

REQUIRED INFORMATION FOR VICKERS VILLAGE CONDITIONAL DISTRICT
COMPACT COMMUNITY REZONING

ZONING ORDINANCE SECTION 5.3(A)(1-6)

JULY 2021

INTRODUCTION

Applicant seeks to rezone its +/- 101 acres of real property (the “Property”) from R-1 to a Conditional District-Compact Communities (“CD-CC”) zoning district in order to allow the Vickers Village compact community envisioned by its owners to come to life. This mixed-use compact community will be an excellent addition to the range of living options available to present and future Chatham County residents. Vickers Village will be a walkable, vibrant, beautiful residential living village.

The maximum number of residential units allowed within Vickers Village will be 203 residential units based on the two units per acre density allowance under the Compact Communities Ordinance. Vickers Village is presently designed for 181 townhome/single family lots, plus 15 possible condominium units over retail. Those amounts may change depending on development variables but, in any event, there will be no more than 203 residential units. Applicant submits the following narrative in support of the information required under Section 5.3(A) of the Chatham County Zoning Ordinance.

ITEM NUMBER 1: The alleged error in the Ordinance, if any, which should 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.

The requested Conditional Use-Compact Community is allowed under Section 10.11 of the Chatham County Zoning Ordinance. Thus, this justification is not required for this application.

ITEM NUMBER 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.

The most significant changed condition has been the Planning Staff’s and this Board’s historic and successful drafting and adoption of a Comprehensive Land Use Plan known as “Plan Chatham,” adopted in November 2017. Plan Chatham, a strategic guide for future land use decisions, was adopted after almost two years of an interactive, community-wide process of determining the appropriate planning “road map” for the County. The Vickers Village project is ideally planned and conceived to meet the goals, vision, strategies and objectives laid out in Plan Chatham.

Another changed circumstance is that, coming out of the housing recession, the County has given new focus on the need for alternative housing options other than just single-family,

detached residential dwellings that have comprised the vast majority of residential growth in northeastern Chatham County since at least the late 1980's. See further discussion below under Item Number 3.

Vickers Village is located essentially in the midst of the Briar Chapel Compact Community, which has fully developed residential and commercial ("The Veranda" commercial center) components just across Highway 15-501 from Vickers Village and the highway commercial elements (SD-West and SD-East) in process just to the south of the Property. That project is nearing final buildout. As such, Vickers Village is a perfect fit for an additional compact community that will add to the mix of residential and commercial elements in this portion of Chatham County.

A. NEED AND DESIRABILITY. Vickers Village is both needed and a desirable addition to the neighborhood landscape along U.S. 15-501.

1. Market Analysis: See attached **EXHIBIT 3** ("Vickers Project Market Analysis" by Yule Group). The Market Analysis goes into extensive detail to support the housing demand and the estimated absorption rate of the residential (p. 27) and likely commercial offerings (pp. 32-33) of Vickers Village.
2. Fiscal Analysis: See attached **EXHIBIT 4** ("Vickers Bennett Fiscal Impact Assessment"). The Fiscal Impact Analysis goes into great detail about the positive fiscal impacts of the Vickers Village on the County. In summary, at full buildout, it is anticipated that the desirable fiscal impacts will be as follows:
 - Real property tax base increase of **\$63,700,000**
 - New Chatham County property tax revenue of **\$453,000**
 - Total new Chatham County annual revenues of **\$531,000**
 - Educational Impact Fees: **\$646,500**
 - Recreation Fees: **\$166,680**
3. Environmental Benefits: As a compact community, Vickers Village will permanently protect approximately 37% of the total acreage as conserved open space, including the +/- 11 acre hardwood forest. The combined natural and managed open space will comprise 75% of the total acreage, portions of which will be dedicated to walking trails and active recreation areas.
4. Meeting Housing Needs: Vickers Village is carefully planned to meet a portion of the residential housing market that is significantly underserved in northeast Chatham County; namely, the smaller single family home and the townhome market, while also supplying affordable housing opportunities in accordance with the Compact Communities Ordinance. Vickers Village will include 111

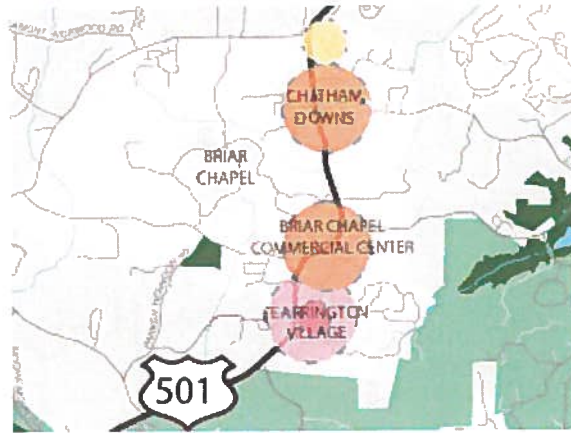
townhomes divided into larger and smaller townhomes. In addition, Vickers Village will create +/- 70 single family lots located within proximity of the townhomes for maximum community integration. In addition, the commercial area may have +/- 15 residential condominium spaces above the retail/commercial building(s).

