



ORANGE COUNTY
NORTH CAROLINA

Agenda Item:

**Zoning Atlas Amendment – 10
Master Plan Development
Conditional Zoning (MPD-CZ)
Zoning Atlas Amendment**

Orange County Planning Board

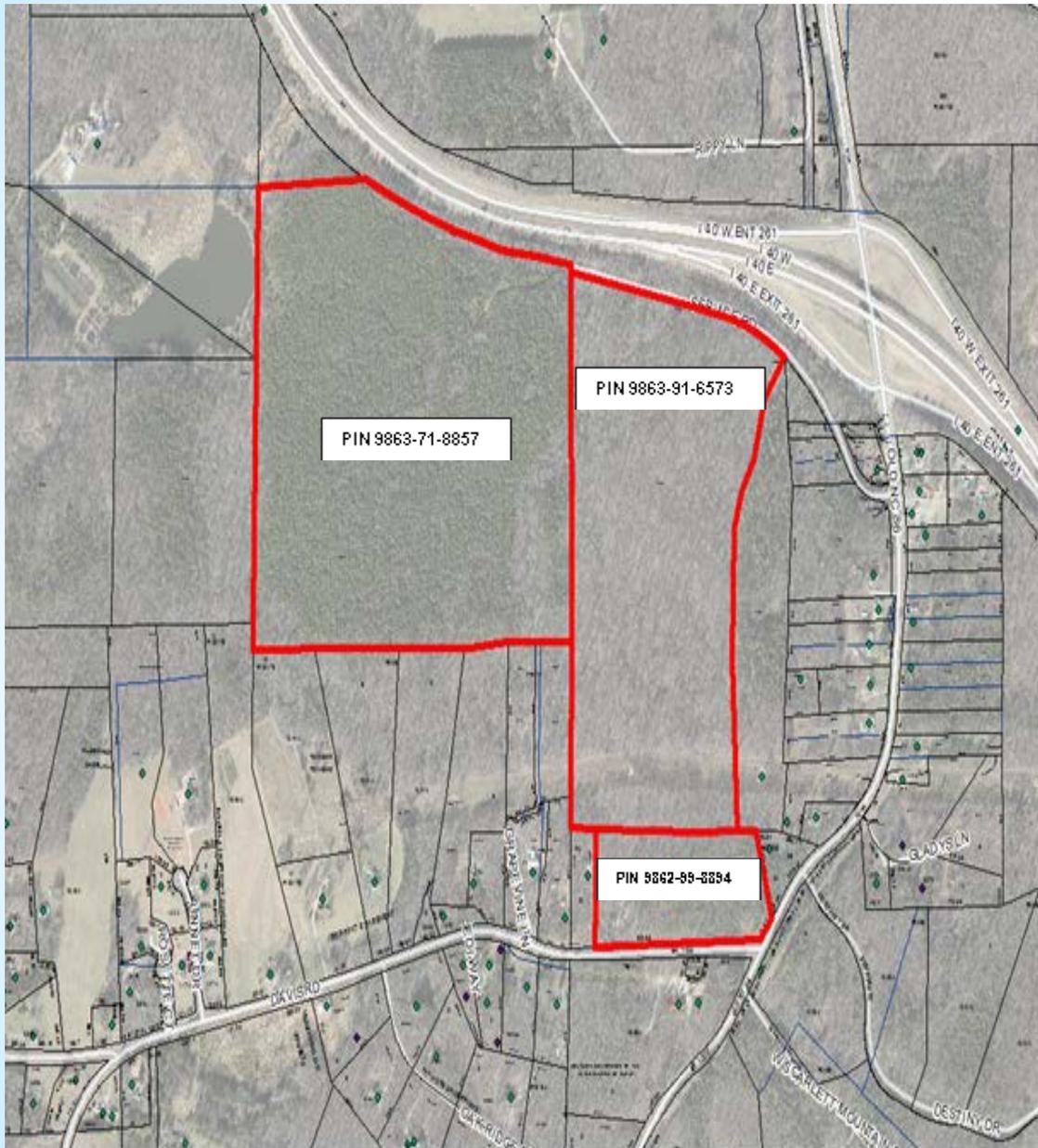
August 5, 2020

BACKGROUND:

- On January 23, 2018 the BOCC approved a zoning atlas amendment creating a Master Plan Development Conditional Zoning (MPD-CZ) district;
 - Referred to as **Settlers Point project**
- MPD-CZ district involved 10 parcels, totaling 195 acres of land area;
- Created 2 development districts (i.e. District 1 west of Old NC Highway 86 and District 2 to the east) allowing for different land uses/development intensities;
- Since 2018, no development activity has occurred consistent with the MPD-CZ.

