



Rezoning and Special Use Permits

By: Chatham County Planning Department



Agenda

QUASI-JUDICIAL HEARING:

Duke Energy SUP for a new 120 ft telecommunications tower, Parcel 6235 I

LEGISLATIVE HEARING:

Pranay Parekh general use rezoning, Parcel 17357, at 739 Hatley Rd

Manns Chapel LLC/Circle K conditional district rezoning, Parcels 2642, 2641, 2562, 2564, 2563, 2542, and 2560 collectively



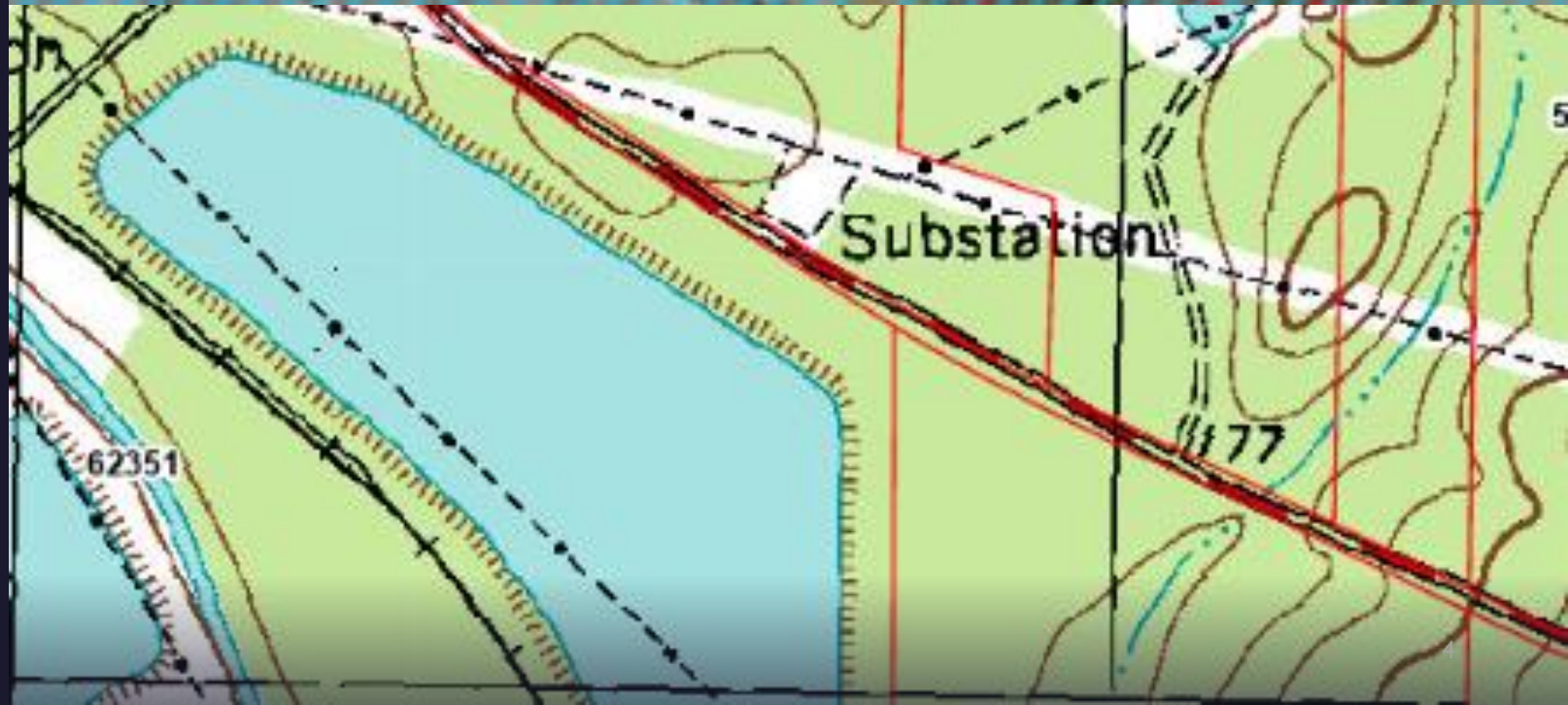
Topic one

(This must follow the Quasi-Judicial process, all parties wanting to speak must be sworn in by the BOC chair)

A special use permit for a 120 ft telecommunications tower at the Duke Energy substation located at 1785 Corinth Rd.

