

PLANNING & ZONING REVIEW NOTES

V. A.

SUBJECT: Request by George Farrell, Jr. on behalf of Kunal Enterprises LLC for a revision to an existing Conditional Use Permit (previously Andy Carlson/Handy Andy), parcel #70029, to retain the existing approved uses, *auto and truck accessory sales and installation and graphic detailing of vehicles and boats and open air sales and service of accessory buildings and gazeboes and like free-standing structure* and add the following:

- Boat, trailer and other utility vehicle sales to include camper and RV rental and sales and services including boat, RV, camper and other vehicle storage
- Bait and tackle shop
- Sporting goods sales and Camping supplies
- Self Storage/mini warehouse storage facility with related retail and services (i.e. moving truck rentals)
- Vehicle and boat wash
- Rental equipment company
- Office – business, professional and governmental

On 2.103 acres, located off Hwy 64 E., New Hope Township.

ATTACHMENTS: The following was distributed at the March 1, 2005 Planning Board meeting:

1. Application with text and site map.

Included in this packet:

2. Appearance Commission recommendation
3. E-mail from Sue Schwartz, Appearance Commission Chairperson
4. Copy of recombination Plat Slide 2004, Page 358
5. Site plan approved January 18, 2005.

INTRODUCTION AND BACKGROUND: The subject property, consists of 2.103 acres, and is located at the intersection of US 64 E and SR-1747, Bob Horton Road. The parcel is currently zoned Conditional Use Business District with a Conditional Use Permit for *auto and truck accessory sales and installation and graphic detailing of vehicles and boats and open air sales and service of accessory buildings and gazeboes and like free-standing structures*. In October, 2004, this parcel was combined with adjacent property owned by Kunal Enterprises, LLC as shown in Plat Slide 2004, Page 358 to create a 15.086 acre tract. See attachment # 4. The property is within a WSIV-Protected Area watershed district and is not within a portion of the 100 year flood plain.

A public hearing was held on the request on March 21, 2005. Elaine Chiosso, Haw River Assembly Executive Director, addressed the Board with concerns regarding potential leakage of fuel, oil, and other liquids from stored boats, RV's and other vehicles and runoff onto adjacent properties and Jordan Lake.

DISCUSSION AND ANALYSIS: This request is to retain the existing uses currently allowed on the property and add the following uses:

- Boat, trailer and other utility vehicle sales to include camper and RV rental and sales and services including boat, RV, camper and other vehicle storage
- Bait and tackle shop
- Sporting goods sales and Camping supplies
- Self Storage/mini warehouse storage facility with related retail and services (i.e. moving truck rentals)
- Vehicle and boat wash
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The above uses were approved for the adjacent property, owned by Kunal Enterprises, on July 19, 2004 by the Board of County Commissioners along with the uses currently allowed on the Carlson property. Since the applicant has purchased and combined the Carlson property with their property, they would like for the uses to be consistent on the entire property.

The Chatham County Zoning Ordinance requires the following five findings be made:

1. The use requested is among those listed as an eligible use in the district in which the subject property is located or is to be located.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare.
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.
4. The requested permit will be consistent with the objectives of the Land Development Plan.
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

The applicant has addressed the five findings in his text.

All uses requested are permitted uses within a B-1 Business District. The purpose of this application, is to have the uses on their now combined 15 acre tract be uniform and consistent.

The applicant has shown three (3) 5 feet x 10 feet monument signs with five (5) flag poles at each monument sign on his signage and lighting plan. The Appearance Commission members have only reviewed the landscaping plan and have not been presented with the signage and lighting plan. They think that a thorough review of the signage and lighting plan is warranted and are requesting that the issue be sent back to them for review at their April meeting. See attachment # 3. The Appearance Commission was satisfied with the landscape plan.

The existing structure, labeled current showroom, will continue to be used. One additional 60 foot x 100 foot structure is proposed. Per Taylor Blakely, Landscape Architect, Blakely Design Group, the total impervious surface area on the 15 acres, including the new structure, will be 30.4%. The WSIV-Protected Area watershed district allows projects without a curb and gutter street system to have development that does not exceed thirty-six per cent (36%) on a project by project basis.

A site plan dated December 9, 2004, for the adjacent tract, was approved by the Board of County Commissioners on January 18, 2005. See attachment # 5. The site plan presented with this current application is revised from the original plan approved January 18, 2005. Per the applicant, the RV, boat and storage area is to be relocated from the eastern side of the property to the western side due to poor soil compaction. The entrance to the 15 acre tract is to be the existing entrance off US 64 E currently serving the Carlson tract along with an entrance off SR-1744, Bob Horton Road. The entrance approved on the previous site plan off US 64 E will not be used due to NCDOT's restrictions concerning fence cuts.

County water is currently not available to the property; however, a water line is being run to Builder's First Source which is located across US 64 E from the subject property. Staff recommends that if county water is considered to be available to the subject property at the time a building permit is obtained, the applicant be required to utilize county water versus use of the existing wells on the property.

The Carlson property has an existing septic system and repair area. This area along with approved septic and repair area on the adjacent property are sufficient for proposed uses per the Environmental Health Division of the Chatham County Health Department.

Staff thinks the request is consistent with uses in the surrounding area and that the five findings can be made.

RECOMMENDATION: The Planning Department recommends tabling the issue for one month to give the applicant time to meet with the Chatham County Appearance Commission for a thorough review of the signage and lighting plan. If the Board wishes to grant approval of the request at this time to retain the existing approved uses, *auto and truck accessory sales and installation and graphic detailing of vehicles and boats and open air sales and service of accessory buildings and gazeboes and like free-standing structures* and add the following:

- Boat, trailer and other utility vehicle sales to include camper and RV rental and sales and services including boat, RV, camper and other vehicle storage
- Bait and tackle shop

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The following conditions are recommended:

1. The entire 15 acre combined tract shall be considered as one with all conditions of approval applying to the entire tract.
2. If county water is considered to be available to the property, at the time of a request for a building permit, county water must be utilized.
3. Landscaping shall be as shown on the revised site plan dated February 16, 2005. A variety of landscape stock is recommended. Landscaping in the areas currently being occupied for a commercial business must be installed upon approval of this request by the Board of Commissioners and must be completed by December 31, 2005. All other required landscaping shall be installed prior to the issuance of a certificate of occupancy for the first additional structure.
4. Prior to issuance of a building permit, the applicant must furnish to staff a septic improvements permit from the Environmental Health Division of the Chatham County Health Department and/or the NC Division of Water Quality and a commercial driveway permit from NCDOT and an erosion control permit from NCDENR if permits are required from said agencies.
5. An as-built survey of impervious surface area must be furnished to staff prior to a certificate of occupancy issued for the final structure.
6. The applicant meet with the Chatham County Appearance Commission for review and approval of the signage and lighting plan prior to a building permit being obtained.