



Chatham County Planning Board Agenda Notes

Date: October 4, 2022

Agenda Item: VIII-1

Attachment #: None

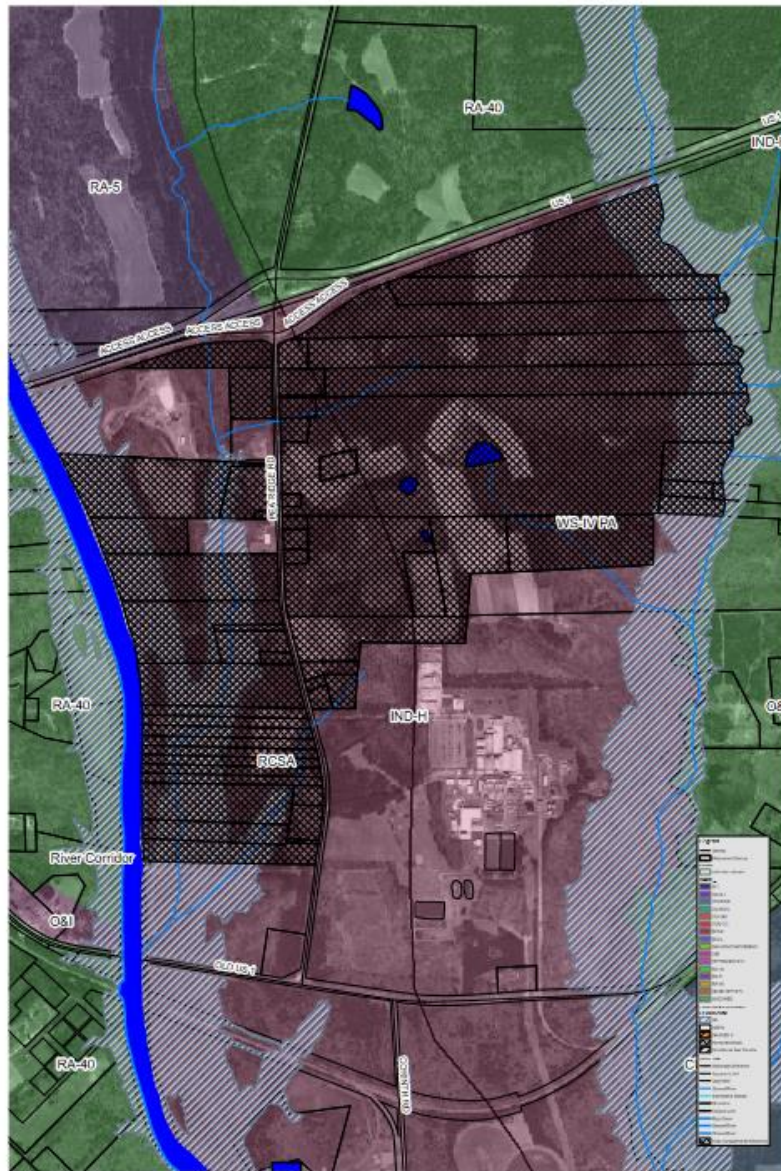
- Subdivision Special Use Permit Rezoning Request
 Other:

Subject:	A legislative public hearing for a rezoning request by Jody Leidolf for Edward Holmes, Jr., on Parcels 5151, 5811, 68060, and 5258, totaling 18.2 acres, from R-1 Residential and CD-CB to general use NB Neighborhood Business, located at 1213 Pea Ridge Rd and 0 Pea Ridge Road, Cape Fear Township.
Action Requested:	See Recommendation
Attachments:	Application materials can be viewed in their entirety at www.chathamcountync.gov/planning under Rezoning and Subdivision Cases, 2022

Introduction & Background:

A legislative public hearing was held September 19, 2022. Planning staff and Mr. Holmes presented the request. No others spoke on the matter.

In 2007, Chatham County Commissioners initiated a rezoning of multiple parcels totaling 533 acres along this portion of Pea Ridge Road from Industrial Heavy to Residential. The area was zoned Industrial Heavy in 1990 and in the ensuing years there were requests to construct a church, campground, and single-family dwellings all of which were denied because they weren't allowed in an industrial zoning district. This rezoning included four of the applicant's parcels which were previously owned by his father and an additional property that was rezoned for a gold cart sales and service facility. A map of the parcels that were rezoned from Industrial Heavy to Residential 1 follows.



Prepared by the
Chatham County
Planning Department
February 2007

Properties Under Consideration for Rezoning

1 inch equals 612.50 feet

Chatham County Planning Department
2007
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Since that time, the county has approved rezoning property for the Moncure Mega site and been seeking industries to locate there. Currently, a FedEx Distribution warehouse and VinFast car manufacturer are approved to develop.