What we know

- Parcels currently zoned Heavy Industrial and is approximately 483 acres. It has been actively used for at least three decades.
- FEMA map 3710968600K dated 2/2/2007. Floodable areas on the parcels however, the substation area is outside of any noted floodable area.
- Watershed – WSIV-Protected Area; not in the Jordan Lake Buffer area
- BUA limited to 36% without curb and gutter
- NRCS and USGS show on blueline streams, however, as can be seen, the substation is on the higher elevation of the property well away from any required buffer areas



Application Requirements: Findings of fact

FINDING NO 1- Errors in the Zoning Ordinance: No errors in the Ordinance are being claimed. Wireless Telecommunication towers are permitted with the approval of a Special Use Permit.

FINDING NO 2- Need and desirability for the public convenience or welfare:

- a) In order to provide faster, remote monitoring between substations, this tower will lend to faster service repairs in cases of power failure and to securely transmit information between stations and smart technology improvements for the area.

FINDING NO 3- The character and integrity of the surrounding areas will not be detrimental to the health, safety, and welfare.

- a) The tower will be set back at least 150 ft from any adjoining property
- b) The tower will be located within the existing fenced in sub-station area
- c) The monopole tower will be unlit as the FAA does not require lighting at 120 ft.

FINDING NO 4 – The manner in which the proposed SUP will carry out the intent of any adopted land use plan

- a) Chapter 2, Issues and Opportunities; Land Use Suitability- this use will not hinder any future land development as it will be located on existing property utilized by Duke Energy
- b) Chapter 4, Plan Elements; ED Policy 4, Strategy 4.4- encourage the continued use of existing commercial and industrial uses to expand services in correct zoning districts

Application Requirements: Findings of fact

FINDING NO 5 – Adequate facilities, infrastructure, utilities

- a) There is an existing road into the sub-station site
- b) This is an unmanned facility; no utilities needed.



Staff Comments

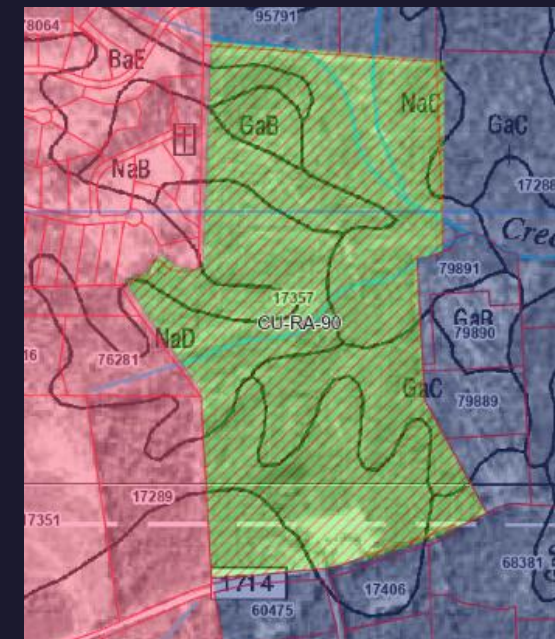
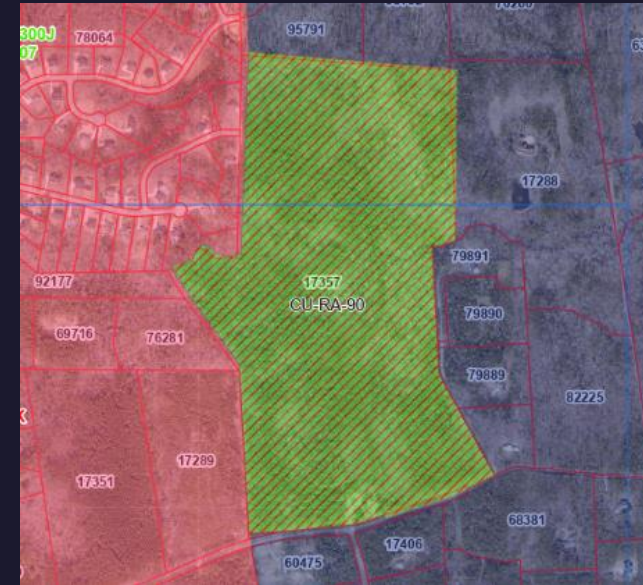
Staff has no additional comments or conditions to be added

