

**CIRCLE K REDEVELOPMENT
CONDITIONAL ZONING DISTRICT
NEIGHBORHOOD BUSINESS**

Bradshaw Robinson Slawter & Rainer LLP

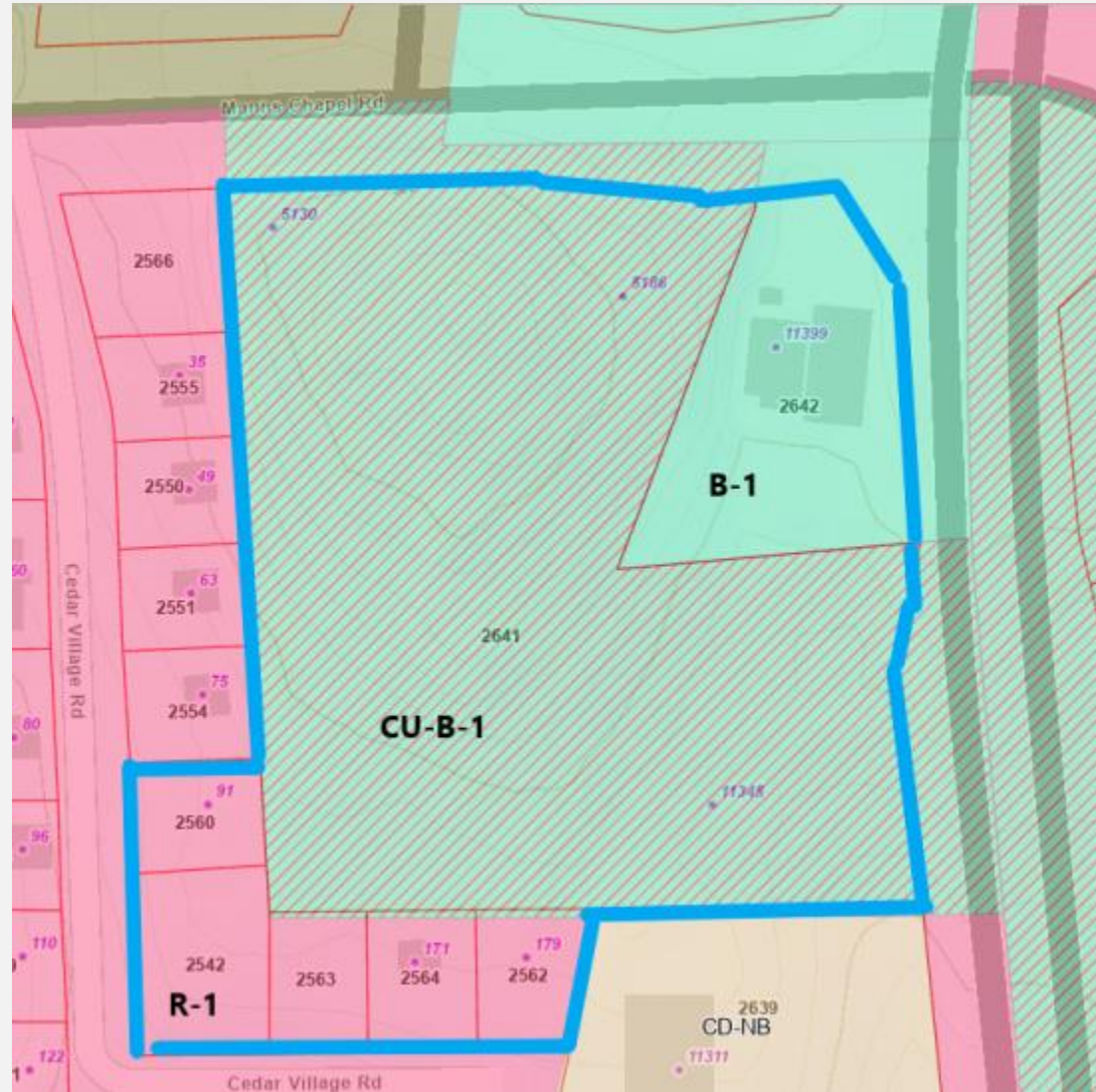
Applicants: Circle K Stores, Inc. and Manns Chapel II, LLC

