Town of Pittsboro, North Carolina

Department of Planning **(919) 542-1655**

MEMORANDUM

TO: Bryan Gruesbeck, Town Manager

FROM: Stuart W. Bass, Planning Director

SUBJECT: REZ-2015-01
Branston, LLC Rezoning

DATE: February 4, 2015

Branston, LLC is proposing to rezone approximately 97 acres off of US 64 east of Pittsboro from R-A5 (Rural Agricultural) to R-A2 (Residential Agricultural).

Please see the attached Staff Analysis. The Planning Board recommended approval of this proposal at its regularly scheduled meeting on February 2, 2015.

Action Required: Establish a Public Hearing date for February 23rd, 2015.

Town Hall ~ 635 East Street ~ Pittsboro, NC 27312
Email: swbass@pittsboronc.gov
Phone: (919) 542-1655
Fax: (919) 542-2310

STAFF ANALYSIS
REZ-2015-01

APPLICANT:	Branston, LLC 150 Towerview Court Cary, NC 27513
PROPERTY: **OWNER:**	John Blair Henlajon, Inc.
LOCATION:	Off of US 64, east of Pittsboro
EXISTING USE:	Vacant woodland (Undeveloped)
AREA:	Approximately 97.3 acres.
EXISTING ZONING:	RA-5 (Rural Agricultural)
PROPOSED ZONING:	RA-2 (Residential Agricultural)
ADJACENT LAND USES:	North – Vacant Undeveloped Property, Zoned RA-5 (Owned by the State of North Carolina). South – Vacant Undeveloped Property, Zoned RA-2. Immediately across US Highway 64 East is a tract zoned C-2 Highway Commercial. West – Vacant Undeveloped Property, Zoned RA-2. East – Vacant Undeveloped Property, Zoned RA-5 (Owned by the State of North Carolina).
ZONING HISTORY:	The RA-5 zoning shown is reflected on the 1989 zoning map. Recent rezoning's in the near area include a tract directly across US 64, from RA- to C-2 on March 22, 2010 and the Chatham Park PDD on December 8, 2014.

ANALYSIS: The following staff analysis is structured to address the information that should be considered for a map amendment as outlined in the Zoning Ordinance and city zoning enabling statutes for the State of North Carolina.

1. Relationship of the proposed map amendment to the Land Use Plan and Future Land Use Map.

   The Subject properties are designated as Low Density Residential Neighborhood on the Future Land Use Map (October 2012). The low-density residential neighborhood category would include residential developments at a low enough density to support on-site septic systems.

2. Suitability of proposed zoning district classification.

   The current zoning RA-5 Rural Agricultural District, is defined as one to provide land primarily for very low density residential development in environmentally sensitive or transitional areas while permitting continued agricultural use. Public water and sewer is not expected to serve these areas in the near future. Minimum lot size is three (3) acres, however lots created must average five (5) acres in size.

   The proposed zoning, RA-2, Residential – Agricultural, is defined as one to provide land primarily for low density residential development in rural areas while permitting continued agricultural use. These districts are located in areas where public water and sewer service in not expected in the near future. The minimum lot size is two acres.

3. Availability of public facilities.

   Public facilities and services rendered by the Town of Pittsboro, water and wastewater are not available to the property. Residential development would be severed by well and septic systems.

4. Population change.

   The R-A2 district would allow for an increase in the number of residential lots, reflected in a five (5) acre average lot size compared to a two (2) acre minimum lot size. Limiting factors would include the allowance for the road, any associated open space, well head areas, and septic fields and associated reserve areas.

5. Transportation patterns.

   The property is located off on US 64, a major state east west corridor. The property would need to be served by the extension of an existing road. Road construction would be to NC DOT standards, and would be an NC DOT owned and maintained road.

