

**JOHN W. BLAIR
REQUEST FOR CONDITIONAL USE DISTRICT AND
CONDITIONAL USE PERMIT**

***CONDITIONAL USE BUSINESS DISTRICT (CU-B-1) AND
CONDITIONAL USE PERMIT FOR BOAT,
RECREATIONAL VEHICLE AND OTHER SELF-
STORAGE AND ASSOCIATED RESIDENTIAL USE***

***576 MT. GILEAD CHURCH ROAD
PITTSBORO, NORTH CAROLINA***

***10.613 ACRES AT THE SOUTHEAST INTERSECTION OF
MT. GILEAD CHURCH ROAD (S.R. 1700) AND HATLEY
ROAD (S.R. 1714)***

December 19, 2005

DEVELOPMENT TEAM

Owner/Applicant

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STATEMENT OF PURPOSE

John W. Blair (“Applicant”) is requesting approval of a conditional use general business zoning district (CU-B-1) and a conditional use permit for boat, recreational vehicle and other self-storage and an associated residential use. The property is a 10.613 acre tract located at the southeast intersection of Mt. Gilead Church Road (S.R. 1700) and Hatley Road (S.R. 1714). The project will include 160 high quality self-storage units and one associated residential unit. The property is currently zoned RA-40. The location of the property near Jordan Lake and near the Applicant’s existing storage facility on U.S. Highway 64 makes it well suited for this particular use, for which there is much demand in eastern Chatham County.

Insert first page of application form

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LIST OF ADJACENT LAND OWNERS

Adjacent Landowners (property owners across a public or private road, easement, or waterway are considered adjacent landowners)

Legal notices are mailed to these owners, please type or write neatly.

1. Linda H. Miller, Terry E. Hatley and Pamela H. Messer
c/o Ina M. Hatley
3109 Commonwealth Avenue
Charlotte, North Carolina 28205
2. Rena H. Perry and Anne H. Oakley, et al.
2592 Pete Roberson Road
Pittsboro, North Carolina 27312
3. Clyde M. Ward and Zelma Ward
190 Hatley Road
Pittsboro, North Carolina 27312
4. James N. McNeill
159 Walmsley
 Mooresville, North Carolina 28115
5. Doris Earl Byrd McNeill
1824 Stoneyridge Drive
Charlotte, North Carolina 28214
6. Timothy R. Mitchell
681 Mt. Gilead Church Road
Pittsboro, North Carolina 27312

WRITTEN LEGAL DESCRIPTION

ALL that certain tract or parcel of land containing 10.701 acres, more or less, being all of Tract #4 as more particularly shown upon that plat entitled, "Survey for John M. Byrd and wife Edna H. Byrd," New Hope Township, Chatham County, North Carolina dated March 26, 1987 and revised April 7, 1987 by Van R. Finch, RLS, which plat is recorded in Plat Slide 87-107, Chatham County Registry and to which plat reference is hereby made for a more particular and complete description.

(NOTE: The acreage stated in the above legal description is taken from the 1987 recorded subdivision plat of the property by which the property was described when it was conveyed to the Applicant. This application describes the property as 10.613 acres in accordance with a recent survey of the property upon which the submitted Site Plan is based.)

GENERAL DESCRIPTION OF THE PROJECT

Location:

(1) Public Highways. The property adjoins Mt. Gilead Church Road (S.R. 1700) and Hatley Road (S.R. 1714). The attached Site Plan shows the driveway entrances to the property that have been approved by the North Carolina Department of Transportation.

(2) Private Roads. There are no private roads that serve or cross the property.

(3) Current Zoning. The current zoning of the site is RA-40.

(4) Watershed Classification. The watershed classification is WS-IV-PA. The project is designed without a curb and gutter system and the actual projected impervious surface is 35.94%.