August 21, 2023

INTRODUCTION

- Nick Robinson on behalf of the Applicants, Circle K Stores, Inc. and Manns Chapel II, LLC.
- I am joined tonight by representatives of the Applicants: Andy Priolo for Circle K and also the engineering/ land planning team headed by Rick Baker of the Timmons Group.
- Zoning history of the parcels involved: (next slide)

CURRENT ZONING OF SUBJECT PROPERTIES

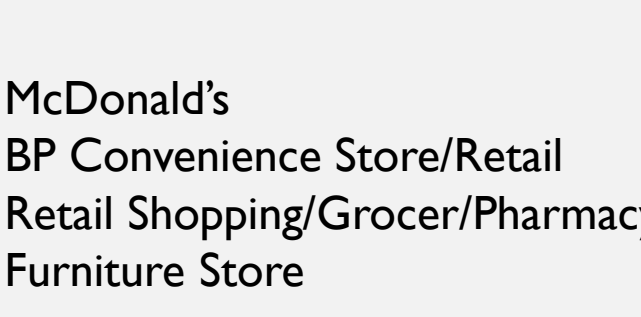


Subject Property:
Parcels 2642, 2641
2562-2564, 2542
and 2560

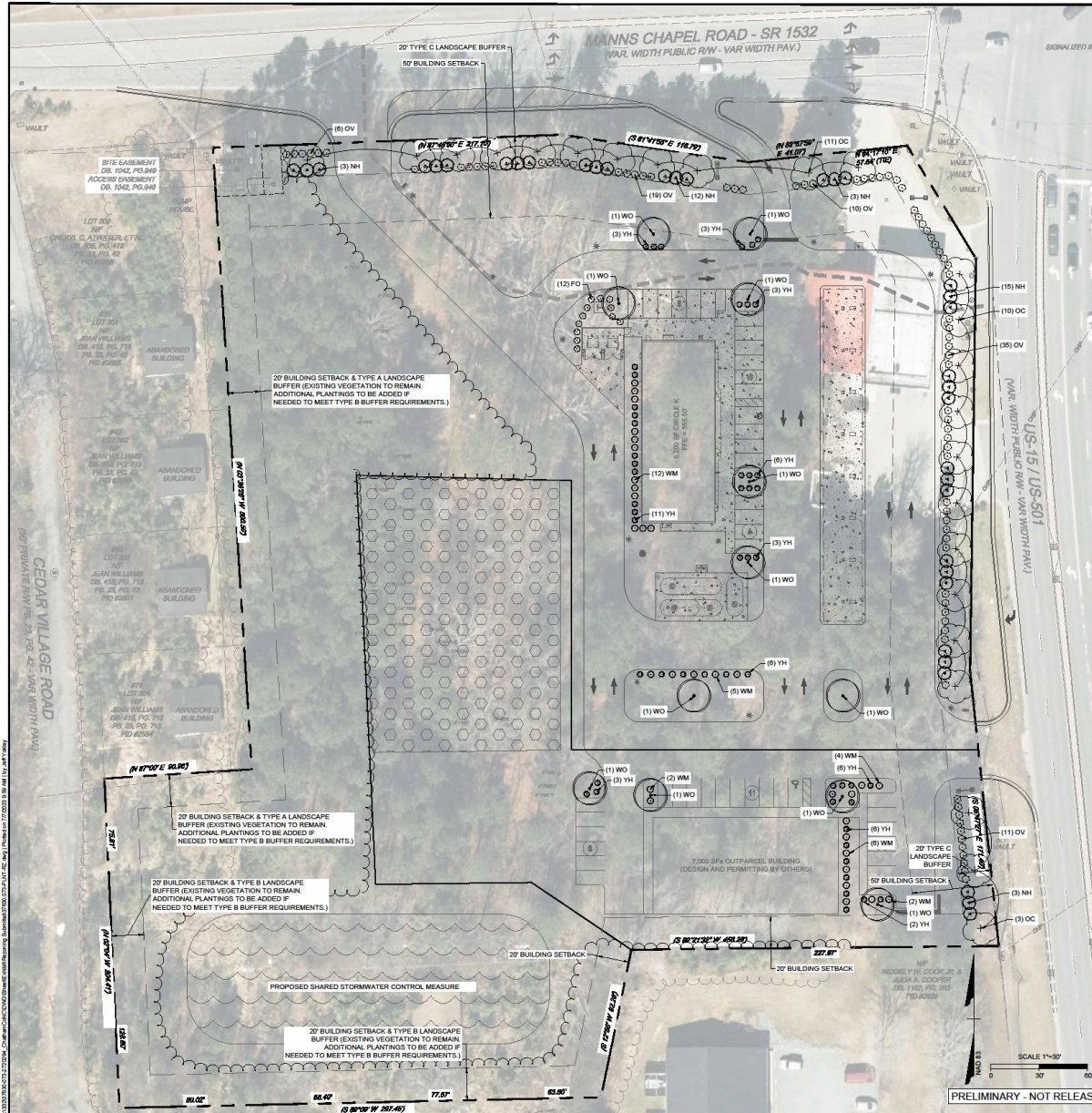


CURRENT NEARBY USES

- McDonald's
- BP Convenience Store/Retail
- Retail Shopping/Grocer/Pharmacy
- Furniture Store



PROPOSED CONDITIONAL DISTRICT AND SITE PLAN



PLANT SCHEDULE

SYMBOL	TREE	QTY.	BOTANICAL NAME	COMMON NAME
○	DECIDUOUS SHADE TREE			
	WO	12	QUERCUS PHELLOS	WILLOW OAK
⊙				
	OC	24	QUERCUS LYRATA	OVERCUP OAK
SHRUBS				
⊖				
	NH	36	ILEX CORNUTA NEEDLEPOINT	NEEDLEPOINT HOLLY
⊗				
	YH	52	ILEX VOMITORIA 'NANA'	DWARF YAUPOON HOLLY
⊕				
	OV	81	VBURNUM OBOVATUM MRS. SCHILLERS DELIGHT	MRS. SCHILLERS DELIGHT VBURNUM
⊙				
	FO	12	OSMANTHUS FRAGRANS	FRAGRANT TEA OLIVE
⊙				
	WM	31	MYRTICA CERIFERA VAR. PUMILA AND OTHER DWARF VARIETIES	DWARF WAX MYRTLE

CHATHAM COUNTY LANDSCAPE REQUIREMENTS

REQUIREMENT & CALCULATION	SIZE (AT TIME OF PLANTING)
PARKING LOT: CHATHAM COUNTY DESIGN GUIDELINES SECTION 7. LANDSCAPE PLANTINGS AND TREES ARE REQUIRED IN LANDSCAPE ISLANDS. A MIX OF TREES AND LANDSCAPE PLANTS SHALL BE PLANTED BETWEEN PARKING BAYS AND AROUND THE PERIMETER OF PARKING AREAS TO PROVIDE SCREENING, SHADE AND VISUAL VARIETY.	TREES: 2" CALIPER SHRUBS: 24" MIN. HT