- B. SURVEY OF SIMILAR USES. Between the Haw River and the Chatham/Orange County line there is scant availability of townhomes. Briar Chapel is offering townhome products in its most recent phase but it is anticipated that the Briar Chapel townhome product will be closed out before the Vickers Village product comes to market. Northeast Chatham County currently lacks a community that combines small single family homes, townhomes and a commercial area within easy walking distance of those homes. Vickers Village will be the first such integrated community of its kind in that area. Please see the Market Analysis attached as **EXHIBIT B** which provides significantly more detail in this regard.
- C. PUBLIC PROVIDED IMPROVEMENTS. The County will not need to provide any new public improvements in support of this site. The developer will install all of the internal waterlines which connect to the Chatham County water line located on 15-501. The State-regulated private utility will provide the wastewater infrastructure needed for the project in accordance with State issued permits.
- D. TAX CONSIDERATIONS. See Item A(2) above regarding Fiscal Impact Analysis as well as the analysis itself attached as **EXHIBIT 4**.
- E. EMPLOYMENT. The Fiscal Analysis estimates that Vickers Village will create approximately 49 permanent employment opportunities. If the zoning were to remain R-1 and not allow the commercial component, those jobs would not be created. See **EXHIBIT 3, TABLE 2**.

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

A. INTRODUCTION. Because of its location and design, Vickers Village is ideally situated to carry out the intent and many of the purposes of Plan Chatham, the Comprehensive Plan 2017, adopted by the Board of Commissioners in November 2017. Plan Chatham includes a Future Land Use and Conservation Map (the "Future Land Use Map") that steers different types of growth into specified locations in the County.

Vickers Village, a compact mixed-use community, is located in the heart of the area reserved by the Future land Use Map for mixed-use, compact communities:



LEGEND

 TOWN CENTER	 VILLAGE & VILLAGE CENTER	 RURAL
 EMPLOYMENT CENTER	 CROSSROADS COMMUNITY	 AGRICULTURE
 COMMUNITY CENTER	 COMPACT RESIDENTIAL	 CONSERVATION
 NEIGHBORHOOD CENTER	 ETJ	 PARK / PROTECTED LANDS

The Future Land Use Map shows that the Vickers Village Property is located precisely within the area the Board of Commissioners designated for “Compact Residential” (light yellow on the map) and mixed use Community Centers (orange circle on the map). **SEE EXHIBIT 2A attached behind this Narrative.**

Plan Chatham envisions mixed-use to be a significant land-use designation to be used in Chatham County. In fact, the Plan calls for “zoning districts that accommodate mixed-use development at various scales” and an “update of the ordinances” to implement its goals and objectives.

B. PLAN CHATHAM CHAPTER 2: ISSUES AND OPPORTUNITIES

Chapter 2 addresses the problem of housing mix disparities in Chatham County. There is a severe lack of townhomes in Chatham County. As of 2014, townhomes in Chatham County comprised only 5% of the total housing units in the County and there are more than three times that many mobile homes in the County. (*Plan Chatham*, p.25). The Comprehensive Plan puts an emphasis on changing that allocation and increasing residential density in certain targeted locations such as the Vickers Village location. (*See Plan Chatham Community Center and Compact Residential descriptions*, p. 47, p. 63, p. 73, p. 127). Vickers Village will go a long way toward helping correct that imbalance by adding up to 111 townhome units.

Chapter 2 also addresses the ideal locations within the County for future retail/shopping locations. (*Plan Chatham*, p. 22). Vickers Village is in the heart of the area shown as the “High”

preference area for retail businesses on the Retail/Shopping Preference Map included in Plan Chatham (*Plan Chatham*, p.22).

