



TOWN OF PITTSBORO
ZONING DISTRICT CHANGE APPLICATION

P.O. Box 759-635 East Street
Pittsboro, NC 27312

Telephone (919) 542-4621
Fax (919) 542-7109

REZ- _____

I, (We) the undersigned, do hereby respectfully make application and petition the Board of Commissioners of the Town of Pittsboro to amend the Zoning Map of the Town of Pittsboro as hereinafter requested, and in support of this application, the following facts are shown:

(1) Applicant Information:

Name: Randolph Development Group, LLC
Address: c/o Patrick E. Bradshaw
P.O. Box 607, Pittsboro, NC 27312
Phone No: (h) 919-545-1258
(w) 919-542-2400
(m) 919-545-1258
Email: bradshaw@bradshawrobinson.com

(2) Landowner Information (as shown on deed)

Name: See attached.
Address: _____
Phone No: (h) _____
(w) _____
(m) _____
Email: _____

(3) Property Identification:

911 Address: 54 Suttles Road

S.R. Name: Russett Run and Suttles Road
S.R. Number: 1658 and 1809
Acreage: 2.46
Flood map #: 3719075200J
Flood Zone: X
Map Date (2-07-2007)

Tax Map #: 9752-09-6793, -6693, -6465, -6371
Parcel#: 83495, 83665 (portion), 60886, 89585
Deed Book: _____ Page: _____ Yr: See attached.
2002 407 (portion)
Plat Book: 2006 Page: 81 (portion)
Current Zoning District: C-2 (CD) and C-2
Watershed District: WSIV-PA

(4) Requested Zoning District

C-2 (CZ)

(5) Attach the following, if requesting a zoning map amendment:

List of names and addresses or current adjoining property owners.

Written legal description, County Tax Map, or Map of the property at a scale of not less than 1 inch equals 200 feet.

Explanation of request addressing applicable portions of Zoning Ordinance. (Use a separate sheet of paper if necessary.)

See attached. The Applicant also requests site plan review pursuant to
Zoning Ordinance Section 10.7.3.11.

I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.



Signature Patrick E. Bradshaw, Authorized Agent
for Owners and Attorney for Applicant

May 1, 2013

Date

The owner must sign the following if someone other than the owner is making the application.

I hereby certify that _____ is an authorized agent for said property and is permitted by me to file this application.

See attached.

Signature

Date

Fee ~~\$350.00~~ \$360.00

Paid April 15, 2013

Date

OWNER AUTHORIZATION

Chatham County Parcel ID #: 83495, portion of 83665, 60886

I hereby certify that Patrick E. Bradshaw is an authorized agent for the property identified above and is permitted by me to file this Zoning District Change Application.

RANDOLPH DEVELOPMENT GROUP, LLC

By: 

Name: DR BOB STROUD JR

Title: Manager

Date: 4/29/13

OWNER AUTHORIZATION

Chatham County Parcel ID #: 89585

I hereby certify that Patrick E. Bradshaw is an authorized agent for the property identified above and is permitted by me to file this Zoning District Change Application.

CHATHAM PARK INVESTORS LLC

By:

Tim Smith

Name:

Tim Smith

Title: Manager

Date:

April 29, 2013

Randolph Development Group, LLC
Zoning Application Additional Information

Landowner Information

Chatham County Parcel ID #: 83495, portion of 83665, 60886

Name: Randolph Development Group, LLC
Address: Post Office Box 841
Sophia, North Carolina 27350
Phone No.: (h) 336-382-4721
(w) 336-498-7609
(m) 336-382-4721
Email: jmillikan@supmech.com

Chatham County Parcel ID#: 89585

Name: Chatham Park Investors LLC
Address: Post Office Box 3557
Cary, North Carolina 27519
Phone No.: (h) _____
(w) 919-645-4311
(m) _____
Email: keagle@morrisrussell.com

Property Deeds

Deed Book: 1658	Page: 321	Yr: 2012
Deed Book: 1658	Page: 325	Yr: 2012
Deed Book: 1658	Page: 328	Yr: 2012
Deed Book: 1658	Page: 945	Yr: 2012
Deed Book: 1567	Page: 800	Yr: 2011

Report of Community Meeting

A community meeting concerning this application was held on April 10, 2013, at 6:00 p.m. at the offices of Bradshaw & Robinson, LLP, 128 Hillsboro Street, Pittsboro, North Carolina. Written notice of the community meeting was provided to all of the adjoining property owners identified in this application by first class United States mail, postmarked on March 26, 2013, addressed to each adjoining property owner at the address listed by the Chatham County Tax Department. Copies of the notices are attached. A representative of the Applicant also spoke by telephone to representatives of each of the adjoining property owners, and each of the adjoining property owners expressed support for or no opposition to the rezoning requested in this application. No persons other than the representative of the Applicant attended the community meeting.