WHAT'S HAPPENING:

- Submittal of new MPD-CZ zoning atlas application;
- Project referred to as the Research Triangle Logistics Park (RTLTP);
- Involves 3 parcels of property (shown);
- 2 of these parcels were part of the previously approved MPD-CZ district (i.e. Settlers Point);
- If this request is approved, the existing MPD-CZ (i.e. Settlers Point) will cease to exist.



PROPOSED ATLAS AMENDMENT: Page 4

Applicant is proposing to rezone the 3 parcels:

- **FROM:** MPD-CZ (Settlers Point) ; Major Transportation Corridor (MTC) Overlay District ; Rural Residential (R-1) ; Rural Buffer (RB)
- **TO:** MPD-CZ (RTLTP) ; Major Transportation Corridor (MTC) Overlay District ; Rural Buffer (RB)
 - **STAFF COMMENT:** The parcel along Davis Road (PIN 9862-99-8894) has a small portion of the property, approximately 26,000 sq.ft., zoned RB.
 - This portion of the property will remain zoned RB and is designated as open space area on the submittal.

- Involves the approval of a rezoning petition and a master development plan allowing for the development of specific land use(s);
 - **STAFF COMMENT:** Action does not involve approval of site specific development plan(s). Formal site plan submittal is not required per Section(s) 2.92 and 6.7 of the UDO.
- Applications are processed in a legislative manner (i.e. does not require sworn testimony or competent material evidence);
- Decisions are based on the BOCC's determination that the project is consistent with the purpose/intent of Comprehensive Plan.

- Schedule, and Action:
 - First Action – Planning staff schedules a Neighborhood Information Meeting (NIM).
 - **DONE. Meeting was held on-line on July 15, 2020.**
 - Second Action – The Planning Board reviews the application at a regular meeting and makes a recommendation to the BOCC.
 - **OCCURRING**
 - Third Action – The BOCC receives the Planning Board recommendation and makes a decision at a previously advertised public hearing.

CONDITIONAL ZONING PROCESS:

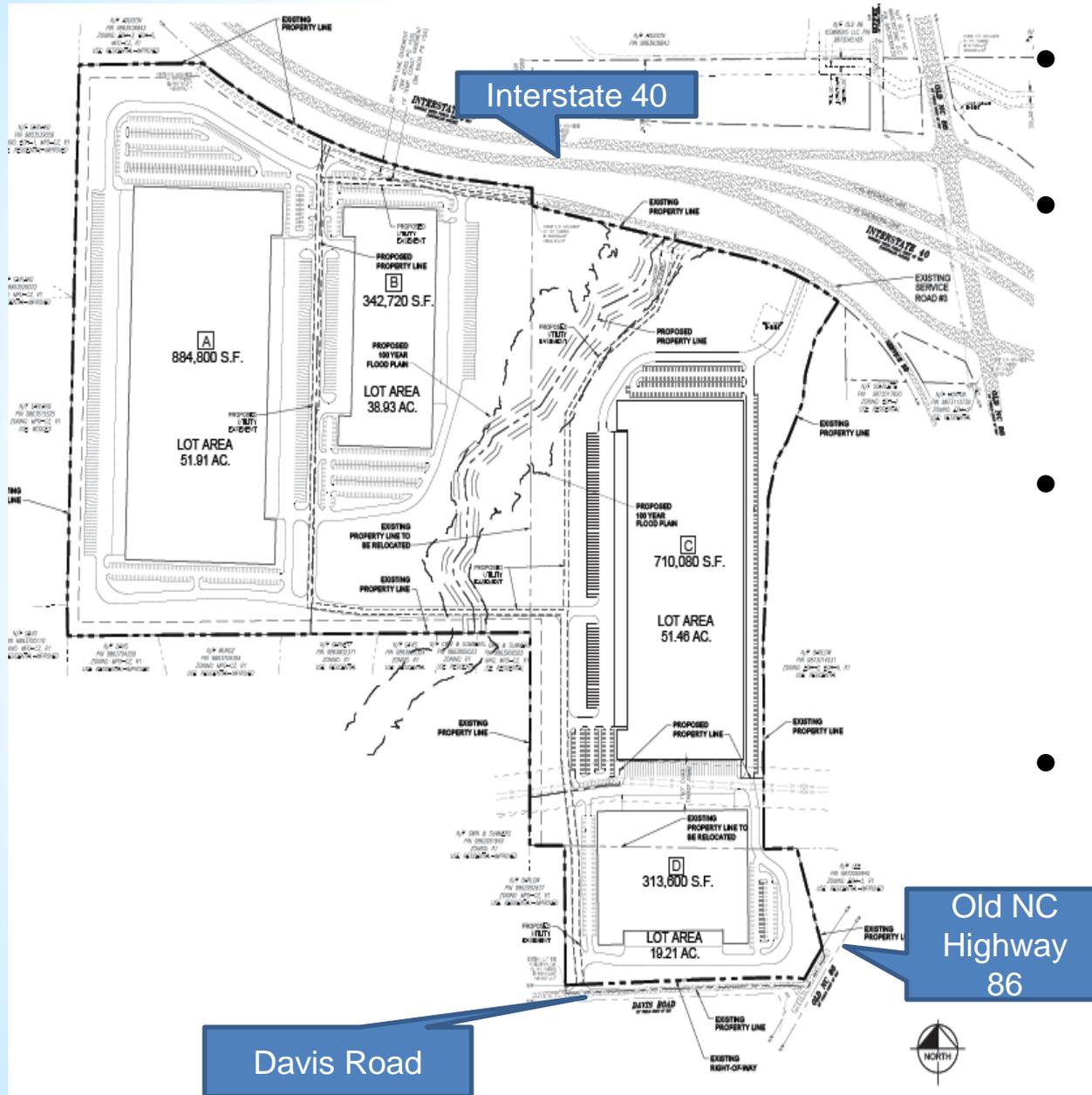
- Per Section 2.9.2 (F) (3) of the UDO, mutually agreed upon conditions can be imposed as part this process only if they address:
 - The compatibility of the proposed development with surrounding property,
 - Proposed support facilities (i.e. roadways and access points, parking, pedestrian and vehicular circulation systems, screening and buffer areas, etc.) and/or
 - All other matters the County may find appropriate or the petitioner may propose.
- If approved, Zoning Atlas amended and property shall be changed to MPD-CZ.
- Development consistent with approved master concept plan and imposed conditions.

FUTURE DEVELOPMENT:

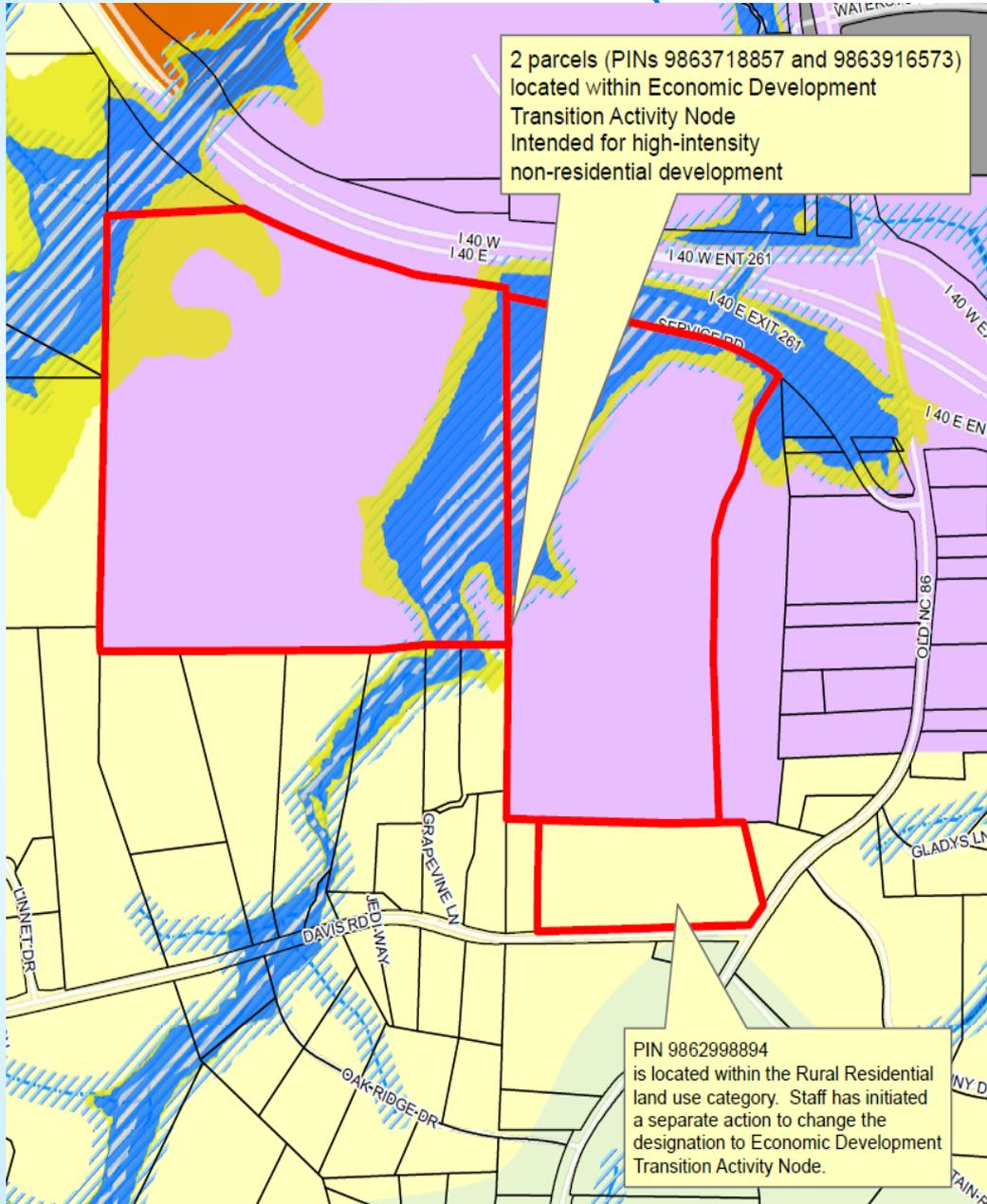
- Development shall only be permitted through the review and approval of site plan application(s) in accordance within Section 2.5 of the UDO.
 - No additional Board review (i.e. Planning Board / BOCC) shall be required.