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.
2. **The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary.** Changing conditions in the Moncure area over the last couple of years has sparked multiple interest in rezonings. Projects approved within the last 4-5 years:

Carolina Murugan Temple off First Rd

The Conservancy at Jordan Lake off Old US 1

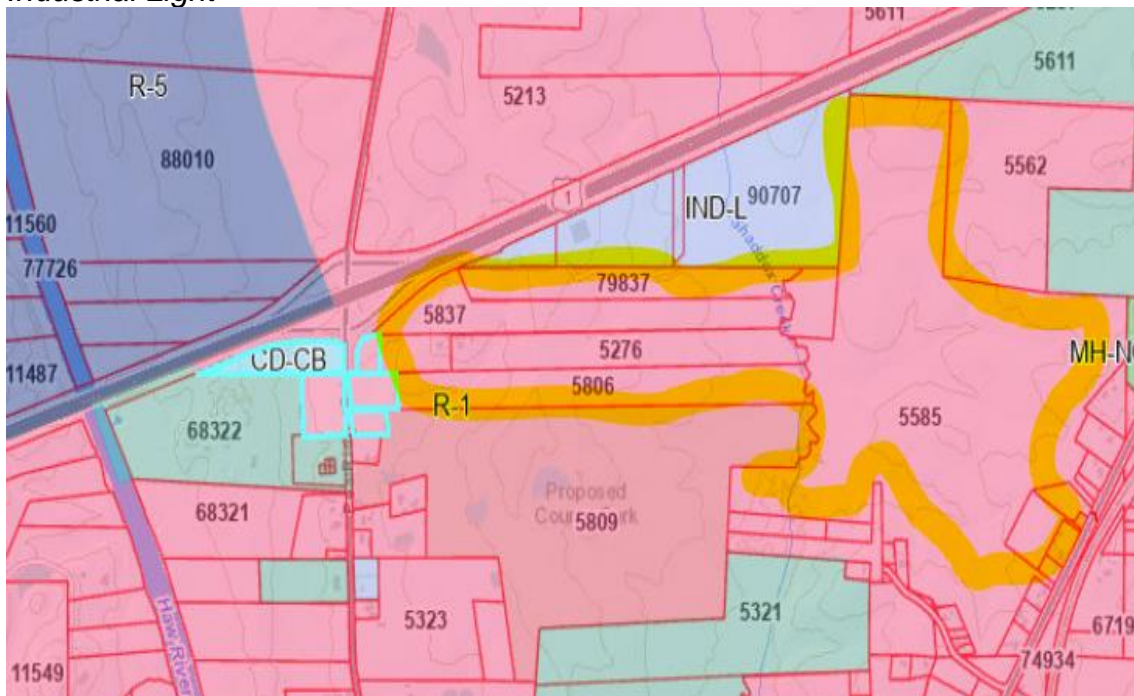
FedEx Distribution Terminal off Pea Ridge Rd

Parcel for Duke Energy for the TIP East area

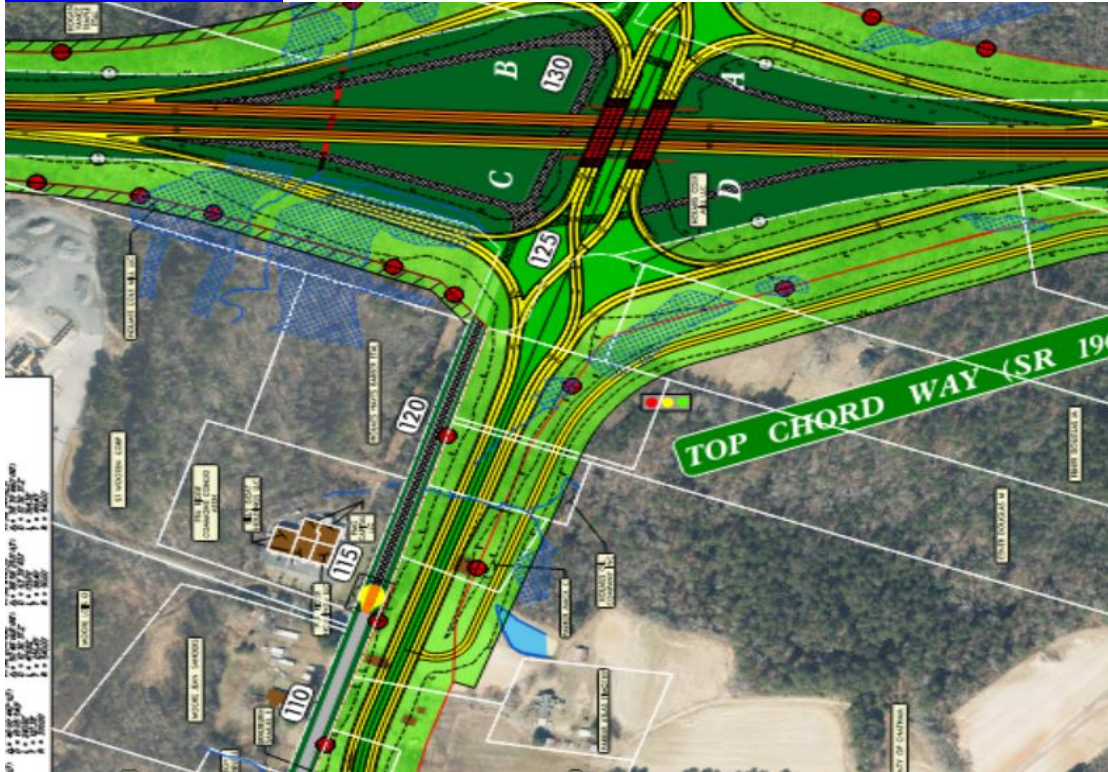
VinFast Auto Manufacturer off the Moncure Loop Rd and Old US 1