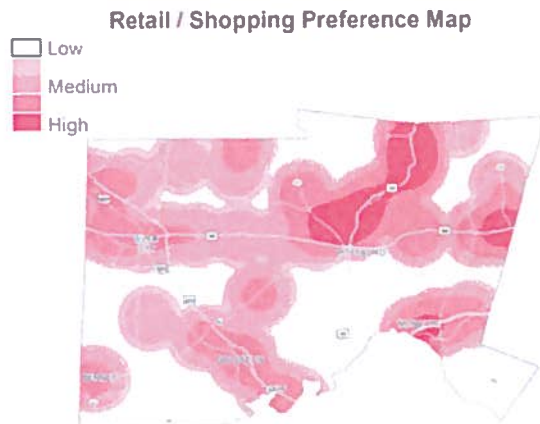


FIGURE 4. RETAIL/SHOPPING PREFERENCE MAP

Chapter 2 addresses Infrastructure, the Environment and Parks/Health. (*Plan Chatham*, pp. 30-37). Vickers Village will not unduly tax existing and planned the infrastructure in that it has received a “will serve” letter from Chatham County Water and from Aqua North Carolina (sewer) for provision of potable water and wastewater treatment. Vickers Village will be improving the transit map by creating a future Chatham Transit bus stop location suitable for transit stops. In addition, Vickers Village will provide access to reliable high-speed internet. (*Plan Chatham* p. 31).

With respect to Employment and Income (*Plan Chatham*, pp. 15-16), Vickers Village helps to alleviate the concerns regarding local job opportunities and out-commuting for employment. The attached Fiscal Impact Assessment performed by Lucy Gallo of Development Planning and Financing Group, Inc., shows that at buildout, Vickers Village is anticipated to create 48 direct, onsite permanent jobs in Chatham County. By creating local jobs and simultaneously attracting residents to the County, Vickers Village should help to begin to reduce the Plan Chatham figure of 57% of Chatham workers out-commuting to jobs outside the County. This will also have the effect of increasing the daytime demand for goods and services sold and provided within the County. (*Plan Chatham*, p. 16).

With respect to issues regarding the environment (*Plan Chatham*, pp. 33-35), Vickers Village will conform to the most recent Chatham County required environmental standards in all respects. Current stormwater and erosion control ordinances will be applicable to the project. Stormwater collection will be addressed through the use of accepted Stormwater Control Measures (SCMs) described in the NCDEQ Stormwater Design manual. Per applicable design standards, the following are accepted BMP options: stormwater ponds, bio-retention basins and/or constructed wetlands. Per applicable standards, the post development peak flow discharge rates

shall not exceed the pre-development peak discharge rates for all storms up to and including the 25-year, 24-hour event; the project will capture, and treat the runoff volume produced from the 1-year storm event; and the designed SCMs will remove 85% of the average annual Total Suspended Solids (TSS) from the development produced runoff. Likewise, this project will have a remarkably large amount of open space (*Plan Chatham, p. 35*). Only 24% of the acreage will be developed, leaving 76% of the 101 acres as conservation, common area, riparian buffers and/or open space.

With regard to Parks and Health (*Plan Chatham, p. 36-37*), Vickers Village will be an excellent addition. Whereas only 17% of Chatham residents are located within a half mile of a trail or park, Vickers Village will provide immediate access for all of its residents to a network of trails as shown on the site plan. The trail network will meander through the open and conservation space making it both a trail and a park-like use and experience.

Vickers Village meets many of the Issues and Opportunities set out in Chapter 2 of the Plan Chatham document. Because it is a mixed use community, it is uniquely positioned to meet more of the goals and plans of Plan Chatham than any other singular-use type of project. Vickers Village will help carry out the intent and purposes of Plan Chatham.

C. PLAN CHATHAM CHAPTER 3: GOALS/OBJECTIVES AND LAND USE DESCRIPTIONS

- Goals and Objectives. Vickers Village helps to fulfill many of the Goals and Objectives set out in Chapter 3 of Plan Chatham. The following table lays out many of the Goals and Objectives, showing the ways in which Vickers Village meets them.

