



Chatham County, NC

Legislation Text

File #: 23-5012, **Version:** 2

Vote to approve a legislative request by Viridian Holdings LLC to rezone a portion of Parcel 19522 (approximately 21 ac) from R-1 Residential to CD-NB Neighborhood Business for a boat and RV storage facility located at 2649 Farrington Point Rd, Williams Township.

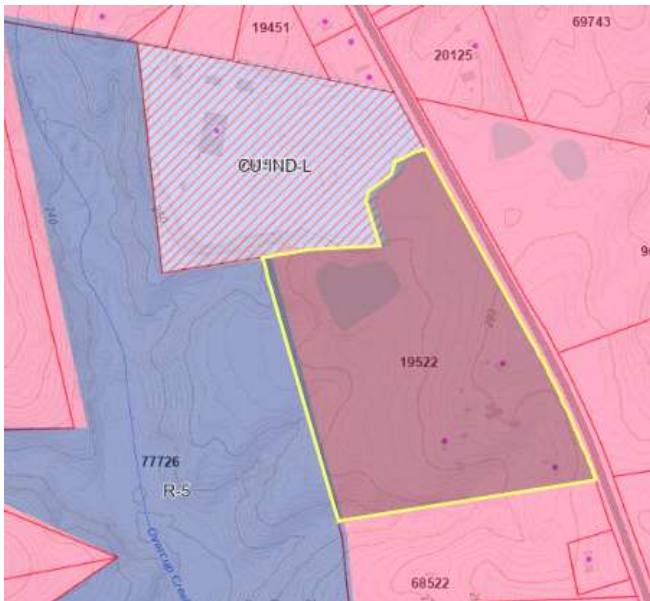
Action Requested:

Vote to approve a legislative request by Viridian Holdings LLC to rezone a portion of Parcel 19522 (approximately 21 ac) from R-1 Residential to CD-NB Neighborhood Business for a boat and RV storage facility located at 2649 Farrington Point Rd, Williams Township.

Introduction & Background:

A legislative public hearing was held November 20, 2023. Planning staff presented the request. Tracy Ayotte, attorney for the applicant, also presented. Also present were several representatives of their design team. No one from the public spoke about the matter.

Current Zoning Map of the area (R-1 Residential)



Discussion & Analysis:

When determining whether a rezoning request should be approved under Section 5 Conditional Zoning Districts, the following findings must be supported.

- 1. The alleged error in the Ordinance, if any, 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.** No errors are being claimed.

- 2. The 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 public health, safety, and general welfare.**

A survey of similar uses was provided in the application documents. Noted were the number of major subdivisions that have been approved or going through the major subdivision process as the County continues to grow. That many of these subdivisions have restrictive covenants that do not allow this type of storage and that the lots themselves aren't large enough to accommodate boat or RV storage. Only one development incorporated a storage area for the residents and that is The Preserve at Jordan Lake located on Big Woods Rd.

The application also notes that other storage facilities near this location have no covered space available and the site is near Jordan Lake which has an average visitation of 2 million people per year. Due to the lake makes this area enticing for this type of development and it is also approximately 2 miles from the boat ramp on Farrington Point Rd.

The tax base will increase for commercial occupancy and tax revenue for the boats and RVs will be collected. One permanent and one part-time position will be created to staff the facility and the majority of booking will be done through online services.

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

The application includes references to the following section of Plan Chatham

Chapter Two - Issues and Opportunities

Recreational uses and tourism are strongly encouraged throughout the county and

Jordan Lake draws millions of people each year. Having storage facilities near the lake and boat ramps helps to keep them off the main highways.

Chapter Three - Goals and Objectives

Goal 4 is supported by diversifying the tax base

Goal 6 is supported by allowing more access to recreational opportunities and access to open space with a specific draw to Jordan Lake

The Land Use Plan map shows this area within the Rural node which does allow for supporting neighborhood and community non-residential with the approval of rezonings. This property is ½ miles from a noted Crossroads Community node to the south and a Compact Residential node to the north. Both of those nodes also encourage compact residential with smaller lots which generally cannot support the storing of these types of recreational vehicles.

Chapter Four - Economic Development

ED Policy 6 states that the County should support new businesses that diversify the local economy and capitalize on the unique assets of the county. This use brings little to no noise and traffic is minimal.

The County 2023-2024 budget includes plans to reinvest in Jordan lake with the consideration of a shared western intake and water plant which has been submitted for rezoning to be reviewed at the January BOC meeting. The parks and rec department have also dedicated approximately \$1.5 million worth of capital improvement to Jordan Lake. This will hopefully draw even more people to come visit the lake and surrounding economically viable areas of the county.

The application also references the Future Land Use and Conservation Map which shows the property being in a Rural land use designation (see screenshot of the land use designation description and map below). The application includes that this parcel is approximately ½ mile from the Crossroads Community node located at the intersection of Farrington Point and Lystra Road (see screenshot below). The board will need to consider whether the Crossroads Community node designation is appropriate for properties along Farrington Point Road between the intersection and this parcel. The description for Crossroads Community is provided below.