Topic two

A legislative public hearing requested by Pranay Parekh to rezone Parcel 17357 at 739 Hatley Rd

What we know

- Current zoning is CU-RA90 (Conditional Use that allowed for a reduction in minimum lot size from 5 acre avg/3 acre min to two acre size lots for what was a proposed subdivision named Contentnea Creek)
- Located within the Rural node of the Comprehensive Land Use Plan
- NRCS/USGS shows some blueline water features requiring to meet current buffers
- FEMA map 3710977300J, 2/2/2007, shows no floodable areas



What we know

- The previously approved subdivision, Contentnea Creek was originally approved in November 2007.
- No development has taken place
- If rezoning approved, the new owner will be seeking the conventional subdivision approval process for a new large lot development where plans and infrastructure will be made available



Application Requirements

- FINDING NO 1- No errors in the Ordinance are being claimed. The R-5 Residential zoning district is an approved district in Section 10.
- FINDING NO 2- Changed or changing conditions that make this request reasonably necessary:
 - a) The surrounding property on three sides of this parcel are zoned R-5.
 - b) The new owner wishes to create up to 25 new residential lots with individual private septic systems
 - c) The extension of the county water line will also be proposed
- FINDING NO 3 – Conformance with adopted land use plans
 - a) Decreased density will reduce the traffic that would have previously been expected with the other development keeping more in harmony with the Rural designation of the Land Use Plan
 - b) Larger lot development keeps more in tune with the Rural designation of the Land Use Plan
- FINDING NO 4 – circumstances in support of the amendment
 - a) One primary entry will be proposed
 - b) County water will be extended and private septic utilized
 - c) One monument entry sign will be proposed

Application Requirements con't...

- FINDING NO 5 – Any other factors that support the rezoning request

Applicant believes the larger lot development will provide a more appealing rural nature that fits within this surrounding area

Homes are expected to be four-bedrooms which will require about 12,000 gpd of wastewater to be handled by private septic systems