APPLICATION:

- Consistent with the UDO, the submittal contains:
 - Signed atlas amendment application (includes list of property owners within 1,000 ft.; authorization of property owners to apply for application, etc.;
 - Project narrative;
 - Master Concept Plan (Completed in accordance with the requirements of Section 6.7 of the UDO);
 - Traffic Impact Analysis (TIA);
 - Environmental Assessment application/checklist;
 - Other supporting documentation.

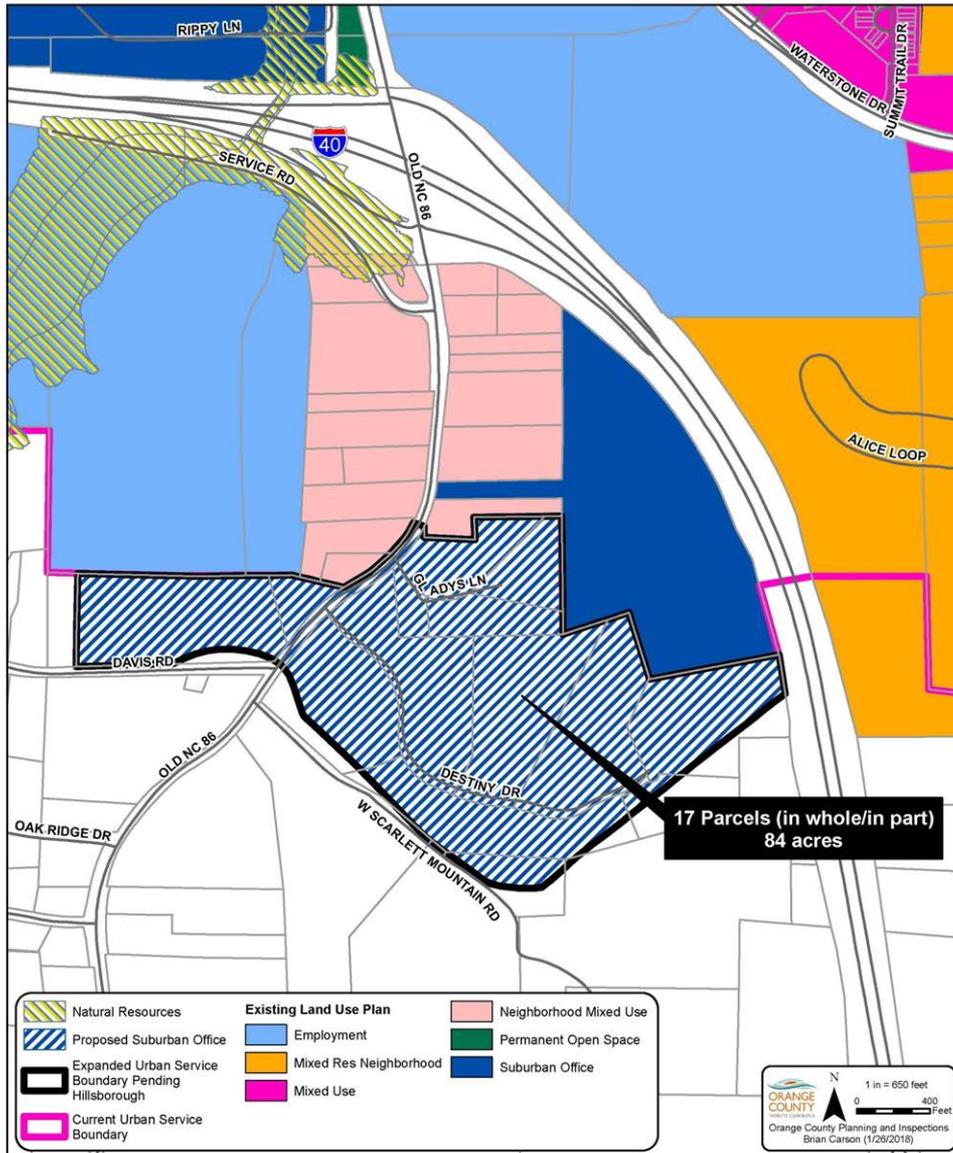


- 3 parcels of property;