However, this request is for Neighborhood Business in hope of offering opportunities for goods and services to be available near the industrial zoning. Currently, there is one convenience store with fuel and a community market near this area.

Below is the zoning map of the area. The light blue outline are the parcels associated with this request. The parcels outlined in yellow are also going through the rezoning process for Industrial Light



The below map shows proposed new road configurations from NCDOT, Phase 2, that will affect Pea Ridge Road, Old US 1 and US 1. More information about the proposed road improvements is available on the following website: <https://publicinput.com/Chatham-TIP-road-Improvements>.



Also noted in the below map, there are stream and wetland features that have been identified by an independent consultant at the request of the applicant. Current FEMA flood maps do not extend the survey area to these parcels but it appears these could be an extension of the special flood hazard area. These areas cannot be developed and shall require buffers



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.**

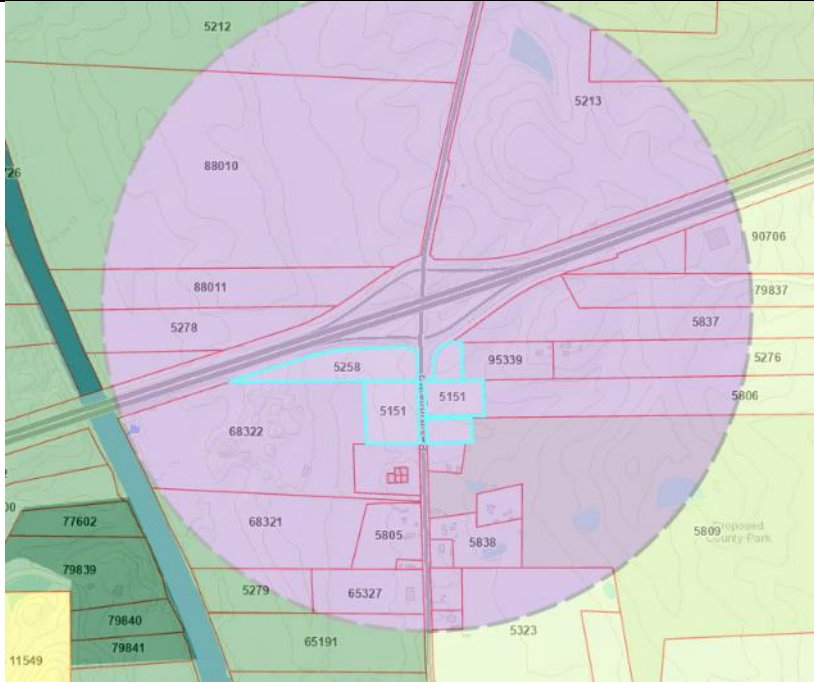
Per the application materials, Chapter 2 of Plan Chatham includes the following:

- Located within an Employment node of the Plan
- Employment opportunities
- Increase in tax value and raises the tax base
- Pedestrian connectivity to the proposed County park

Per the application, Chapter 3 of Plan Chatham includes the following:

- Water will be served by the County water system
- Proposing to enter into an agreement with the public sewer from Sanford that will serve the VinFast site
- Stormwater to meet current County requirements

The map below notes the Economic Center node located at the intersection US 1 and Pea Ridge Road



4. List all other circumstances, factors, and reason which the applicant offers in support of the proposed amendment.

The application includes the following information in support of the request:

- May serve as a gateway to the TIP Innovation sites
- Located on a major corridor away from residential use
- Will provide pedestrian connectivity to the proposed county park
- Proposes transit stops for the Chatham Transit system
- All matters of development will be complied with once a concept plan is formulated

5. All other information required on this application or as offered by the applicant in support of the request. Top Chord Way will continue to serve as a service road to the parcels it currently serves and any subsequent development from this rezoning request.

Recommendation:

The Planning Board has up to three meetings in which to make a recommendation to approve or deny the request to the Board of Commissioners.

If approval is recommended, the following Consistency statement has been provided for consideration

Per Chapter Two of the Plan, these properties are located within an Economic Center node where growth in commercial, office, and industrial use are encouraged

and therefore supports the rezoning.