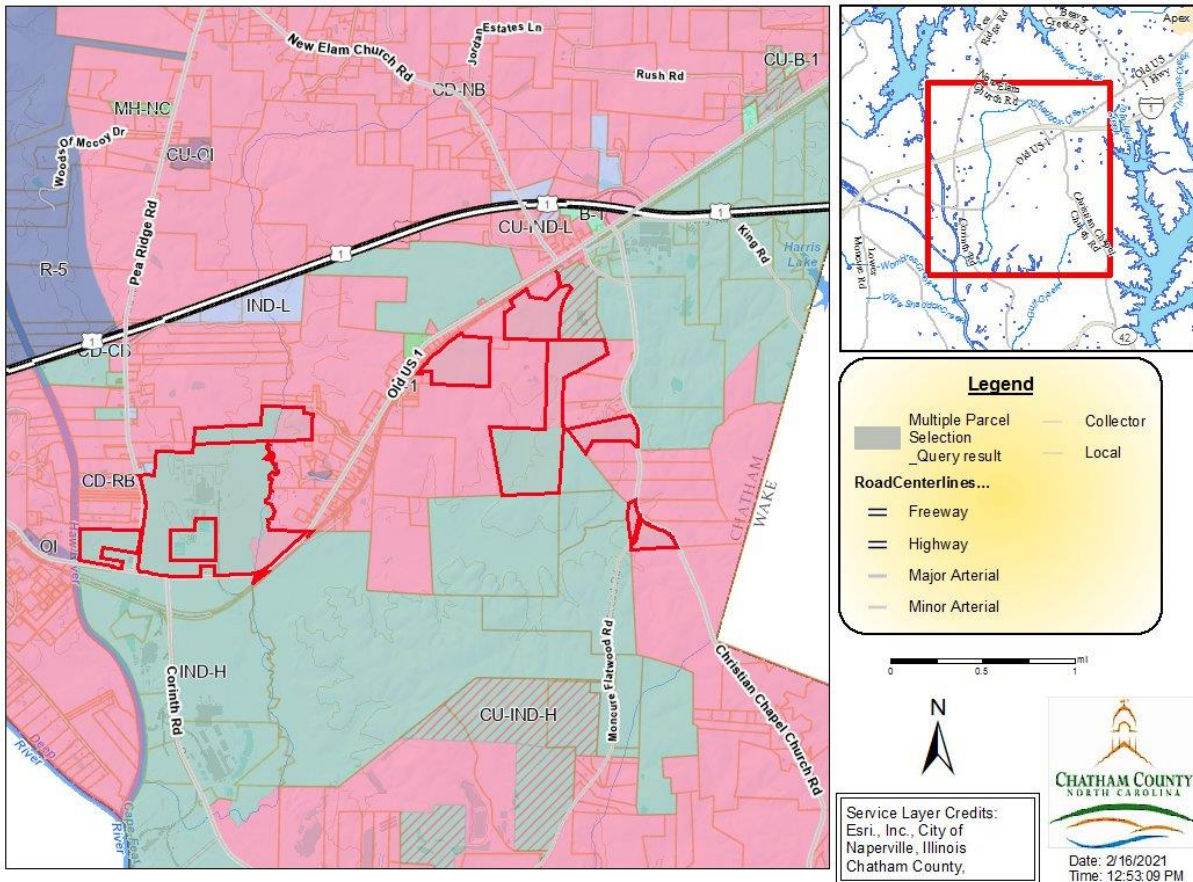
- 2. The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary.** The rezoning request is to bring the remainder of the properties controlled by the applicants into the same entitlements and zoning classifications as the existing neighboring similar use in proximity to the subject site. This will give Chatham County an opportunity to diversify its heavily agriculture-based economy and workforce to include a major employment center where a skilled workforce can blossom.

The properties are included, or are in close proximity, to multiple Employment Center nodes on the Comprehensive Land Use Plan, as well as existing IND-H, Heavy Industrial zoning districts. The amount of land of the properties surrounding the rezoning request are about even between R1, Residential, and IND-H, Heavy Industrial.

It is the planning staff opinion that this standard is met.

The following map shows the current zoning and the areas surrounding the parcel.

Zoning



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. The applicant states that by rezoning these properties to IND-H, Heavy Industrial, an influx of employment opportunities will enable residents to live and work in the County rather than commute to surrounding metropolitan areas. Objectives 4-7 and 10 of the Comprehensive Land Use Plan are proposed to be met. These are:

- 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 (Objective 4).
- Conserve natural resources (Objective 5).
- Provide recreational opportunities and access to open space (Objective 6).
- Provide infrastructure to support desired development and support economic and environmental objectives (Objective 7).
- Foster a healthy community (Objective 10).

These properties are within, or within close proximity to the Employment Center identified on the Comprehensive Land Use Plan Map.