The new development would also connect to an existing stub-out at Boxwood Dr



Staff Comments

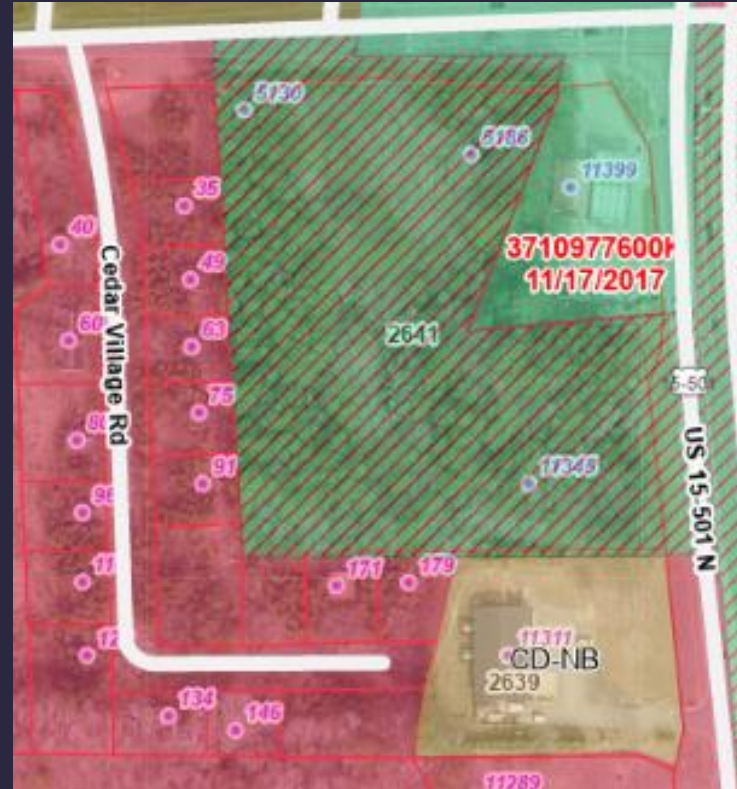
No other comments at this time

Topic three

A legislative public hearing requested by Manns Chapel LLC & Circle K Stores Inc. to redevelop the existing store site and add one additional retail building. Includes Parcels 2642, 2641, 2652, 2564, 2563, 2542, and 2560

