



Chatham County, NC

Legislation Text

File #: 20-3606, **Version:** 2

Vote to approve a legislative request by Campbell Towing and Recovery, Inc, for a general use rezoning from R-1 Residential to IND-L, Light Industrial, Parcel No's. 9599 and 61012 being 2.47 acres, located at 128 Vernie Phillips Rd, Gulf Township.

Action Requested:

Vote to approve a legislative request by Campbell Towing and Recovery, Inc, for a general use rezoning from R-1 Residential to IND-L, Light Industrial, Parcel No's. 9599 and 61012 being 2.47 acres, located at 128 Vernie Phillips Rd, Gulf Township.

Introduction and Background:

A legislative public hearing was held on September 21, 2020. Planning staff presented the request to the Board of Commissioners and Dwayne and Angela Campbell, applicants, were present to answer any questions. No one signed up to speak.

Campbell Towing & Recovery has been in business for 29 years (14 at its current location). Their current location, parcel 9503, was included in the 2007 corridor rezoning. At the time, the B-1 zoning classification matched the use of the property. In 2013, the properties, parcels 9599 and 61012, were purchased by Camco Holdings. Recently, the applicants had called into the planning department to inquire about placing a structure on the property. After further review, it was discovered that the property had been developed at some point from 2013-2015 and was being used for non-residential purposes while zoned R1 Residential. The properties were placed under Notice of Violation on June 30, 2020, and a discussion was held with the applicants on how to remedy the situation. The applicants opted to go through the rezoning process.

Commissioners Hales and Howard questioned the clearing of the property and the current use. The use of the property currently is for hauling and storage yards and the property has been developed to support this use. Please note that the rezoning request is for a general use Light Industrial zoning classification and the Planning Board and Commissioners must consider all of the uses that are allowed within this district.

Discussion and Analysis:

When considering a general use zoning classification, the boards must consider all of the uses that are allowed within the district.

The properties are currently zoned R-1, Residential, the property to the west is zoned B-1, Business, and all other adjoining properties are R-1, Residential. The B-1 property is the current shop for Campbell Paint & Body.

The property is in the Local Watershed district, there are no water features identified on USGS or NRCS maps, and there is no special flood hazard area.

In considering a general use rezoning request Section 19 of the Chatham County Zoning Ordinance includes four standards that must be addressed and supported in order for a rezoning application to be approved.

The standards are:

Standard No 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment. No error in the ordinance is being alleged.

It is Planning Board and planning staff opinion this standard is met.

Standard No 2: The changed or changing conditions, if any, in 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. The Town of Goldston municipal limits are within approximately half a mile from the property and water and sewer service are available. The applicants have relationships established with many of the businesses and work together to support one another. Because of the availability of water and sewer from the town of Goldston, there is future growth potential for the business being near the HWY 421 corridor.

It is Planning Board and planning staff opinion this standard is met.

Standard No 3: The manner in which the proposed amendment will carry out the intent and purpose of the adopted land use plan, or part thereof. The properties are located in close proximity to existing infrastructure, including major highways and compatibility with the surrounding environment. This also has excellent access to existing transportation infrastructure as well as sewer and water from the Town of Goldston.

Economic Development Strategy 1.2 (page 55) recommends to modify zoning regulations to allow for more flexibility for rural businesses that have minimal impact on adjacent properties, traffic, and rural character. Economic Development Policy 2 (page 55) encourages growth in designated Employment Centers, towns, and other appropriate locations. These properties are located within a Town Center on the Future Land Use Plan Map. Economic Development Strategy 4.4 recommends permitting existing commercial and industrial uses to continue and allow reasonable expansion (page 56). Land Use Strategy 7.4 (page 68) states to provide flexibility for rural businesses. Modify zoning regulations to allow for more flexibility for rural businesses that have minimal impact on adjacent properties and rural character.

It is Planning Board and planning staff opinion this standard is met.

Standard No. 4: All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment. It is the applicants desire to have the land be in a conforming use classification. They wish to meet their business growth needs while also conforming to Chatham County regulations.

The Comprehensive Land Use plan definition for Town Centers states that they are intended to be established centers of commerce in the County. The applicant's business is a paint & body shop, as

well as a towing company. They are on a rotation with the NC Highway Patrol to provide towing and recovery services. Although the property is currently being utilized by the applicants, a general use rezoning to IL, Light Industrial, is in line with the Comprehensive Land Use Plan.

It is Planning Board and planning staff opinion this standard is met.

Based on all 4 standards being met, the Planning Board recommends approval of the rezoning request.

How does this relate to the Comprehensive Plan:

Recommendation:

It is the recommendation of the Planning Board and planning staff that the Board of Commissioners approve the conditional rezoning request based on all standards being supported and adopt a resolution approving the following consistency statement:

It is the opinion of the Planning Board the rezoning request is consistent with the Chatham County Comprehensive Land Use Plan based meeting ED Strategy 1.2 and 4.4 and Land Use Strategy 7.4 of the Comprehensive Plan, and therefore is recommended for approval.

It is the recommendation of the Planning Board and planning staff that the Board of Commissioners approve a legislative request by Campbell Towing and Recovery, Inc, for a general use rezoning from R-1 Residential to IND-L, Light Industrial, Parcel No's. 9599 and 61012 being 2.47 acres, located at 128 Vernie Phillips Rd, Gulf Township.