



**CHATHAM COUNTY  
BOARD OF COMMISSIONERS  
AGENDA ABSTRACT**

**ITEM NUMBER:**  
**MEETING DATE:**  
10-16-06

**PART A**

**Subject:**

Request by Walter Lewis for a Conditional Use B-1 Business Permit for an indoor storage facility for boats, recreational vehicles, and other vehicular and self storage uses on approximately 5.35 acres located at the corner of US 64 E and Bob Horton Rd. (SR 1744), New Hope Township.

**Action Requested:**

See Recommendations.

**Attachments:**

*The following information was distributed prior to the September 18, 2006 Public Hearing:*

1. Application Packet

*The following can be viewed on the Planning Department webpage at [www.co.chatham.nc.us](http://www.co.chatham.nc.us) under Planning, Rezoning & Subdivision Cases, 2006:*

2. Arcview map
3. Appearance Commission recommendations dated August 9, 2006
4. Letter of review from NCDOT dated August 7, 2006
5. Email dated August 17, 2006 from Jane Pyle, Chatham County Historical Association

**Submitted By:**

\_\_\_\_\_  
Keith Megginson, Planning Director

\_\_\_\_\_  
Date

**County Manager Review:**

\_\_\_\_\_  
Charlie Horne, County Manager

\_\_\_\_\_  
Date

**This abstract requires review by:**

**County Attorney**

\_\_\_\_\_  
Date Reviewed

**Finance Officer**

\_\_\_\_\_  
Date Reviewed

**Budget Officer**

\_\_\_\_\_  
Date Reviewed

## PART B

*Re: Walter Lewis – permit request*

### **Introduction / Background / Previous Board Actions:**

On October 3, 2006 the Planning Board made a recommendation to approve the conditional use permit by a unanimous vote. A quasi-judicial public hearing was held on this project on September 18, 2006 and the minutes can be viewed on the county website at [www.co.chatham.nc.us](http://www.co.chatham.nc.us) under County Commissioners. The conditional use permit cannot be approved unless the zoning district change is approved. No one spoke against the conditional use permit request and George Farrell spoke in favor of the request.

**Issues for Further Discussion and Analysis:** Before a conditional use permit may be approved the Board of Commissioners is required to make five findings listed in the Chatham County Zoning Ordinance and shown below:

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 five (5) findings have been addressed in the application's supporting documentation.

It is the staff opinion that Finding #1 could be made if the zoning district is changed to conditional use business district.

It is the staff opinion that Finding #2 may be made from the standpoint of desirability in an area of current and anticipated growth and tax revenue. Mr. George Farrell spoke in favor of the request stating his property across the street used for this type of storage is half full but it's all outside storage. The application states American Self Storage on US 64 & Mt. Gilead Church Rd. is mostly outdoor storage and they remain at capacity, Blair Storage on US 64 remains full and he has been approved for an additional storage facility on Mt. Gilead Church Rd., Jordan Lake Boat Storage is full, and Crosswinds Marina dock storage and small covered space is full and is land locked restricting expansion of the facility. Mr. Lewis will have all indoor storage for these types of items and they both believe the need is there and will become more relevant with upcoming developments. Many private covenants prohibit the storage of boat, RV's, and campers on the property and with Jordan Lake being a viable part of bringing people to Chatham County to live or for recreation and tourism, there would appear to be a need. From the standpoint of generating more tax revenue, the application states the tax revenue for this property in 2005 was \$1,398.00. With the rezoning of the property to Conditional Use B-1 Business for a storage facility of this kind, the property value would be raised from \$215,111.00 to \$1,500,000.00 generating tax revenue of approximately \$9,750.00 per year based on current tax rates.

It is the staff opinion that Finding #3 is arguable but may be made. The project is proposed to be served by a public state maintained roadway off US 64 East. The property is within the Phase 2A Corridor Study area currently being conducted by NC DOT with partial funding from

*Re: Walter Lewis – permit request*

### **Issues for Further Discussion and Analysis – con't**

Chatham County. This plan is to identify long-term and short-term transportation and land development strategies for transitioning the corridor from its current state to a freeway and/or expressway. Staff has spoken with David Wasserman with NCDOT, regarding the study. Mr. Wasserman stated that the design for a freeway normally requires a 300 foot wide right-of-way and that if the sole access to the property is by way of US 64 then NC DOT may provide a commercial driveway permit, but the access may be relocated or closed in the future. He recommended reserving future public access to adjacent, undeveloped properties to help facilitate the relocation of access in the future. Lands to the north and west of this property are currently owned by Ms. Jean Fish. Interconnecting access to the west was considered but due to the availability of the access of Ms. Fish's own property to the north off Bob Horton Rd. the connection is not recommended. There will be no separate access onto US 64 for this development. The one and only drive proposed will be off of Bob Horton Road aligned with George Farrell's commercial development. Traffic generated from the use of this property will not be utilizing a driveway directly off US 64 keeping slower, turning traffic on the secondary road (Bob Horton SR 1744). The driveway entrance will be aligned with the existing commercial drive for Farrell's Storage and Retail Sales Center keeping the current flow pattern. There are no recorded sites located on this parcel that need to be addressed to the Office of State Archaeology nor were any features from the Natural Heritage Program present or concerns with the Chatham County Historical Society.

Finding #4 is addressed in the request for a rezoning district and it is the staff opinion that it is consistent with the specific recommendations of the Plan.

It is the staff opinion that Finding #5 is made. There will be no public utilities serving this property. There will be no employees attending the site. The Chatham County Environmental Health Department has issued a permit for an "incinerating toilet" to be located on the property for public use creating no wastewater disposal requirements. There is an existing well on site to be used for outdoor use only. A storm water detention pond will be utilized using BMPs that meet the two (2) year twenty-four (24) hour storm rate.

**Recommendation:** The Planning Department and Planning Board recommend the five findings be made and the conditional use permit be approved with the following conditions:

- 1) The recommendations provided by the Chatham County Appearance Commission shall be applied.
- 2) There shall be no plantings, fencing, or structures allowed in the Cary Utility easement area along US 64 in front of said property.
- 3) There shall be a minimum building setback of fifty feet (50') from the front property line and twenty feet (20') from the sides and rear property lines. Within the setback areas of the northern and western property lines adjacent to residentially zoned properties, there shall be located a fifteen foot (15') wide opaque vegetative buffer.
- 4) All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Erosion Control etc.) shall be obtained and copies submitted to the Planning Department prior to issuance of the first building permit.
- 5) A building permit shall be obtained within 24 months from the date of approval and shall remain valid at all times or the conditional use permit will be void.
- 6) All lighting shall conform to the Chatham County "Draft" Lighting Ordinance.