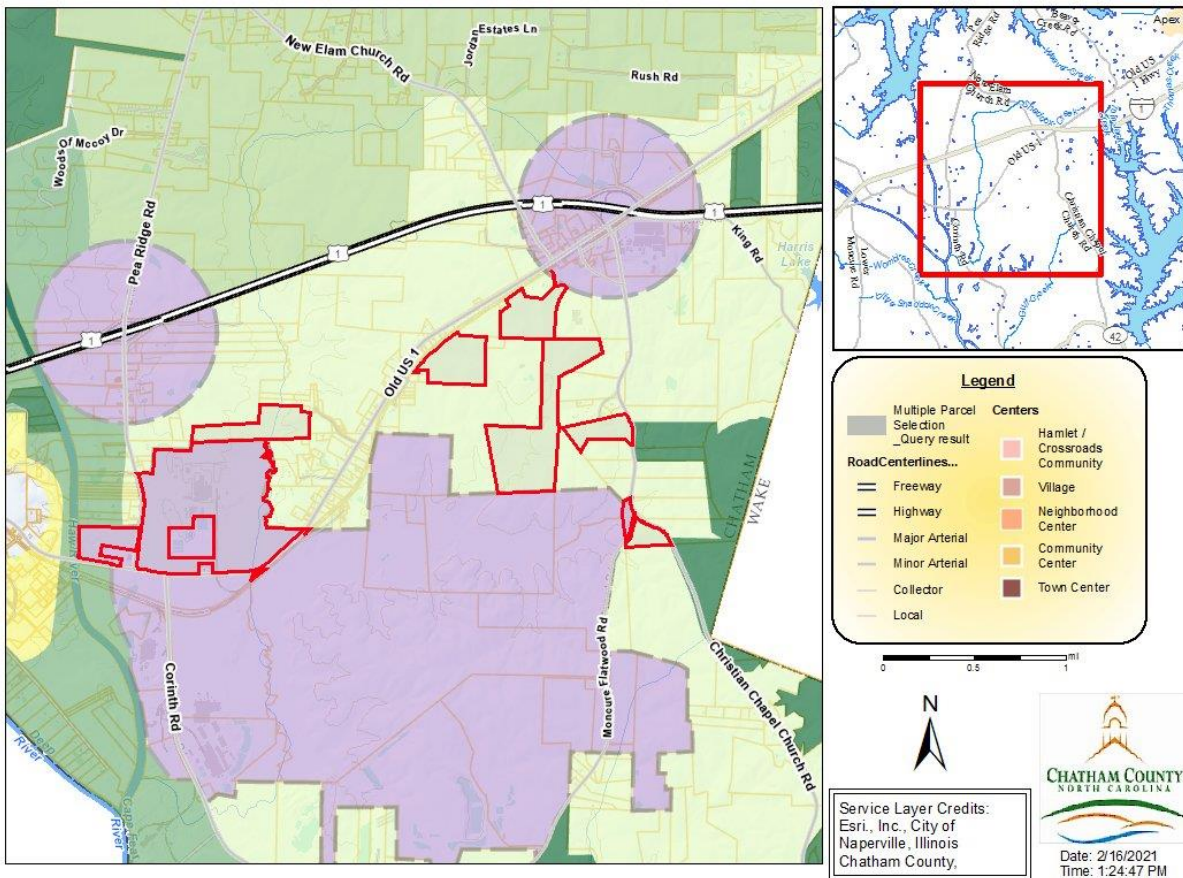
Several sections and policies of the Comprehensive Land Use Plan are referenced that support the rezoning request:

- Economic Development
 - Policy 2: Encourage growth in designated Employment Centers, towns, and other appropriate locations.*
 - Policy 3: Continue to develop and promote the Chatham-Siler City Advanced Manufacturing (CAM) Site and the Moncure megasites to ensure future job creation in the County.*
 - Policy 5: Strengthen Chatham EDC's capacity to carry out business retention, recruitment, workforce development, and data gathering and dissemination activities.
- Land Use
 - Policy 4: Support future transit through land use decisions.
 - Policy 5: New development should demonstrate design principles that preserve rural and small town character.
 - Policy 12: Work toward an open (clear/concise) and cooperative approve to land use planning and regulation.
- Natural Resources
 - Policy 1: Ensure the long-term quality of water resources.
 - Policy 2: Protect and improve site level green infrastructure.
- Parks and Recreation
 - Policy 2: Address recreational and open space priorities through planning efforts.
 - Policy 3: Increase the number and mileage of trails and greenways.

It is the planning staff opinion that this finding is met.

The following map shows the Future Land Use Plan Map.