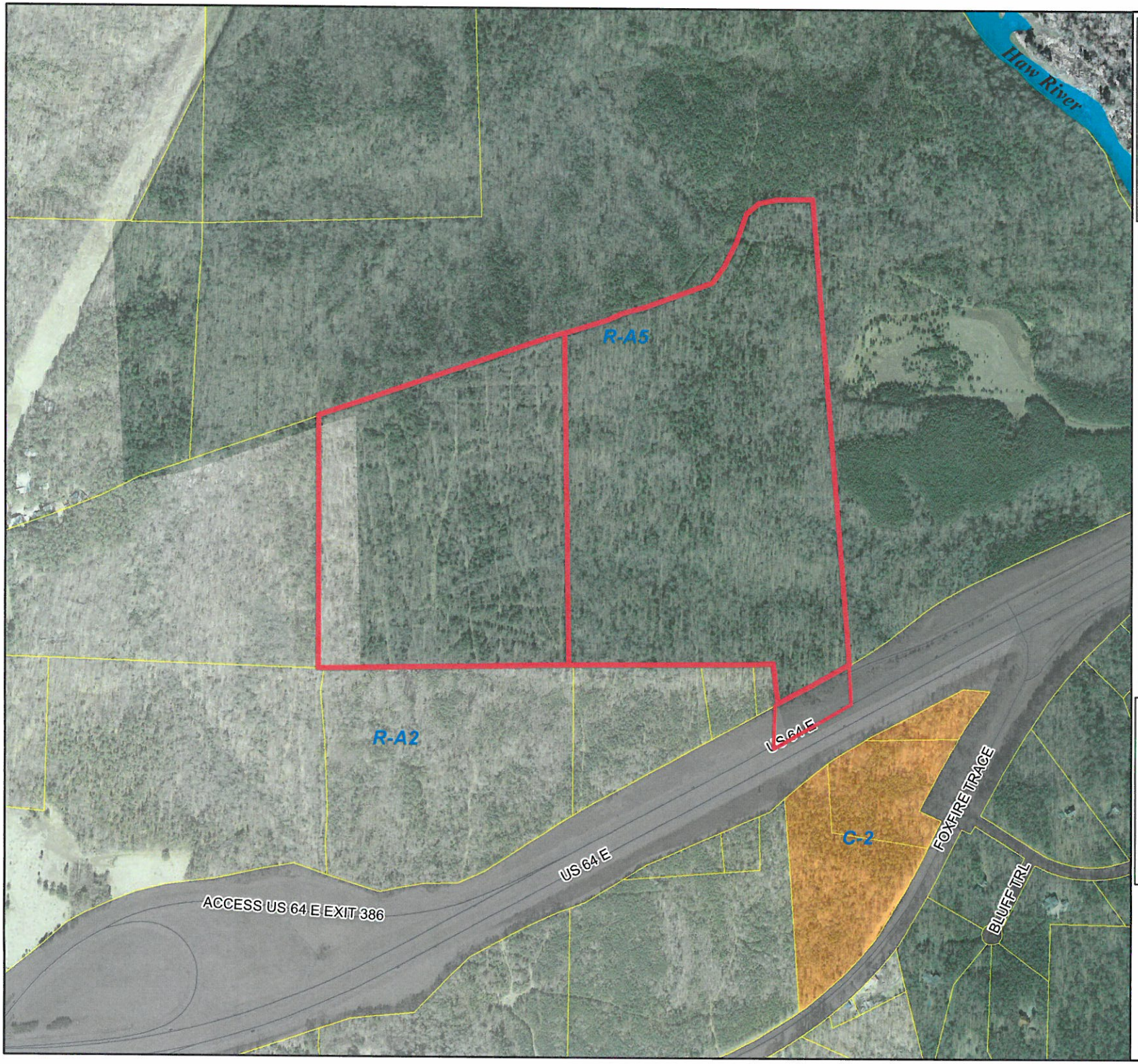
STAFF RECOMMENDATION:

Staff Recommends approval of the proposed amendment, and advises that it is consistent with the Land Use Plan and other applicable plans and policies. It is recommended to adopt the staff report which addresses plan consistency and other matters. The proposed rezoning is consistent with the Town's Land Use Plan. It is a reasonable location for such zoning and would be suitable for those uses permitted within the proposed district.

An important issue for consideration is the location of the proposed parcel in relation to the surrounding zoning district. In this instance the parcel would be bounded by R-A2 and R-A5 zoning districts. The adjacent R-A5 land is publically owned (by the State of North Carolina) and is likely to remain so.