- 161 acres of land south of Interstate 40, west of Old NC Highway 86;
- Involve development of approximately 2,250,000 sq.ft. of building area;
- Preservation of approximately 41 acres (25%) of land as open space.



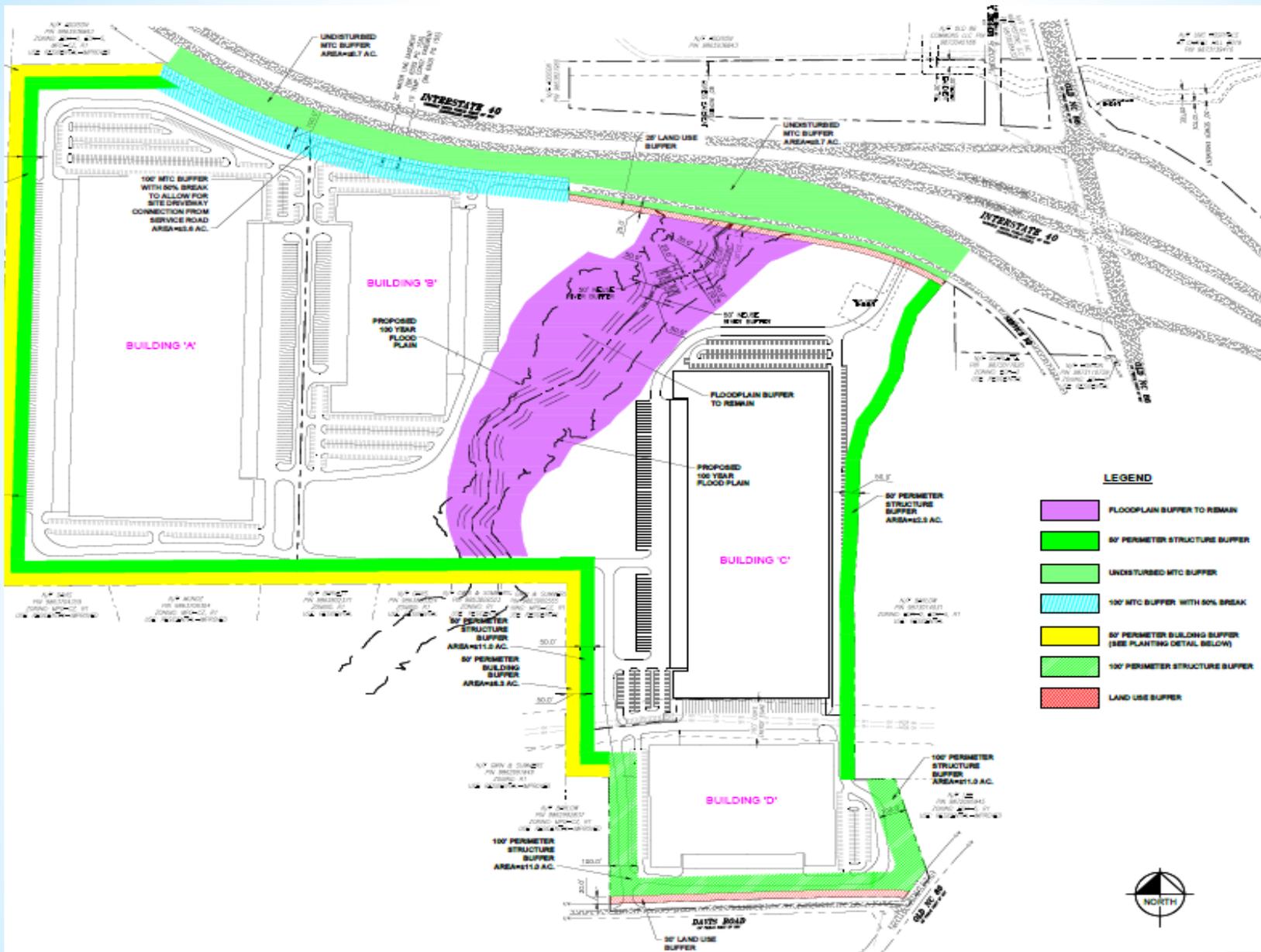
- Future Land Use Map (FLUM) of Comprehensive Plan:
 - 2 parcels located in Economic Development Transition Activity Node;
 - Parcel off of Davis Road located within the Rural Residential land use category
 - ❖ **Staff has initiated separate action to change designation of this parcel to Economic Development Activity Node.**