Future Land Use Map



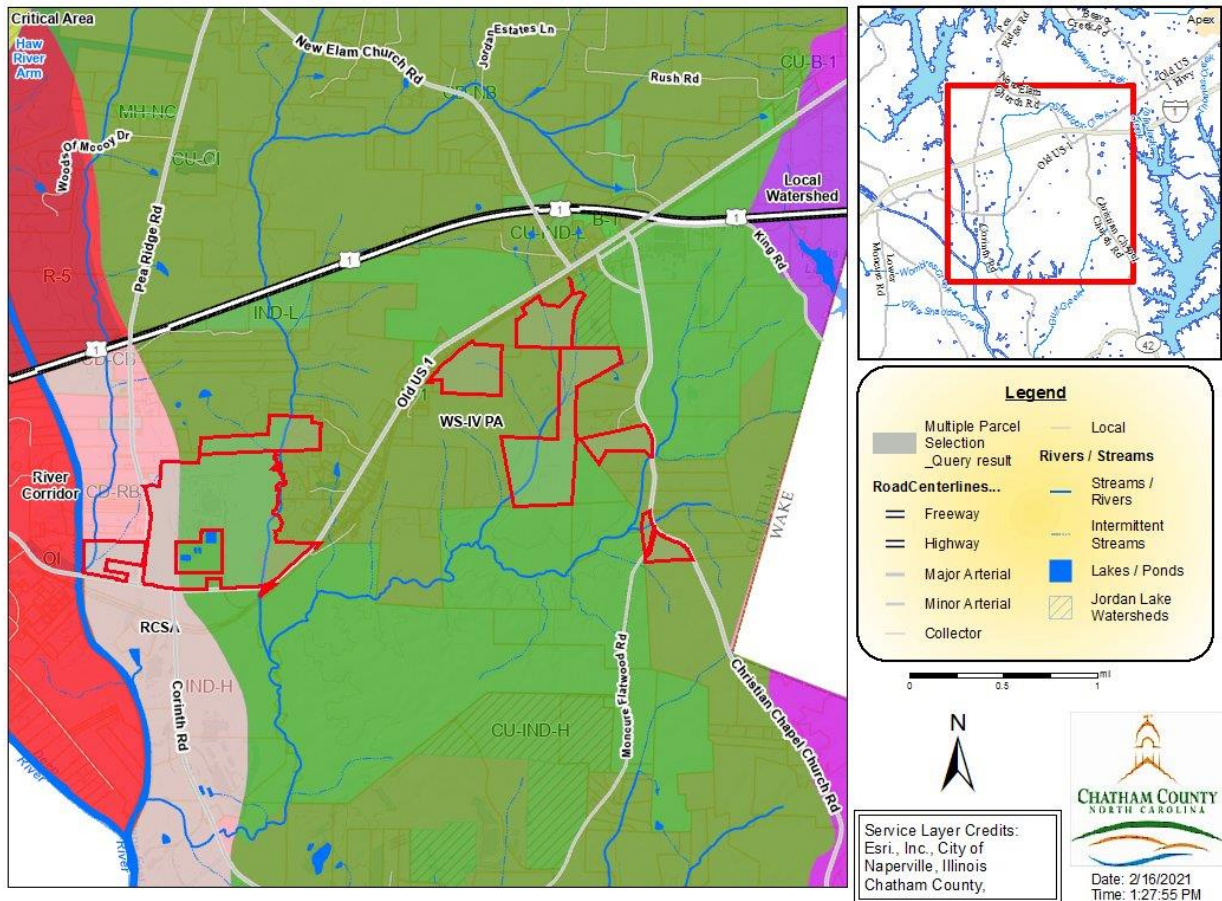
4. **List all other circumstances, factors, and reason which the applicant offers in support of the proposed amendment.** There is no proposed tenant with this request, but once a developer is interested, all regulations will be followed in accordance with what is required. The applicant states that when the site is to be developed that Sections 10, 12, 13, and 15, along with any other applicable regulations, will be met.

The properties are within RCSA and WS-IV PA watersheds. There is another item from the applicant for a text amendment to the Watershed Protection Ordinance, which is being reviewed by the WRB/ERAC committee. That amendment is to revise the boundary of the area where the 10/70 rule can apply to the Moncure Megasite properties. The 10/70 option was approved by the Board of Commissioners for the Moncure Megasite in October 2016.

It is the planning staff opinion this finding will be met.

The following map shows the watershed classifications.

Watershed



5. All other information required on this application or as offered by the applicant in support of the request. Future development will coordinate with the Public Works Department in order to ensure appropriate water connections are planned and provided. The site will be served by the Regional Airport Sewer Extension Project that is currently under construction. It is anticipated that this sewer connection will provide sufficient service to the site, and permits are in place allowing the discharge of up to 244 thousand gallons per day. Due to the size of the megasite, there will be a variety of internal road improvements through and between the subject parcels. Stormwater and erosion control will be controlled in accordance with the Watershed Protection Ordinance. A 100 foot minimum vegetative setback on both sides of perennial streams and Best Management Practices will be incorporated to minimize water quality impacts.

It is the planning staff opinion this finding will be met.

Based on all standards being met, or will be met, it is the opinion of the planning staff the request for general use rezoning be recommended for approval.

Recommendation:

The Planning Board has up to three meetings in which to make a recommendation to the Board of Commissioners on whether to recommend approval or denial of the rezoning request.

Should the recommendation be for approval, a consistency statement has been provided below for consideration.

The rezoning in whole, or portions, of Parcels 5321, 5604, 5620, 5814, 92449, 92883, and 92884 is consistent with the Comprehensive Land Use Plan of Chatham County by encouraging growth in designated Employment Centers, towns, and other appropriate locations (page 55). This request is also supported by continuing to develop and promote the Chatham-Siler City Advanced Manufacturing (CAM) Site and the Moncure Megasites to ensure future job creation in the County (page 55).