PLANNING BOARD RECOMMENDATION:

Adopted Staff's recommendation and forward to the Town Board of Commissioner's with a positive recommendation for approval.



REZONING REQUEST
REZ-2015-01

US 64 E
Branston, LLC

Current Zoning: R-A5
Proposed Zoning: R-A2

- Rezone Request
- Lakes, Ponds & Rivers
- Parcels

Pittsboro Zoning

- O-I
- C-1
- C-1 CU
- C-2
- C-2 CU
- C-4
- M-1
- M-2
- MUPD
- R-10
- R-12
- R-12M
- R-15
- R-A
- R-A2
- R-A5

January 28, 2015

NORTH

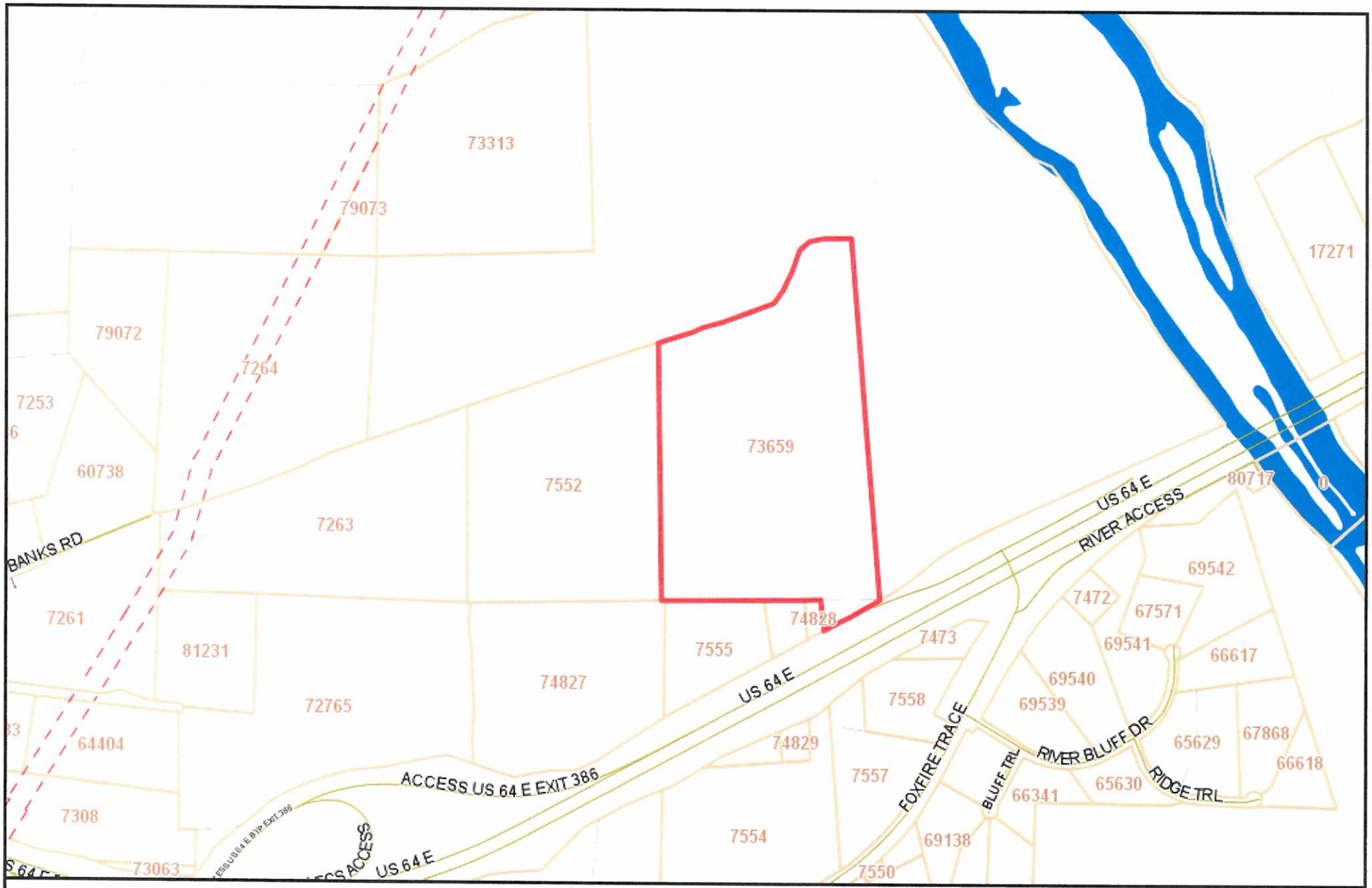
0 125 250 500 750 1,000 Feet

Refer to the Zoning Ordinance for Zone descriptions.

Zoning districts extend to the ROW centerlines

This property is not within the 1000 foot conservation district along the Haw River.

TOWN OF PITTSBORO



CHATHAM COUNTY, NC

Property Map

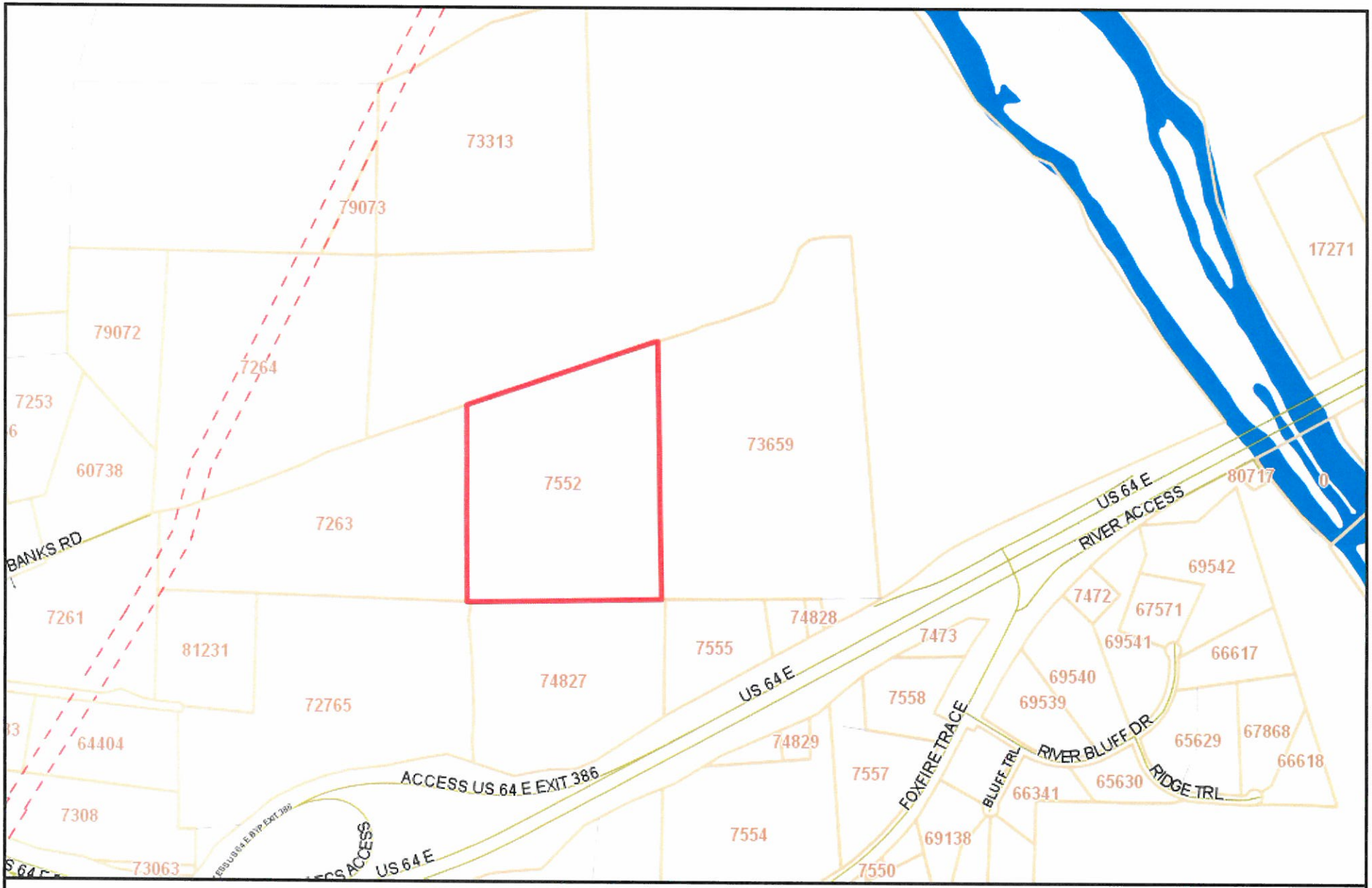
Disclaimer:
The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.