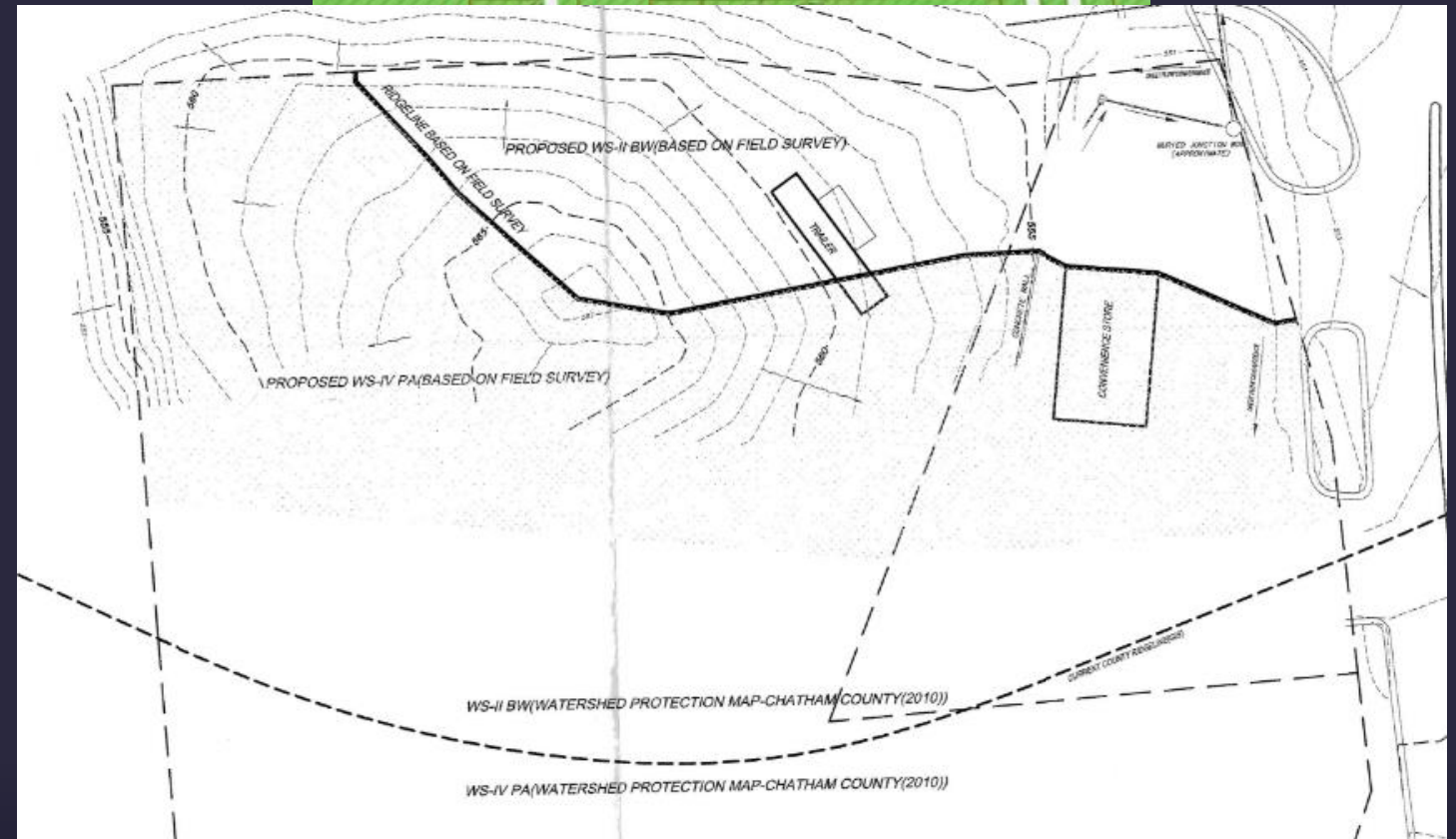
What we know

- Current zonings are B-I Business, R-I Residential, and CU-BI. All properties would fall under the new CD-NB zoning district if approved
- Located within the Neighborhood Center and Compact Community nodes of the Comprehensive Land Use Plan
- Is adjacent to the US 15/501 and Manns Chapel Rd
- Across the roadway from the Chatham Crossing shopping center (Lowes Food)
- NRCS/USGS maps shows one blueline water feature on the property.
- FEMA map 3710977600K, dated 11/17/2017, show no floodable areas on or near the parcel



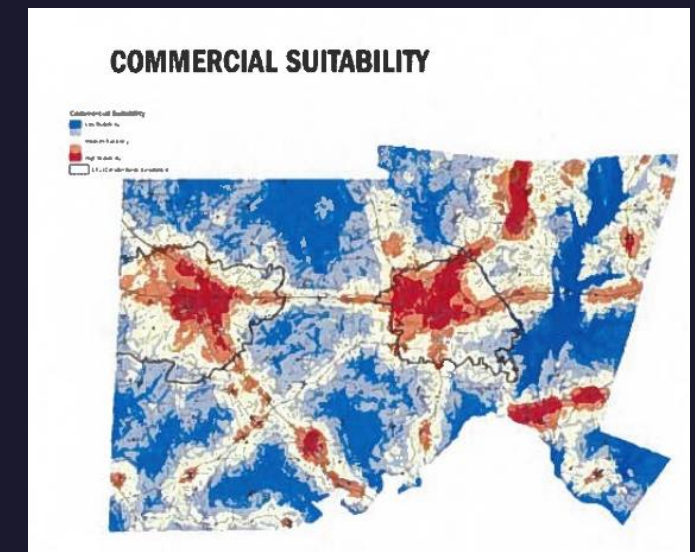
What we know

- Original watershed map shows a large portion of the property was located within the WSII-BW for University Lake and the remainder in the WSIV-PA Jordan Lake watershed.
- The revised map already presented in the earlier work session, shows the revised watershed map approved by the state and the Watershed Review Board. This map will be the official map going forward as it relates to impervious surface (BUA)



Application Requirements con't...

- FINDING NO 3- Proposed amendment will carry out the intent and purpose of the adopted Land Use Plan or part thereof:
 - Chapter 2 – Creating in-county jobs and maintaining retail sales within the county. This area is shown as one of the proposed locations for commercial suitability (pg 21-22).
 - Chapter 3 – Goals and Objectives- area is within the Neighborhood Center node of the land use plan
 - Chapter 4 – the re-development of the project will bring approximately 12-15 jobs (Economic development, p 53). This is an area within the planned growth designations per Land Use pg 62 and Strategy 2.1
- FINDING NO 4- Amendment is either essential or desirable for public convenience or welfare: The CCAC reviewed and approved the overall landscaping/screening plan for the re-development. Being able to move the store back from US 15-501 will greatly lend to the appearance of this intersection and create a safer moving environment.
- FINDING NO 5- Additional information in support of the amendment request is county water will be used, Aqua NC will continue to serve the store site for wastewater. The new out parcel will be managed by on-site septic system. Stormwater will meet all current required regulations and will be sized to accommodate all anticipated uses. All other regulations regarding lighting and signage will meet all current regulations.





Staff Comments

The applicant is proposing to reduce the overall impervious surface coverage by changing the amount of parking spaces from 1 space per 200 sf of gross floor area to 1 space per 300 sf of gross floor area. Planning staff and CCAC support this condition.



Thank You

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