STREET TREES: CHATHAM COUNTY DESIGN GUIDELINES SECTION 8. STREET TREES SHALL BE REQUIRED EVERY 40'.	2" CALIPER
FOUNDATION PLANTINGS & SCREENING: GROUND MOUNTED ELECTRICAL TRANSFORMERS SHALL BE SCREEN ON THE TWO MOST VISIBLE SIDES. PLANTINGS ADJACENT TO BUILDING WALLS SHOULD BE INCLUDED ALONG SIDES OF BUILDINGS WHERE DEVOID OF ARCHITECTURAL INTEREST.	24" MIN. HT
BUFFERS: TYPE A MINIMUM SPACING SHALL GENERALLY BE NO WIDER THAN 20 FEET BETWEEN TREE TRUNKS (BUT MAY BE WIDER DEPENDING ON TREE TYPE), WITH EVERGREEN SHRUBS SPACED FIVE FEET ON CENTER. TYPE B MINIMUM SPACING SHALL GENERALLY BE NO WIDER THAN 30 FEET BETWEEN TREE TRUNKS (BUT MAY BE WIDER DEPENDING ON TREE TYPE), WITH EVERGREEN SHRUBS SPACING RANGING FROM FIVE TO EIGHT FEET ON CENTER. TYPE C MINIMUM SPACING SHALL GENERALLY BE NO WIDER THAN 40 FEET BETWEEN CANOPY TREE TRUNKS AND NO WIDER THAN 20 FEET BETWEEN ORNAMENTAL TREE TRUNKS.	TREES: 2" CALIPER SHRUBS: 24" MIN. HT
NORTH: TYPE B & C SOUTH: TYPE B & NONE (TO BE MET WITH EXISTING VEGETATION) EAST: TYPE A (TO BE MET USING EXISTING VEGETATION) WEST: TYPE A & B (TO BE MET USING EXISTING VEGETATION)	

PRELIMINARY NOT FOR CONSTRUCTION

THIS DRAWING PREPARED AT THE
SALO TURKEY HEAD OFFICE 1115 W. 11th St., NC 27607
TEL: 919.666.6161 FAX: 919.666.6175 www.timmons.com

REVISION DESCRIPTION

DATE	DESCRIPTION
07/07/2023	YOUR DESIGN ADJUSTED THROUGH OUTLINE.