(5) Major Wildlife Areas. This site is not in any area designated as a natural area according to the "Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina," dated June 1992. This site is not in a natural heritage area as designated by the B. Everett Jordan Lake Project Inventory of Rare, Threatened and Endangered Species and Natural Community Inventory by Harry E. LeGrand, Jr., North Carolina Natural Heritage Program, dated December 1999, U.S. Army Corps of Engineers.

(6) Size in Acres of Site. The size of the site is 10.613 acres, more or less.

(7) Utility or Other Easements. The property is subject to the rights of way of Mt. Gilead Church Road (S.R. 1700) and Hatley Road (S.R. 1714).

(8) Current Use. The site is currently unimproved.

(9) Current Contents of Site. The site is currently unimproved.

(10) Other Conditional Use Permits Granted for the Site. No conditional use permits previously have been granted for the site.

Description of Use:

The proposed use of the property is grounds and facilities for 160 boat, recreational vehicle and other self-storage units, with one associated residential use.

Site Plan and Drawing:

The Site Plan submitted with this application describes the plans for the site in detail.

(1) Existing Buildings. There are no existing buildings.

(2) New Buildings. The proposed new buildings are described on the Site Plan and will be similar to the buildings at the Applicant's existing facility on U.S. Highway 64, which are shown on the photographs that are included in this application.

(3) Landscape Plan. The proposed landscaping plan is described on the Site Plan. The Chatham County screening and buffering requirements for B-1 uses from Table 6-A of the Design Guidelines will be followed with respect to all adjoining properties.

(4) Screening/Buffering Plan, Setbacks. The proposed screening/buffering plans and building locations are described on the Site Plan. The Chatham County screening and buffering requirements for B-1 uses from Table 6-A of the Design Guidelines will be followed with respect to all adjoining properties.

(5) Natural Preserved Areas. A significant area of the southern portion of the site and areas along all of the borders of the site will remain undisturbed with existing vegetation, as shown on the Site Plan.

(6) Site Boundaries with Adjacent Properties. The boundaries between the site and adjacent properties are shown on the Site Plan.

(7) Parking. The proposed parking areas are shown on the Site Plan.

(8) Sign Location, Type and Size. The proposed signage is described on the Site Plan. Signage will comply with Section 13.7 of the Zoning Ordinance and the Chatham County Design Guidelines.

(9) Areas Reserved for Future Development or Improvements. The proposed development for the entire site is shown on the Site Plan.

(10) Lighting Plan. The proposed lighting is shown on the Site Plan.

(11) Percentage of Impervious Surface. The plan contains a proposed impervious surface of 35.94% of the site.

(12) Topographical Description of Site. The topography of the site is shown on the Site Plan.

(13) Streams. The locations of streams and required water hazard setback areas are shown on the Site Plan. Soil & Environmental Consultants, PA has determined that only one jurisdictional stream feature exists on the property, and a copy of their letter confirming that conclusion is included in this application.

(14) Vicinity Map. A vicinity map showing the location of the property is included on the Site Plan.

(15) County Tax Map. A copy of the Chatham County GIS map showing the site as parcel number 64556 is attached hereto.

Start and Completion Projections:

The Applicant anticipates developing the project in four phases of approximately 40 storage units each. It is anticipated that construction on the first phase of approximately 40 storage units and the associated residential structure would begin in the first or second calendar quarter of 2006 and be complete and ready for operation in the second or third quarter of 2006; that the second phase would begin in the first or second quarter of 2007 and be complete in the second or third quarter of 2007; that the third phase would begin in the first or second quarter of 2009 and be complete in the second or third quarter of 2009; and that the fourth and final phase would begin in the first or second quarter of 2010 and be complete in the second or third quarter of 2010. If the need arises, the areas to be developed in the second, third and fourth phases may be used for overflow exterior parking of boats and recreational vehicles until those phases have been constructed. The schedule for the second, third and fourth phases will depend upon demand for the services provided.

Reference to Existing County Plans:

To the best of the Applicant's knowledge, this site is not specifically mentioned in any County plan.