Parcel Number:	73659
Map Number:	9762-51-3093.000
Owner Name:	HENLAJON INC
Owner Address:	603 SOUTH WALTON ST
Owner City:	BETHUNE
Owner State:	SC
Owner Zip:	29009
Tax Year:	2015
Description:	M5-2N

Deed Book:	631
Deed Page:	0917
Plat Book::	88
Plat Page:	0239
Deed Acres:	59.39
Physical Address:	ACCESS RD
Improvement Value:	0
Land Value:	867375
Fire District:	106
Township Code:	5

N

One Inch = 800 Feet



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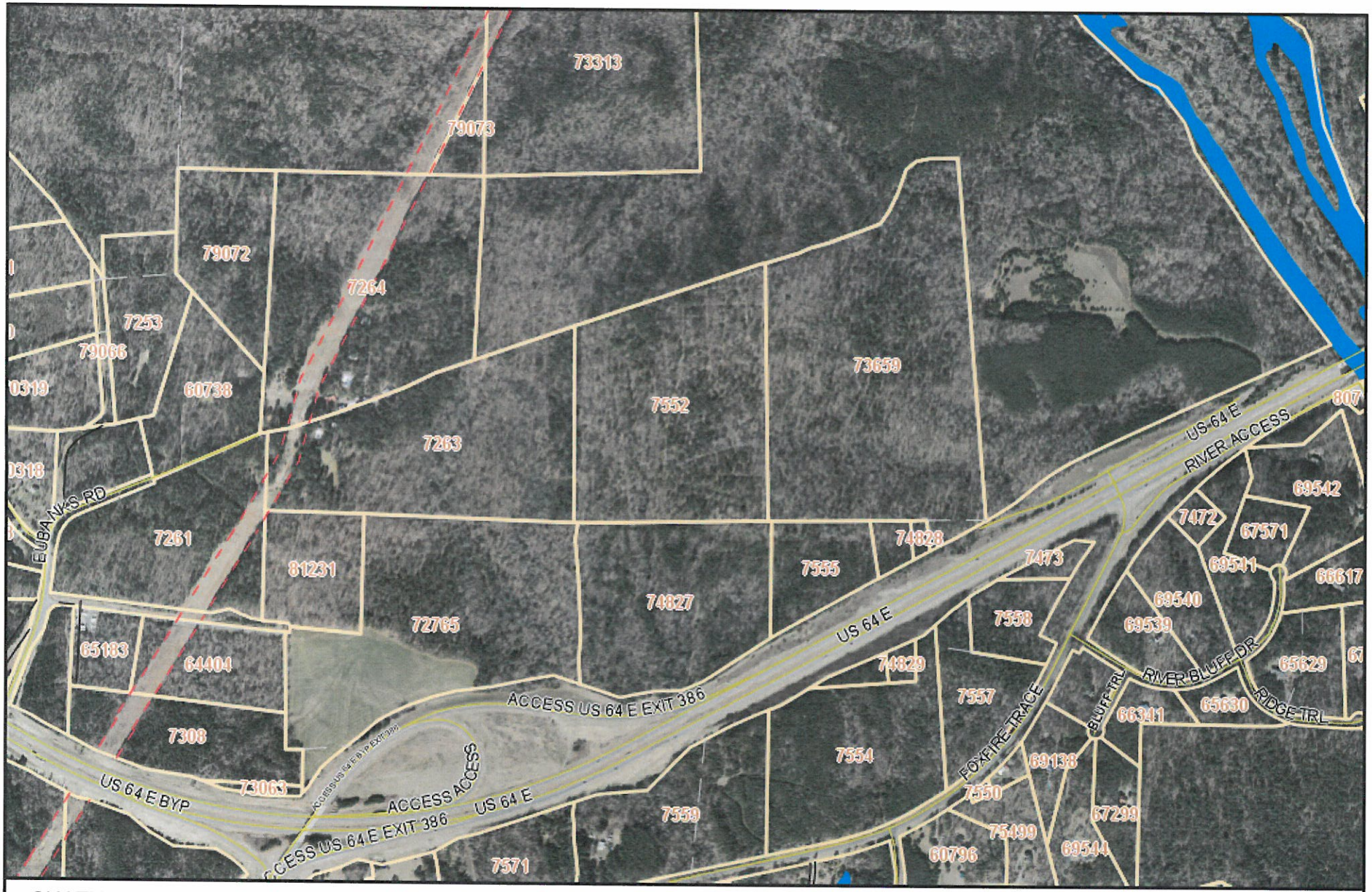
Parcel Number:	7552
Map Number:	9762-40-1867.000
Owner Name:	BLAIR JOHN W
Owner Address:	PO BOX 995
Owner City:	PITTSBORO
Owner State:	NC
Owner Zip:	27312
Tax Year:	2015
Description:	M6-59