DATE: 07/07/2023
DRAWN BY: A. MAY
DESIGNED BY: A. MAY
CHECKED BY: P. BARBEAU
SCALE: AS SHOWN

TIMMONS GROUP

NORTH CAROLINA LICENSE NO. C-1652
CIRCLE K - R&R 2720294
CHAPEL HILL - CHATHAM COUNTY - NORTH CAROLINA
LANDSCAPE PLAN

JOB NO. 37630.07
SHEET NO. C2.1

PRELIMINARY - NOT RELEASED FOR CONSTRUCTION

PLANNING AND COMMUNITY INPUT

- Applicants met with Planning Staff ahead of preparing the Application and conferred with them as to the approach of seeking a conditional zoning Neighborhood Business district.
- Applicants held a community meeting to which it invited all adjoining owners. None of the adjoining owners attended the meeting.
- We applied for and received Chatham County Appearance Commission Review. We revised some of the landscaping selections at their suggestion and also added a condition reducing the minimum amount of parking required in order to possibly reduce impervious surface from parking.
- The Technical Review Committee met and had no concerns other than that the CC Historical Association may contact us to see the abandoned rental units to the west to see if any photographs would be useful for preservation of the design.

CONDITIONAL ZONING REQUEST

- The requested CU-NB district would allow for the Circle K Redevelopment and will also allow for one Outparcel to include a use allowed within the NB zoning district.
- Per Section 5.5 of the Zoning Ordinance, within a conditional zoning district, an Applicant may propose conditions that “relate to . . . proposed support facilities such as parking areas and driveways, pedestrian and vehicular circulation . . .”
- At the Appearance Commission meeting, the CCAC raised the question about whether the Applicant would be willing to consider less parking in order to reduce impervious surface. The Applicant reviewed and conferred regarding that point and, within the application, proposed the following condition.
- **PROPOSED CONDITION:** Applicants propose to reduce the overall impervious surface coverage by changing the minimum required number of parking spaces for the entire project from 1 space per 200 square feet of gross floor area (Zoning Ordinance Section 14.1.C) to 1 space per 300 square feet of gross floor area.
- Thus, Applicant seeks to have this condition approved along with the rezoning.
- (TURN PRESENTATION OVER TO RICK BAKER FOR OVERVIEW OF SITE PLAN)

FINDING 1: ALLEGED ERROR IN ORDINANCE

- No error in the Ordinance is alleged apart from seeking to revise the Zoning Map to eliminate the existing Legacy districts and replace them with one coherent CU-NB District.
- **Applicant believes Finding 1 is met.**

FINDING 2: CHANGED OR CHANGING CIRCUMSTANCES

- Need and Desirability
 - This assemblage of parcels is in an ideal location for commerce in northeastern Chatham County at the intersection of U.S. Highway 15-501 South and Manns Chapel Road. The existing Circle K store is currently squeezed on an irregularly shaped +/- .848 parcel with awkwardly spaced driveway entrances/exits.
 - Redesign of the Circle K parcel will allow for conformity of the parcel to the revised roadway/intersection configuration and the redesign of the driveway entrances will conform to the roadway and increase safety and functionality at the intersection.
 - Implementation of the landscaping planting program recommended by the Appearance Commission will improve the appearance of the intersection.
 - More appropriately sized commercial use at a strategic intersection, in the heart of the Neighborhood Center designated on the Future Land Use Map.
 - No public improvements required.
 - 12-15 Jobs at Circle K alone.
 - **Applicant believes Finding 2 is met.**

