

..TITLE

Vote to approve a legislative rezoning request by MAD Pea Ridge, LLC for a general use rezoning on Parcels 5585, 5807, 90707, located at 4247 Old US 1 and off Pea Ridge Road, from R-1 Residential and Industrial Light to Industrial Light, Cape Fear Township, totaling 243.5 acres.

..ABSTRACT

Action Requested:

Vote to approve a legislative rezoning request by MAD Pea Ridge, LLC for a general use rezoning on Parcels 5585, 5807, 90707, located at 4247 Old US 1 and off Pea Ridge Road, from R-1 Residential and Industrial Light to Industrial Light, Cape Fear Township, totaling 243.5 acres.

Introduction & Background:

A legislative public hearing was held September 19, 2022. Planning staff and the property owners presented the information. No one else spoke on the matter.

A correction in the notice is that Parcel 90707 is already zoned Industrial Light and should not have been included in this request. Only two parcels, 5585 and 5807 are under consideration and reduces the acreage from 243.5 to 199.92.

The Planning Board met October 4, 2022. There were only two statements made about the request:

- **Even though the properties are outside the Employment Center node of the Comp Plan, it is adjacent/adjoining to Heavy Industrial, and it would be best to approve this application because the properties are situated near the auto manufacturer site.**

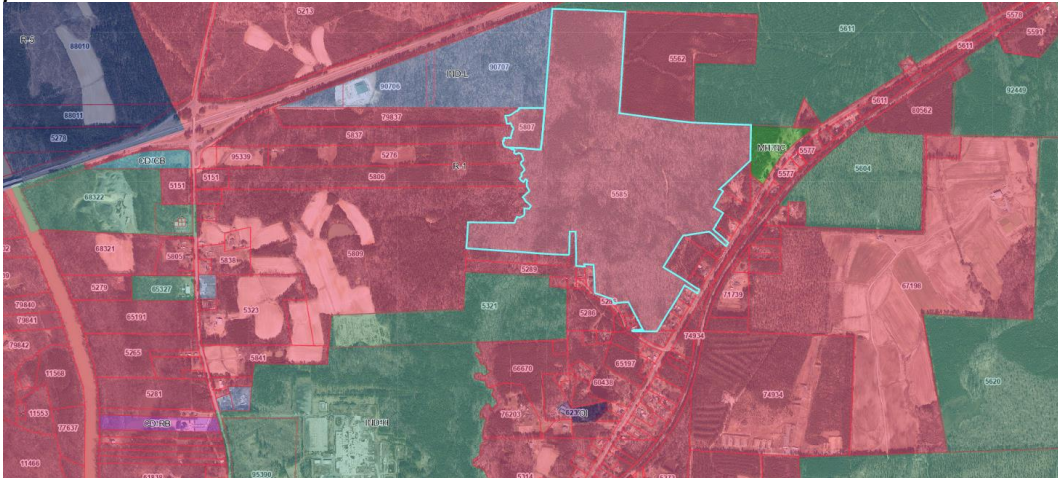
Discussion & Analysis:

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 site constraints such as wastewater capacity or availability, access to public utilities, built upon area 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.** Parcels are projected to tie into the Moncure Mega site along with Parcel 90707 which is also owned by the applicant and will provide a total of 243.50 acres. The Moncure Mega Site, Triangle Innovation Point (TIP) West, and TIP East, are currently in some phase of development for various industrial uses. The parcels are located within the WSIV-Protected Area

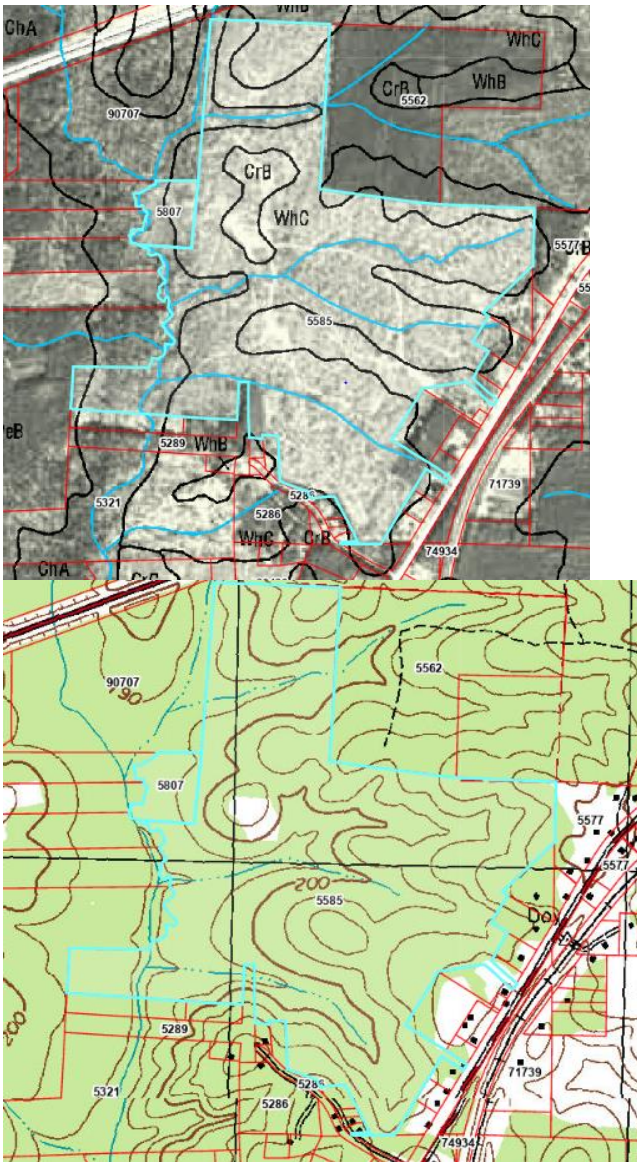
watershed, not within the Jordan Lake Buffer areas and is limited to 36% built upon area.

