



# Chatham County, NC

## Legislation Details (With Text)

<b>File #:</b>	24-5113	<b>Version:</b>	3
<b>Type:</b>	Agenda Item	<b>Status:</b>	Passed
<b>File created:</b>	2/1/2024	<b>In control:</b>	Planning
<b>On agenda:</b>	4/15/2024	<b>Final action:</b>	4/15/2024
<b>Title:</b>	Vote to approve a legislative request by Edward Holmes Jr. for a general use rezoning on Parcels 95339 and 5276, located at 190 Top Chord Way, being 22.945 acres, from R-1 Residential to Light Industrial, Cape Fear Township.		
<b>Sponsors:</b>			
<b>Indexes:</b>	Comp Plan Goal 3: Promote a compact growth pattern by developing in and near existing towns, communities, and in designated, well planned, walkable, mixed use centers., Comp Plan Goal 4: Diversify the tax base and generate more high-quality, in-county jobs to reduce dependence on residential property taxes, create economic opportunity and reduce out-commuting., Comp Plan Goal 7: Provide infrastructure to support desired development and support economic and environmental objectives.		
<b>Code sections:</b>			
<b>Attachments:</b>	1. More information from the Planning department website, 2. Top Chord Public Hearing Presentation Materials 2-5-2024		

Date	Ver.	Action By	Action	Result
4/15/2024	3	Board of Commissioners	approved	Pass
2/19/2024	1	Board of Commissioners	referred	

Vote to approve a legislative request by Edward Holmes Jr. for a general use rezoning on Parcels 95339 and 5276, located at 190 Top Chord Way, being 22.945 acres, from R-1 Residential to Light Industrial, Cape Fear Township.

### Introduction & Background:

A legislative public hearing was held February 19, 2024. The applicant's representative gave the presentation, no one from the public provided comment, and no questions were raised by the Board of Commissioners.

### Discussion & Analysis:

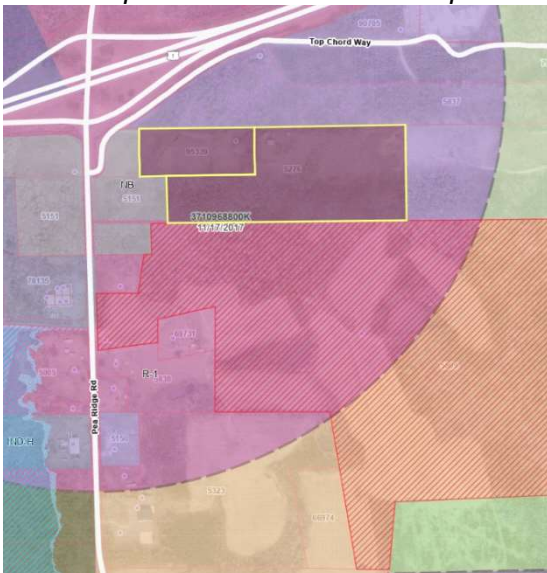
When considering a general use rezoning, all uses listed in Section 10.13 of the Chatham County Zoning Ordinance listed under the proposed zoning classification are permitted by right or require a special use permit. However, due to possible limitations such as wastewater capacity, access to public utilities, 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.

### Current Zoning Map of the Area



1. **Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment.** No errors in the Ordinance are being claimed.
2. **The changed or changing conditions, if any, make the proposed rezoning reasonably necessary.** With the approval of the new FedEx distribution center, an auto manufacturer, and several rezonings in this immediate area, these parcels are now adjacent to light industrial and neighborhood business on three sides. The applicant received a general use rezoning to Neighborhood Business on the properties to the west and light industrial zoning was approved in 2022. This proposed zoning will be consistent with rezoning activity in this area. The property to the south is owned by the county and will be developed for a new park.
3. **The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof.** The Land Use Map shows this area as an Employment Center. Page 47 states these centers are targeted for future job-generating uses. This mix includes industrial, office, and supporting retail. The Moncure mega site is specifically noted.

*The Comprehensive Land Use Map*



The newly adopted Plan Moncure shows this area within an Employment Center as well and within the Pea Ridge Road Interchange Area Concepts, page 48. This area encourages a mix of uses and also a conservation area along Pea Ridge Road. Page 33 states that the actual width of the conservation space has not been determined but will be in the proposed new UDO.

*The Plan Moncure Land Use and Conservation Map*



4. **Other factors/reasons for rezoning request.** These parcels tie into the surrounding properties that have received rezonings to help support Triangle Innovation Point. This rezoning will be part of a transition of zoning districts from Neighborhood Business, to Light Industrial, followed by Heavy Industrial.

With the new road network proposed by NCDOT, Top Chord Way will be incorporated into those changes that support commercial and industrial uses. It is projected to be realigned to extend further south of the interchange and a.

Once an end user is identified, a proposed site plan will be reviewed by all required departments and agencies to ensure the requirements of the ordinances and regulations are met.

5. **All other information required on this application or as offered by the applicant in support of the request.** The property will be served by County water and wastewater is anticipated to be provided by the City of Sanford. Capacity needs will be determined once an end user is identified.

Stormwater will follow Chatham County regulations.

**How does this relate to the Comprehensive Plan:** The Land Use Map shows this area as an Employment Center. Page 47 states these centers are targeted for future job-generating uses. This mix includes industrial, office, and supporting retail. The Moncure mega site is specifically noted.

The newly adopted Plan Moncure shows this area within an Employment Center as well and within the Pea Ridge Road Interchange Area Concepts, page 48. This area encourages a mix of uses and also a conservation area along Pea Ridge Road. Page 33 states that the actual width of the conservation space has not been determined but will be in the proposed new UDO.

Budgetary Impact: N/A

**The Planning Board the application and materials during their March 5, 2024 meeting. There was some discussion about the proposed conservation buffer noted on the Moncure Small Area Plan and that the UDO would include standards to address this item. It was determined there was no way to say for sure if there would be one due to the fact this area is also part of the property NCDOT roadway**

**reconfiguration project for Pea Ridge Road interchanges and road widenings.**

**The Planning Board voted unanimously to approve the request.**

Recommendation/Motion:

The Planning Board voted unanimously, 8-0, to recommend approval of the request and adoption of a resolution approving the following consistency statement:

- This rezoning is consistent with the Comprehensive Plan by being located within an Employment Center node that encourages a mix of uses being office, industrial and supporting retail.

The Planning Board voted unanimously, 8-0, to recommend approval of an Ordinance Amending the Zoning Ordinance to approve a legislative request by Edward Holmes Jr. for a general use rezoning on Parcels 95339 and 5276, located at 190 Top Chord Way, being 22.945 acres, from R-1 Residential to Light Industrial, Cape Fear Township.