FINDINGS REQUIRED BY ZONING ORDINANCE

The Chatham County Zoning Ordinance requires that the Board of Commissioners make five affirmative findings to establish a conditional use district and grant a conditional use permit. All five findings are supported by this application.

Finding #1: The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.

(1) Validation of Use in Zoning Ordinance: The requested uses are allowed within the B-1 zoning district, and if the requested conditional use district is created, the uses will be eligible conditional uses within that district.

(2) Land Development Plan Reference: This application is consistent with the

policies and goals of the Chatham County Land Conservation and Development Plan (the “Land Use Plan”). The proposal promotes the policies of balanced growth, open, pro-active and cooperative development and developing an integrated approach to promoting recreation and tourism. (Land Use Plan, p.1) The location of the project at an intersection of public roads, near Jordan Lake and near the Applicant’s existing similar facility makes it well-suited for the proposed boat, recreational vehicle and other self-storage. The conditional use permit approval process will insure that citizens are made aware of the proposed land use change and have opportunity to comment upon the proposal. The project will promote recreation and tourism by providing users of the area’s lakes and rivers a convenient location to store their equipment in a high quality, tastefully designed facility that will not negatively impact surrounding property uses.

The project promotes the goal of designing small cross-road commercial businesses in forms that support rural character. (Land Use Plan, p.2) The site is located at the intersection of Mt. Gilead Church Road and Hatley Road. As the screening and buffering details on the Site Plan show, the project will have low impact on the surrounding properties and will use the existing natural vegetation for much of the buffering and will be consistent with the surrounding area. (Land Use Plan, pp. 2, 34)

The project is specifically designed to promote and encourage tourism and improve accessibility to the area’s natural recreational features, including the nearby Haw River and Jordan Lake by providing convenient storage of boats, recreational vehicles and other equipment that users of those resources might desire. (Land Use Plan, pp. 8, 11)

Finding #2: The requested conditional use permit is either essential or desirable for the public convenience or welfare.

(1) Need and Desirability: The Applicant has operated his existing facility that is similar to the proposed project since 1999. The business has continually grown while offering an exclusive type of shelter and secure design. The Applicant specializes in wider storage spaces than are commonly available. The demand for the Applicant’s facilities has grown each year, and the Applicant has no additional room to grow at the existing location on U.S. Highway 64. A statement signed by the owners of three retail stores in the Jordan Lake area confirming that there is a large, unmet demand for large storage spaces for boats, recreational vehicles and self-storage near Jordan Lake is included with this application.

In light of the fact that Chatham County Planning officials are discouraging additional development directly on U.S. Highway 64, due in part to an ongoing Department of Transportation study concerning that corridor, and that the County Land Use Plan and general practice encourage commercial development at existing cross-roads, this site at the intersection

of Mt. Gilead Church Road and Hatley Road seems very well situated for this particular use and consistent with the County's planning preferences.

With the development and population growth occurring in the Triangle and Triad and the recreational attraction of Jordan Lake, there is an ever-growing demand for self-storage facilities. The Applicant's proposed facility design screens the stored content from passers-by, muffles noise and requires no high-power or extensive lighting. Traffic to and from the site is minimal. The enclosed design promotes security and discourages unwanted attention. The Applicant is proud of the fact that after more than five years of operating at his current site, and living there himself, the business activity is very compatible with the adjoining residential properties. Signed statements from the residents of three properties that adjoin the Applicant's existing facility that confirm that they have not experienced any negative effects from noise, lighting, traffic or other business related activities or conditions are included with this application. This same compatibility will be continued at the new location at Mt. Gilead Church Road and Hatley Road. To the best of the Applicant's knowledge, no other facility in the area provides the same service.

Being near the lake, at a cross-roads off U.S. Highway 64, having high demand for the proposed service and a record of good relations with residential neighbors makes the proposed use a good fit for this site.