Proposed Town of Hillsborough/Orange County Central Orange Coordinated Area Land Use Plan



Orange County / Town of Hillsborough Joint Planning Land Use Plan Designations:

- 2 parcels located in Employment land use designation (i.e. industrial, office, research, support services, warehousing, mail order houses, etc. land uses);
- Parcel off of Davis Road recommended to be located in Suburban Office designation (i.e. office/employment land uses) – **occurring as a separate action.**



PROPOSED LAND USES:

Land uses range from:

- Manufacturing (product assembly, clothing, repair, bottling/brewery/winery, food, laundry/dry-cleaning, bus maintenance, fabrication, etc.);
- Research and Development (i.e. laboratories, offices, prototype production, testing facilities, etc.);
- Warehousing/Storage/Distribution Services;
- Wholesale Trade.

Applicant has also proposed a list of land uses that are expressly prohibited from development.

CONDITIONS:

- Applicant has recommended the imposition of several conditions controlling development within project;
 - **STAFF COMMENT:** As a reminder, conditions **MUST** be mutually agreed to by Applicant and Elected officials.
- Conditions range from: architectural controls, signage limitations, site plan review, utility connectivity, internal/external roadway development, landscape/buffer preservation, parking, lighting, stormwater, etc.
 - **Conditions contained in Attachment 9.**

STAFF COMMENT(S):

- The application was determined to be complete;
- Project is consistent with the various goals outlined within the Comprehensive Plan;
- Proposed development is consistent with existing and anticipated development within the area;
 - **STAFF COMMENT(S):** The area in question has been studied for several years with the ultimate goal to allow for intensive non-residential land uses;
 - Utility services (i.e. water/sewer) being expanded to accommodate development activities;
 - Economic development area being expanded consistent with Town/County elected official approval;
- Proposed land uses are compatible with applicable planning document(s).

NOTIFICATION OF PLANNING BOARD MEETING:

In accordance with Section 2.8.7 of the UDO:

- Notices were mailed on **July 20, 2020** via first class mail to property owners within 1,000 ft. of the 3 parcels.
 - Owners of the 3 subject properties were notified of the meeting via certified letter as required by the UDO.
 - **STAFF COMMENT:** County advertising standards exceed minimum requirements of State law.
- Signs were posted on the subject parcels indicating the date/time of the Planning Board's review of the rezoning request on **July 24, 2020**.

Planning Board Action:

The Planning Director recommends the Board:

1. Receive the rezoning application,
2. Deliberate on the proposal as desired,
3. Consider the Planning Director's recommendation, and
4. Make a recommendation to the BOCC on the Statement of Consistency (Attachment 8) and the proposed ordinance (Attachment 9).