Explanation of Request

All of the property that is subject to this application, except Parcel Number 89585, was zoned C-2(CD) and subjected to a special use permit for the development of a shopping center containing approximately 46.77 acres, upon the application of American Asset Corporation on behalf of Pittsboro Acquisitions I Limited Partnership ("AAC") in May 2008. Parcel No. 89585 was zoned C-2, without conditions, upon the application of Chatham Park Investors LLC, in August 2012.

The Town has already determined that this property is appropriate for the uses allowed in the C-2 zoning district. However, the property that was formerly owned by AAC is no longer under common ownership, and the Applicant understands that the AAC shopping center project has been abandoned.

The purpose of this application is to release the subject property from the requirements of the AAC special use permit and to allow the property to be developed in accordance with this application and the site plan submitted with it. The AAC special use permit contains numerous conditions that had to be satisfied for all 46.77 acres of the former AAC property prior to issuance of a zoning compliance certificate for improvements on any portion of the property, including a watershed protection plan, a stormwater management plan, architectural guidelines and the construction of various improvements. Obviously, it is no longer possible to satisfy those conditions prior to the development of this 2.46 acres because the AAC property is no longer in common ownership, and the AAC shopping center is not going to be built.

As the site plan demonstrates, the Applicant proposes to construct a building of approximately 3,808 square feet, to be used initially as a Bojangles' restaurant, and a second building of up to approximately 8,000 square feet to be used for retail, office and institutional uses and other uses permitted by right in the C-2 zoning district under the Zoning Ordinance. The Applicant intends to begin construction of the restaurant building as soon as is practicable after approval of this request, and anticipates that development of the entire site would be complete within three (3) years after approval of this request.

The Applicant respectfully requests that this application be approved on condition that the property be developed in accordance with the site plan submitted herewith, that the property and structures thereon be used only for uses permitted by right in the C-2 zoning district pursuant to the Zoning Ordinance, that changes of uses or users of the property or structures thereon shall not require approval by the Town so long as the property and the structures thereon are used in accordance with this application and the site plan submitted herewith and the uses are permitted by right in the C-2 zoning district under the Zoning Ordinance, and that alterations to this application or the site plan may be made only in accordance with the requirements of the Zoning Ordinance.

Randolph Development Group, LLC
Adjoining Property Owners

1. Chatham Park Investors LLC
P. O. Box 3557
Cary, NC 27519
Parcel ID: 68503, 7099, 60745
2. Ricky Spoon Builders Inc.
2475 Redbud St.
Pittsboro, NC 27312
Parcel ID: 84830 and 6723
3. Mr. R. Terry Bass, *et al.*, Trustees
Mr. Bernard F. McLeod, III
Mr. W. Stewart McLeod
6336 Dwight Rowland Rd.
Fuquay Varina, NC 27526
Parcel ID: 6590
4. Chatham County Board of Education
Post Office Box 128
Pittsboro, NC 27312
Parcel ID: 73187

BRADSHAW & ROBINSON, LLP

ATTORNEYS AND COUNSELORS AT LAW

HALL-LONDON HOUSE

128 HILLSBORO STREET

POST OFFICE BOX 607

PITTSBORO, NORTH CAROLINA 27312

PATRICK E. BRADSHAW
NICOLAS P. ROBINSON
ANDREW T. SLAWTER

(919) 542-2400

FAX 542-1319

bradshaw@bradshawrobinson.com

March 26, 2013

Chatham Park Investors LLC
P. O. Box 3557
Cary, NC 27519

RE: Notice of Community Meeting for Property of Randolph Development Group, LLC; April 10, 2013, 6 p.m., 128 Hillsboro Street, Pittsboro, North Carolina

Dear Abutting Property Owner:

I am writing on behalf of Randolph Development Group, LLC, to invite you to a community meeting concerning a proposed rezoning of property located at the southeastern corner of the intersection of U.S. Highway 15-501 and Russett Run Road north of Pittsboro. A portion of the property to be rezoned is located within the town limits of Pittsboro, and a portion of the property is within the Town's extra-territorial jurisdiction. The proposal is expected to request a rezoning of the property to a conditional zoning district with conditions appropriate for the use of the property for a restaurant and other uses allowed in the Town's highway commercial zoning district.

A community meeting regarding the rezoning proposal will be held on April 10, 2013, at 6:00 p.m. at the offices of Bradshaw & Robinson, LLP, 128 Hillsboro Street, Pittsboro, North Carolina. This meeting is required as part of the Town's process for rezoning to a conditional zoning district. You are not obligated to attend the meeting, of course, but please feel free to do so if you wish. If you have questions about the proposal before or after the meeting, you are welcome to contact me at the number above.

Sincerely yours,



Patrick E. Bradshaw

PEB:jbs

BRADSHAW & ROBINSON, LLP

ATTORNEYS AND COUNSELORS AT LAW

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March 26, 2013

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March 26, 2013

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