RURAL

- Low density development is comprised of single family homes on large lots or in conservation subdivisions as well as some commercial buildings designed to protect function and form of rural character. Pastures, farms and forests dominate the landscape.
- Mix of uses include agriculture, large lot residential, supporting service uses, and home-based & small scale businesses
- Buildings: 1- and 2-story, more for farm buildings
- Streets: rural two-lane ("farm-to-market") roads
- Public open space: conservation easements, protected lands, regional greenway trails, preservation sites (historic and cultural), private space in large lots (POA/HOA)
- Locations:
 - Outside of Centers and Compact Residential
 - Residential areas

CROSSROAD COMMUNITY

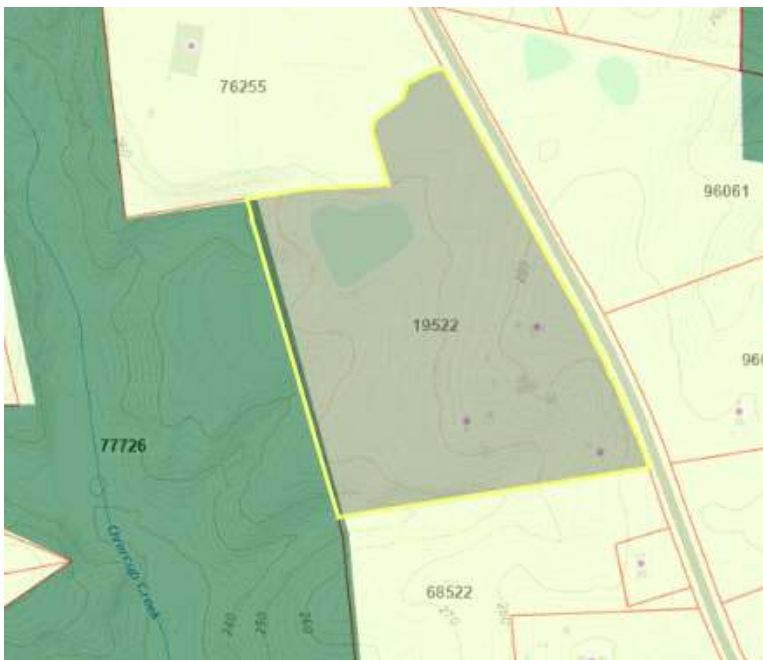
- Smaller than villages, these communities are within rural areas and typically have a minimal amount of retail and institutional uses.
- Mix of uses include single-family residential, some agriculture support services, limited supporting retail, and institutional uses.
- Residential uses are designed in a context sensitive manner, in keeping with historic development

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patterns, which may include smaller lot sizes and setbacks than typically rural and suburban development.

- Buildings: 1- and 2-story, more for farm buildings
- Streets: rural two-lane ("farm-to-market") roads
- Public/open space: informal greens at centers, regional greenway trails
- Locations:
 - Haywood, Brickhaven, Corinth, Griffins Crossroads, Wilsonville, Bear Creek, Harper's Crossroads

Below is the Land Use Map designation showing the Rural designation and location of the Community Center node





4. The requested amendment is either essential or desirable for the public convenience or welfare.

The application includes the following items to address this standard.

- Low traffic generator and noise significant increase in noise
- Visual screening designed to foster the rural character of the area and the landscape
- Lighting will meet full-cutoff fixtures and downward facing.
- 345 units are proposed

During the Technical Review Committee meeting with county staff, Nick Robinson, attorney, stated the design of the site is set up to obscure the boats and RVs from the viewshed on Farrington Point Road and this location is about a mile away from a boat ramp. The applicant is also in conversation with the solar farm adjacent to the parcel about using solar panels on this site to generate more energy.

Per conversations with NCDOT, a deceleration lane is to be constructed as well for traffic heading south on Farrington Point Rd. There was a concern from one commissioner about traffic being stopped on Farrington Point Road when vehicles would stop to turn left into the facility. NCDOT didn't think a left turn lane would be necessary.

5. All other circumstances, factors, and reason which the applicant offers in support of the proposed amendment.

The application includes the following information to address this standard.

- There will be no washing of boats or RVs permitted on the property.
- There will be no RV dumping stations.
- Any existing wells or septic systems will be abandoned and if any new services are required, all required permitting will be obtained.
- Signage will consist of an entryway sign on the end of the streetside building and the applicant proposes to use the name of the previous long-time owner of the property to pay respect to the Parker family.
- No water or septic will be required as this will be an unmanned facility with a passcode gate for entry.