GOAL	OBJECTIVES MET	PLAN CHATHAM PAGE REF.	FEATURE
Preserve the rural character and lifestyle of Chatham County (Objective #1)	Rural character in balance of County preserved by concentrating density in approved locations	p. 41	Approximately 38 acres in natural space
Promote a compact growth pattern by developing in and near existing towns, communities <u>and in designated, well planned, walkable mixed use centers</u> (Objective #3)	<p>“Strive to locate 70% of new development within ETJ’s or <u>designated County centers.</u>”</p> <p>“Reduce impact to natural resources”</p>	p.41	<p>Vickers Village located in the heart of one of two Community Centers designated on the Future Land Use and Conservation Map</p> <p>38 acres of natural area</p>

Conserve natural resources (Objective #5)	“Acres of protected land” “number of acres of conservation land or forested land cover along rivers and streams”	p. 42	Approximately 38 acres in natural areas; riparian buffers
Provide recreational opportunities and access to open space (Objective #6)	“Provide expanded rec. opportunities and improve access to . . . community facilities, trails and open space	p.42	On-site trail network of trails and up to 70 acres of open space
Provide infrastructure to support desired development and support economic and environmental objectives (objective #7)	“Create multi-modal transportation system” “Number of new residential water wells vs. public water system customers”	p.42	Transit stop provided All customers will be Chatham County municipal water customers
	“New septic tanks vs. private wastewater systems” “Transit ridership” “Percentage of homes and businesses with internet available”	p. 42	No new septic. All wastewater treated by private wastewater system Two transit stops 100%
Adapting to emerging threats (Objective #8)	“Acreage of forested woodlands”	p. 43	Approximately 38 acres in natural areas
Provide equitable access to high-quality education, housing and community options for all (Objective #9)	“Provide housing and community options (types, locations and prices) for all ages and incomes	p.43	Providing much-needed townhome alternative to proliferation of single-family dwellings and located within minutes of three elementary schools, two middle schools, two high schools and a community college campus

Foster a healthy community (Objective #10)	“Support active lifestyles (walking and biking as transportation options)”	p. 43	Network of sidewalks and trails within the community
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2. Future Land Use and Conservation Plan (and Map)(pp. 44-45).

One of the “Major Recommendations” of the Plan is to “Concentrate future growth in compact, walkable development, located in existing municipalities as well as existing and planned growth areas.” Without a doubt Vickers Village is in the heart of the planned growth area on the Future Land Use Map and is the exact kind of “compact, walkable development” envisioned with this Major Recommendation. (*Plan Chatham*, p. 44).

3. Land Use Descriptions (pp. 44-49):

The very first element of the definition of Community Centers, as defined in Plan Chatham, is: “retail hubs located along key roadway corridors.” Vickers Village is certainly a retail hub along the key roadway corridor of 15-501. In addition to allowing retail at this location, it specifically contemplates mixed use projects as well, including, “retail, restaurants, services and offices uses” along with “residential units” including “attached units.” (Plan Chatham, p. 47.)

In addition to being within the Community Center circle on the land use map, Vickers Village is also within the heart of the “Compact Residential” area designated on the land use map. (Plan Chatham, p. 45). Within the Compact Residential area, Plan Chatham calls for, among other things, “a mix of uses” including “single family detached and attached units and some multifamily units.” Since Vickers Village is within both the Community Center location and the Compact Residential location on the land use map, it cannot be denied that the proposed uses within Vickers Village (retail/office/commercial, attached and detached residential) are consistent with the Comprehensive Plan.

Very importantly, this application squares perfectly with the categorical statement in the Comprehensive Plan that “Zoning parcels in a manner that is consistent with the Land Use and Conservation Plan is one of the most effective ways of implementing Plan Chatham and realizing the vision.” (Plan Chatham, p. 45, emphasis added). Applicant is requesting precisely that: rezoning the Vickers Village property to CD-CC so as to allow a compact community that is consistent with Plan Chatham.

D. PLAN CHATHAM CHAPTER 4: ECONOMIC DEVELOPMENT, LAND USE, NATURAL RESOURCES, PARKS AND RECREATION, TRANSPORTATION

1. Economic Development Goals. (Plan Chatham pp. 53-59).

Plan Chatham seeks to diversify the tax base, create economic opportunity and reduce out-commuting. (Plan Chatham p. 53). Vickers Village helps to meet those goals by: (a) increasing the commercial tax base; (b) generating increased, annual property tax revenue of approximately \$453,000; (c) generating total annual Chatham County revenues of \$531,000; (d) generating impact fees of \$646,000; (e) generating recreation fees of \$166,680; (f) generating North Chatham Fire District revenues of \$73,000; (g) creating approximately 48 new, permanent jobs within the development and therefore reducing out-commuting and sales tax leakage. (See Fiscal Assessment, **EXHIBIT 3**).