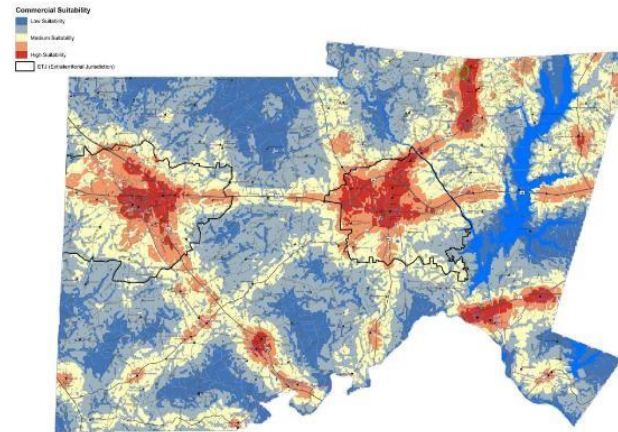
FINDING 3: INTENT OF THE COMPREHENSIVE LAND USE PLAN

- This proposed rezoning is very much consistent with the goals and objectives of the Comprehensive Land Use Plan.
- Located in designated Neighborhood Center:



FINDING 3: COMPREHENSIVE LAND USE PLAN

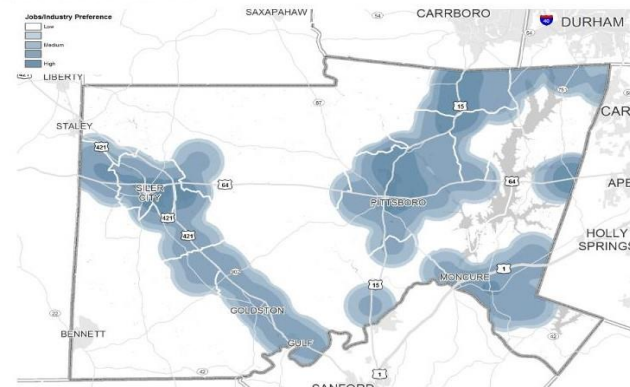
COMMERCIAL SUITABILITY



COMMERCIAL FACTORS

- LANDS NEAR CONCENTRATIONS OF EXISTING RESIDENTIAL DEVELOPMENT
- LANDS PROXIMAL TO EXISTING COMMERCIAL AND SERVICES
- LANDS PROXIMAL TO ACCESSIBLE HIGH TRAFFIC ROADWAYS
- LANDS PROXIMAL TO MAJOR ROADS (EXISTING AND FUTURE)
- LANDS PROXIMAL TO EXITS
- LANDS PROXIMAL TO EXISTING OR APPROVED COMMERCIAL CENTERS
- LANDS PROXIMAL TO SEWER
- LANDS NOT ENVIRONMENTALLY CONSTRAINED

JOBS AND INDUSTRY



Applicant believes Finding 3 is met.

FINDING 4: OTHER REASONS IN SUPPORT

- The proposed rezoning will clean up this section and blend it coherently with existing uses and with the Comprehensive Plan
- Additional notes:
 - Water Source – no expansion is necessary as the property is serviced by Chatham County public water
 - Wastewater Management – Circle K to continue to be served by Aqua; Outparcel will have on-site septic
 - Water/Sewer Impact – plans will satisfy requirements of the Zoning Ordinance
 - Access Roads – Mann Chapel Road; US 15-501
 - Stormwater Runoff – to be planned on-site as required by Chatham County Stormwater Ordinance and NC Dept. of Environmental Quality
- Applicant believes Finding 4 is met.

ESSENTIAL OR DESIRABLE FOR PUBLIC CONVENIENCE OR WELFARE

- The proposed rezoning is essential or desirable because it will facilitate services to meet the needs being created by other growth in this part of the County
- Additional notes:
 - Traffic – no significant impact anticipated
 - Visual Impact – Approved by the Appearance Commission
 - Lighting – plans will satisfy requirements of the Zoning Ordinance
 - Noise – no significant impact anticipated
 - Chemicals, etc. – petroleum products are present and accounted for; other chemicals are not anticipated
 - Signs – plans will satisfy requirements of the Zoning Ordinance
 - Emergency Services – no significant imposition on fire, police, or 911 services are required
 - Impact to Surrounding Land Values – no negative impacts anticipated
- Applicant believes these considerations are also met.

CONCLUSION

- The Applicant has shown support for each of the Findings as required by the Zoning Ordinance.
- In sum, the proposed rezoning to Conditional Use-Neighborhood Business facilitates a variety of economic opportunities for Chatham County and its residents and complies with the Future Land Use Map.
- That concludes our initial presentation. We would like to reserve a short amount of time to respond to any concerns that may be raised by members of the public later in this hearing.