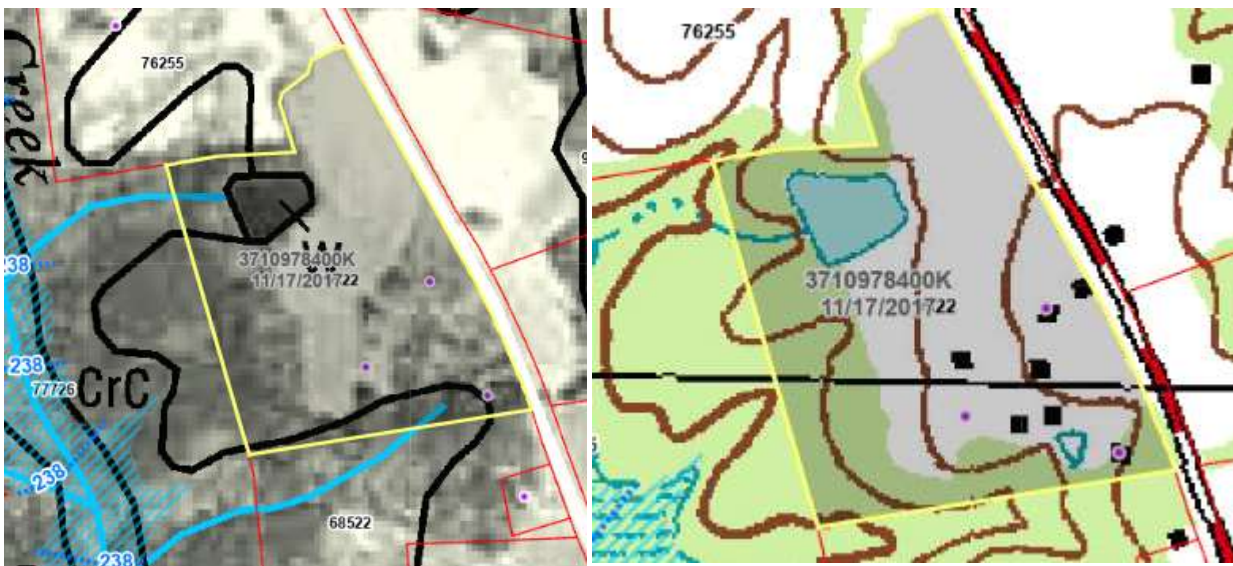
Watershed map below shows property within the WSIV-Protected Area Jordan Lake



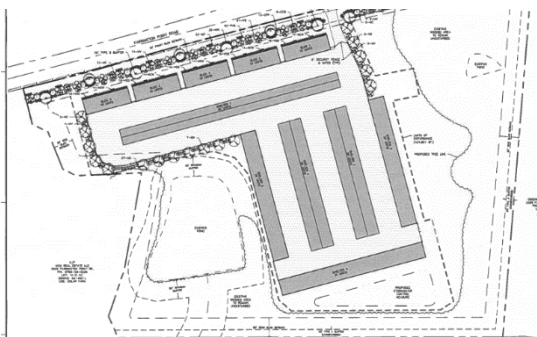
The property is located within the WS-IV Protected Area watershed district (Jordan Lake drainage) and built upon area is limited to no more than 36% without curb and gutter and the site plan shows 32.1%.

Per FEMA map 3710978400K, dated 11/17/2017, shows no floodable area on the parcel.

NRCS/USGS map shows a blueline stream that will require buffering as well as the pond which is to be utilized to meet the stormwater retention requirements



Proposed site plan



How does this relate to the Comprehensive Plan: The development is low activity and has been designed to keep in the spirit of the Rural designation and is located within ½ mile of a Crossroads Community activity node. Additionally, the property is designed for very low traffic volume and is landscaped for virtually no visibility from the road.

The Planning Board reviewed the request during their regular meeting December 5, 2023 and discussion included the following:

- **The height of the buildings - 1 story**
- **Fence will be constructed between the buildings and the existing barns will be left in place outside of the fenced area.**
- **Transportation, turning movements, and traffic volume and vehicle access will likely occur during non-peak hours**
- **Discussion about the traffic analysis and that patterns differ between mini-storage facilities and boat/RV storage**
- **Proximity of the facility to boat ramps at Jordan Lake**
- **Property location and distance from the Crossroads Community node identified on the Future Land Use and Conservation Plan Map**
- **Built upon area limited to 36%**
- **Smaller lot sizes forces property owners to seek off-site storage for boats and RVs**

The Planning Board voted 7-2 to recommend approval of the consistency statement and the rezoning request.

Recommendation:

The Planning Board by a vote of 7-2 recommends adoption of a resolution approving the following consistency statement:

- The development is low activity and has been designed to keep in the spirit of the Rural designation and is located within ½ mile of a Crossroads Community activity node. Additionally, the property is designed for very low traffic volume and is landscaped for virtually no visibility from the road.

The Planning Board by a vote of 7-2 recommends adoption of an Ordinance Amending the Zoning Ordinance of Chatham County to approve a legislative request by Viridian Holdings LLC to rezone a portion of Parcel 19522 (approximately 21 ac) from R-1 Residential to CD-NB Neighborhood Business for a boat and RV storage facility located at 2649 Farrington Point Rd, Williams Township with the following conditions:

Site Specific Conditions

1. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes and as shown on the site plan. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.

2. A building permit shall be obtained and remain valid at all times within two years of the date of this approval or the site plan becomes null and void.

Standard Site Conditions

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.
4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, and Environmental Health Division, etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the platting process.

Standard Administrative Conditions:

5. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
6. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
7. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
8. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.