Deed Book:	1089
Deed Page:	0852
Plat Book::	
Plat Page:	
Deed Acres:	39.407
Physical Address:	US 64 E
Improvement Value:	0
Land Value:	370552
Fire District:	106
Township Code:	5

N

One Inch = 800 Feet



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N

One Inch = 800 Feet

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- 2015-01

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: Branston, LLC
Address: 150 Towerview Ct.
Cary, N.C. 27513
Phone No: (h) 919 612-5245
(w) 919 612-5245
(m) 919 612-5245
Email: gFintrell@JLBCorp.com

(2) Landowner Information (as shown on deed) John Blair

Name: Henlajon, Inc.
Address: P.O. Box 995
Pittsboro, N.C. 27312
Phone No: (h) _____
(w) _____
(m) 919 542-7636
Email: _____

(3) Property Identification:

911 Address: U.S. 64
Pittsboro, N.C. 27312
S.R. Name: Highway 64
S.R. Number: _____
Acreage: ~~96.753~~ 97.3106
Flood map #: 3710976200J
Flood Zone: X
Map Date (2-07-2007)

9762-40-1867 John Blair
Tax Map #: 9762-51-3093 Henlajon, Inc.
Parcel#: _____
246 18 39.407 Acres
Deed Book: 631 Page: 917 Yr: 57.346 Acres
Plat Book: 1988 Page: 239
Current Zoning District: RA-5
Watershed District: Jordan

(4) Requested Zoning District

RA-2

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

☒ List of names and addresses or current adjoining property owners. See Attached Sheet.

☒ 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 Sheet.

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.

Branstin, LLC

by Adam Fothill 12-4-14

Signature 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.

_____ 12/5/14

Signature Date

Fee $360.00 Paid _____

Date

Form revised 07/01/12

Explanation of Rezoning Request

The current zoning of both properties is RA-5 (Residential Agricultue-5 acre minimum). The adopted Land Use Plan designation for the properties is Low Density Residential. The requested zoning district is RA-2 (Residential-Agriculture Conditional Zoning District). The requested zoning district is in compliance with the Town of Pittsboro Land Use Plan.

The Zoning Ordinance defines the RA-2 Residential Agriculture District as "one to provide land primarily for very low density residential development in rural areas while permitting continued agricultural use. These districts are located in areas where public water and sewer service is not expected in the near future. The minimum lot size is two acres."

The proposed zoning district is appropriate for this location given the adopted Land Use Plan designation.

The proposed development will meet the town's goals and objectives established in the Town's Land Use Plan. The proposed development will comply with the Town of Pittsboro development regulation.