



Qunity
16 Consultant Place Suite 201
Durham, NC 27707
919.490.4990
hello@qunity.com
qunity.com

GENERAL REZONING

This General Rezoning application is for three parcels along US 15/501 N: **parcel #2752** (33.668 acres), **parcel #93852** (10.019 acres) & **parcel #18909** (2.920 acres). The properties are located in the WS-IV PA Watershed District. In 2021, the properties were rezoned from Residential (R-1) to Conditional Rezoning - Compact Community (CR-CC) in conjunction with three other parcels (PIDs 18750, 18896, & 18897), with the intent of building a high-density 161-unit housing development geared toward senior living. That project was never fully permitted, and the conditional rezoning is now expired.

This general rezoning application proposes PIDs 2752, 93852, & 18909 zoning be returned their original zoning of R-1. In the spirit of preserving the rural character of the area, which the Chatham County Comprehensive Plan identified as the "most important goal during the planning process" (p.18), this application seeks to return these three properties to their prior zoning status of R-1. The R-1 zoning is also consistent with many of the adjacent residential properties, including two landlocked R-1 properties that are within parcel #2752.

A concurrent Conditional Rezoning application has been filed for PIDs 18750, 18896, & 18897.

FIVE FINDINGS

1. The alleged error in this Ordinance, if any, which would 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. There is no alleged error in the Ordinance.

N/A, no error is alleged.

2. 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.

A. Need and Desirability

This rezoning application seeks to return these parcels to the zoning designation that pre-existed the expired Conditional Rezoning – Compact Community the parcels are currently tied to. This rezoning would un-couple PIDs 2752, 93852, & 18909 from PIDs 18750, 18896, & 18897. The immediately adjacent parcels are zoned R-1.

B. Survey of Similar Uses

Parcels adjacent to the site are currently zoned R-1 and Commercial, or are part of a conditional rezoning – Office & Institutional application.

C. Public Provided Improvements

N/A: There is no development planned for the properties.

D. Tax considerations

N/A: There is no development planned for the properties.

E. Employment

N/A: There is no development planned for the properties.

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

A. Comprehensive plan, chapter two:

1. Issues and Opportunities

Land use: preserving rural character (p.18)

The Comprehensive Plan states, "Preserving rural character was identified as the most important goal during the planning process." (p.18) Returning the zoning to R-1 is an opportunity to steer potential future development toward lower density consistent with adjacent homes and help preserve the area's rural character.

Environment: water quality (p.32)

According to the US Forest Service, forests protect water quality because roots keep sediment from reaching streams and absorb nutrients that would otherwise pollute waterways. Should this land be developed in the future, R-1 zoning will yield a lower density than CR-CC, helping preserve more of the existing forest that improves water quality.

Environment: open space (p.35)

According to the Comprehensive Plan (p.35), "The farms and forests that line rural roads contribute to the lifestyle that residents value." According to the compact community ordinance, potential development of this land as a compact community would require a commercial element, which would need parking and an access drive with associated grading and greater clearing of the existing forest. For parcels 2752 & 93852, there is an existing access easement and private road (Oak Island) shared among several adjacent R-1 properties, including the two developed parcels landlocked within parcel #2752. In contrast to a compact community development, a future single-family home could utilize this existing access easement just as the neighbors have done, retaining more existing forest.

Parcel 18909 has an existing single-family home and driveway, sitting within a stand of existing trees. No development is currently planned for any of these three parcels.

B. Comprehensive plan, chapter three:

1. Goals and Objectives

Goal #1: Preserve the rural character and lifestyle of Chatham County

Currently, there are no plans for development. R-1 zoning would ensure that any future development is at a lower density than Compact Community zoning, helping preserve the rural character, which is a stated goal of Chatham County's Comprehensive Plan.

Goal #5: Conserve natural resources

These properties will currently remain undisturbed, retaining the existing natural resources for the foreseeable future.

2. Land Use Descriptions

Within the Future Land Use Map (Figure 12 on p.45), these three parcels are designated as *Conditional Rezoning - Compact Residential*, and adjacent to *Rural* areas. Just below the map, the text "encourages... taking into account economic, environmental, and social factors." Social context was revealed in 2021, when according to public comments, neighbors were strongly opposed to plans for a 161-unit residential development on these properties due to wastewater treatment requirements proposed as part of that development*. In the neighborhood meeting for the Conditional Rezoning of PIDs 18750, 18896, & 18897 attendees clearly communicated that environmental and social factors are important for their tight-knit community. Returning these properties to their prior R-1 zoning honors the existing social and environmental context of this rural community.

* 2021 Public Comments RE: Herndon Farms Development available here:

<https://www.chathamcountync.gov/home/showpublisheddocument/56269/637602217551800000>

C. Comprehensive plan, chapter four:

1. Economic development (page 53)

N/A: There is no development planned for the properties, therefore there is no proposed impact on Economic Development to these parcels.

2. Land use (page 61)

The Comprehensive Plan's Primary Land Use Goal is "Preserve the rural character and lifestyle of Chatham County." Returning these properties to R-1 zoning, consistent with majority of the surrounding parcels, will help maintain the rural character of these lands by reducing potential future clearing of the land. The Compact Communities Ordinance requires a commercial element, and the associated entry drive and parking areas would clear more forest than development under R-1 zoning. Adjacent to the two vacant

parcels, single-family homes are tucked into the forest and share an access easement, Oak Island, which is available to this property as well, as evident by the two landlocked properties within parcel #2752 that already utilize this easement. The third parcel has a single-family home on 2.9 acres, largely covered with forest.

3. Natural resources (page 103)

This change of zoning aligns with the following Natural Resource strategy:

Strategy 2.2: Encourage development design to preserve forest cover and additional uplands.

Though there are currently no development plans, returning these properties to their prior R-1 zoning encourages preservation of existing forest cover for future development by limiting the allowed density.

4. Parks and recreation (page 117)

N/A: There is no development planned for the properties, and thus no impact on Parks and Recreation.

4. The requested amendment is either essential or desirable for the public convenience or welfare. (i.e., tell how and for what purpose/s the amendment would provide to the County as a whole)

D. Traffic Document projected traffic generated by the use.

N/A: There is no development planned for the properties, therefore there are no change in traffic patterns proposed.

E. Visual Impact & Screening

N/A: There is no development planned for the properties, therefore there are no visual impacts proposed.

F. Lighting

N/A: There is no development planned for the properties, therefore there are no lighting impacts proposed.

G. Noise

N/A: There is no development planned for the properties, therefore there are no noise impacts proposed.

H. Chemicals, Biological and Radioactive Agents.

N/A: There is no development planned for the properties.

I. Signs.

N/A: No signs are planned for these properties.

J. Emergency Services <Optional>

N/A: There is no development planned for the properties, therefore no impact on emergency services is proposed.

K. Impact to surrounding Land Values

N/A: There is no development planned for the properties, therefore no impact to surrounding land values is anticipated.

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.

N/A: There will be no water requirements, as the properties will remain undeveloped.

B. Wastewater Management.

N/A: There will be no wastewater, as the properties will remain undeveloped.

C. Water/Sewer Impact Statement.

N/A: There will be no water/sewer impacts, as the properties will remain undeveloped.

D. Access Roads.

N/A: Access will remain unchanged, as the properties will remain undeveloped.

E. Stormwater Runoff.

N/A: Stormwater patterns will remain unchanged. Properties will remain undisturbed with no additional impervious surfaces.

Signed,



Jael Wagoner, PLA, ASLA
Assistant Vice President | Landscape Architect
Qunity, P.A.