Below is the zoning map of the area. The area highlighted in blue are the subject parcels



Below is information from FEMA maps that shows Parcel 5807 is approximately $\frac{3}{4}$ floodable which may not be developed but may be used for to offset the built upon area





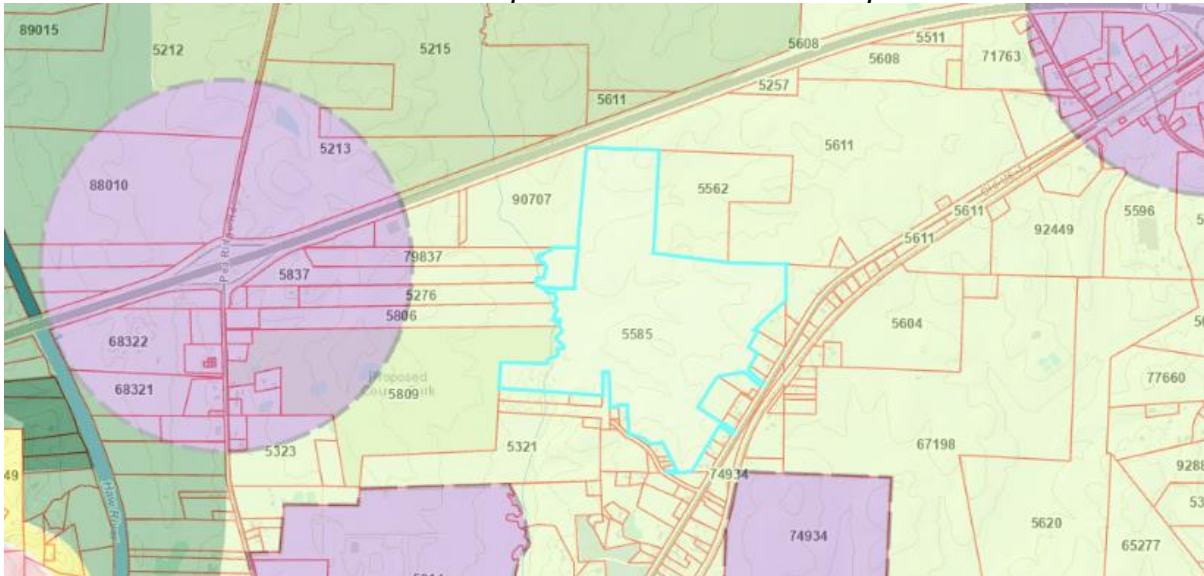
- 3. The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof. You must note specifics from the plan/s giving reference to page number and section.** This area is in the Rural designation of the Comprehensive Land Use Plan, but within close proximity the Moncure Megasite employment center node and an employment center node surrounding the interchanges at Pea Ridge Road and US 1. Additionally, adjoining parcels have been zoned to an industrial zoning designation albeit prior to the adoption of the Comprehensive Plan.

The industrial suitability map, page 21, shows this area as “high” for industrial/commercial uses which can assist in balancing the tax base per page 20 of Plan Chatham (supports Goal 4 of Chapter 3.2). Chapter 4, Land Use

Policies, Policy 2 recommends directing development to planned growth areas and economic development of those areas. The Moncure Mega site has started.

Because of all the interest and activity within and around the Moncure Megasite/TIP, the county is currently working with consultants to prepare a small area plan to guide development in and around this area and identify any changes to the Unified Development Ordinance.

Below is the area of the Comprehensive Land Use Map



- 4. List all other circumstances, factors, and reason which the applicant offers in support of the proposed amendment.** In a general use rezoning, there is no site plan to review and no use has been identified. If the rezoning is approved, additional administrative review and permitting will be required once a use or uses are targeted for the property. The applicant does state that requirements of the Ordinances will be adhered to and complied with.
- 5. All other information required on this application or as offered by the applicant in support of the request.**

The property to be served by County water and they intend to connect to public sewer being supplied to the County via Sanford. The water and wastewater usage projections are currently unknown and future uses may have to connect to an on-site wastewater solution if Sanford utilities are not available. Current access to the property is Old US 1 with a secondary access on Pea Ridge Rd, although the Pea Ridge Road access requires crossing special flood hazard area which could be cost prohibitive. Stormwater devise will be as designed to the meet county requirements.

How does this relate to the Comprehensive Plan:

The industrial suitability map, page 21, shows this area as “high” for industrial/commercial uses which can assist in balancing the tax base per page 20 of Plan Chatham (supports Goal 4 of Chapter 3.2). Chapter 4, Land Use Policies, Policy 2 recommends directing development to planned growth areas and economic development of those areas. The Moncure Mega site has started.

Recommendation:

The Planning Board voted 9-0 to recommend adoption of resolution approving the following Consistency statement:

The properties are in close proximity to the Moncure Megasite/Triangle Innovation Point and can support additional industrial uses in the surrounding area. The industrial suitability map, page 21, shows this area as “high” for industrial/commercial uses which can assist in balancing the tax base per page 20 of Plan Chatham (supports Goal 4 of Chapter 3.2). Chapter 4, Land Use Policies, Policy 2 recommends directing development to planned growth areas and economic development of those areas. The Moncure Mega site has started.

The Planning Board voted 9-0 to recommend approval of the rezoning request and adoption of an ordinance approving a legislative rezoning request by MAD Pea Ridge, LLC for a general use rezoning on Parcels 5585, 5807, 90707, located at 4247 Old US 1 and off Pea Ridge Road, from R-1 Residential and Industrial Light to Industrial Light, Cape Fear Township, totaling 243.5 acres.