2. Land Use Goals (Plan Chatham, pp. 61-69)

The principal goal set forth in the Land Use Plan Element section of Plan Chatham is that 70% of new development should be directed to municipalities “or near county centers.” This is a reference to “community centers” such as the Briar Chapel Community Center at the Vickers Village location. (*Plan Chatham*, p. 61). Further, Community Centers such as this one are “to be developed for larger scale commercial, office and mixed use developments.” (*Plan Chatham*, p. 62, *Strategy 2.1, emphasis added*). This directive to locate mixed use projects within Community Centers is also evident in Land Use Policy 3. (*Plan Chatham*, p. 63).

Land Use policy 4 (Support future transit) and the related Strategy 4.1 (“recognize opportunities for the incorporation of future transit stops”) is met by Applicant’s incorporation of the future transit stop within Vickers Village. (*Plan Chatham*, p. 65).

Land use Policy 6 and Strategy 6.1 are met by locating this “highway commercial” within the appointed Briar Chapel Community Center area shown on the Land Use map (*Plan Chatham*, p. 67).

Likewise, Land Use Policies 9 (limited development in conservation areas) and 10 (integrated open space in new development) are both met by Vickers Village. There will be approximately 58 acres of conservation area with no vertical development and only a trail network amenity. The open space will all be accessible by pedestrians.

3. Natural Resources (Plan Chatham, pp.103-109)

Vickers Village helps to meet natural Resource goals set out in Plan Chatham. The Vickers Village site plan meets Strategy 1.1 by maintaining the riparian buffers

required by the current Watershed protection ordinance and by having no roadway stream crossings.

Strategy 3.1 (*Plan Chatham, p. 107*). There are no Natural Heritage natural Areas within the Vickers Village project (See attached EIA).

Recommendation 5 (*Plan Chatham, p. 109*). Vickers Village “improves access to natural areas” by creating approximately 38 total acres of natural area and by including a trail network within such areas. See Site Plan.

4. Parks and Recreation (Plan Chatham, p. 117-124)

Vickers Village helps to meet the PR Policy 3 of “increasing the number and mileage of trails and greenways.” (*Plan Chatham, p. 122.*) See site plan for trail network within the project.

5. Transportation (Plan Chatham, pp. 125-135)

Vickers Village helps to achieve Transportation Policy 2 and Strategy 2.2 by ensuring that new development “is appropriately supportive of existing or future transit service.” Strategy 2.2 seeks to “encourage the inclusion of transit accommodations within new developments” at planned Community Centers. (*Plan Chatham, p. 127*). Vickers Village will include a future transit stop for Chatham Transit Network on its site plan.

E. LAND USE ACTION ITEMS: ACTION ITEM 01:

The first and most prominent Land Use Action Item within Plan Chatham (“Action Item 01”) states: “Facilitate well-designed mixed use developments in appropriate locations” (Plan Chatham, p.145). Action Item 01 contemplates a mixture of commercial and residential uses, precisely as proposed by this application. It expressly requires “allow[ing] more residential uses in some of the non-residential districts.” (*Plan Chatham, p. 145*).

As is set forth in great detail above, Vickers Village is specifically designed and intended to carry out the intent and purpose of the Comprehensive Plan and, thus, easily meets Information Item #3.

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

A. Traffic. Please see the peer reviewed Traffic Impact Analysis. EXHIBIT 5.

B. Visual Impact and Screening. The commercial area along the highway and Jack Bennett road will be screened in accordance with the attached Landscaping Plan

which was reviewed and approved by the Chatham County Appearance Commission on June 23, 2021.

- C. Lighting. All requirements of Section 13 of the Chatham County Zoning Ordinance regarding lighting standards will be complied with. Exterior commercial lighting will be comprised of full cut-off fixtures.
- D. Noise. See EIA peer reviewed and submitted with this application. No unusual noise levels inconsistent with a development of this type are anticipated. **EXHIBIT 7.**
- E. Chemicals, Biological and Radioactive Agents. None anticipated.

ITEM NUMBER 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. See attached Will-Serve email from Chatham County Water. **EXHIBIT 8.**
- B. Wastewater Management. See attached Will-Serve letter from wastewater utility. **EXHIBIT 9.** Wastewater capacity required is anticipated to be approximately 50,000 g.p.d.
- C. Water/Sewer Impact Statement: Need estimates of total usage of water/sewer at buildout.
- D. Access Roads. Vickers Village will have one access point on each of U.S. Highway 15-501, Vickers Road and Jack Bennett Road, each as depicted on the site plan. See attached TIA.
- E. Stormwater. See site plan for stormwater management pond locations. See Stormwater Management Plan submitted with this application. All applicable stormwater management requirements will be complied with. **EXHIBIT 12.**