(2) Survey of Similar Uses: There are several self-storage facilities in the Jordan Lake area, and to the best of the Applicant's knowledge, they are all successful. The Applicant's facilities are unique in that they provide larger, more secure enclosed storage space with uncommon amenities (including electrical hook-ups, optional surfaces and heights, over-head lighting and generator back-ups on gates) that make the facility appropriate for storing large and valuable boats, recreational vehicles and other similar items. To the best of the Applicant's knowledge, no other facility in the area provides the same service. Based upon his experience at his nearby similar facility, the Applicant knows there is a high demand for the facilities proposed for this site.

(3) Public Provided Improvements: No additional public improvements will be needed for this project.

(4) Tax Considerations: The 2005 Chatham County ad valorem tax valuation of the subject property was \$125,660.00, and the property generated ad valorem tax revenue to Chatham County of \$825.59. The Applicant projects that the value of the property upon completion of the improvements will be approximately \$1,100,000.00. At the 2005 tax rate, that valuation would generate ad valorem tax revenue of \$7,227.00 per year. The project will also contribute to overall economic activity, including recreational and tourism activity that the County Land Use Plan seeks to promote, that will have positive economic benefit to Chatham County and the community.

Finding #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.

(1) Emergency Services: The proposed use of the subject property is expected to make very limited demands on fire and police protection and other emergency services. To the extent such services are necessary, the property is easily accessible to the relevant service providers. These conclusions are supported by letters from the Chatham County Sheriff and the North Chatham Fire Department Deputy Chief that are included in this application.

(2) Traffic: The site is expected to have no significant impact on area traffic. There is no projected traffic count data available for the proposed use from the North Carolina Department of Transportation. A DOT engineer told the Applicant that data is not available for this use because the expected impact is minimal. Two engineers consulted by the Applicant could provide no such data. The Applicant has agreed to provide the DOT with traffic count data to assist DOT in evaluating similar uses.

The Applicant has lived and worked on-site at his current location for the last five years. The highest traffic volume would be generated on summer holiday weekends (Memorial Day, Fourth of July and Labor Day). The Applicant estimates that even on those peak days, unit usage would run at about 15%. At full build-out of the project (160 storage units), that would generate approximately 24 round trips, which is about the same traffic flow as would be generated by five single-family homes on a daily basis. Off-peak traffic to the proposed project would be much less, and on many days there would be very little traffic at all.

Based upon a 2002 traffic analysis, the Applicant estimates that current peak daily traffic on Mt. Gilead Church Road is about 1,035 trips, and on Hatley Road about 75 trips. To the best of the Applicant's knowledge, the DOT has not established a maximum capacity for either road, but according to DOT records, both roads operate at acceptable levels of service. The proposed use will cause no speed limit change and no road modifications. The DOT has approved the Applicant's proposed driveway connections to Mt. Gilead Church Road and Hatley Road, and a copy of the permit is included with this application.

(3) Visual Impact and Screening: The project will have limited visual impact on adjoining properties. As the screening/buffering plan shown on the Site Plan demonstrates, much of the perimeter of the property will be left undisturbed with existing vegetation. The screening and buffering will comply with the requirements of the County's Design Guidelines.

(4) Lighting: Exterior lighting is detailed on the Site Plan and should have no negative impacts on adjoining roads and the properties.

(5) Noise: Any noise produced by the project would be minimal and should not create a disturbance to adjoining property owners. At completion, all of the activity on the site will be interior to the structures.

(6) Chemicals, Biological and Radioactive Agents: No chemicals, biological or radioactive agents will be stored or generated on the site. Storage of such materials is expressly prohibited in the Applicant's storage agreements with his customers.

(7) Signs: The proposed signage is shown in detail on the Site Plan. The signage will be much smaller than the maximums that would be allowed under the Zoning Ordinance. All signage will comply with the requirements of the Zoning Ordinance and the County Design Guidelines.

Finding #4: The requested permit will be consistent with the objectives of the Land Development Plan.

(1) Land Development Plan Reference: The proposed use is consistent with the Land Use Plan. Please see the discussion under Finding #1 above.

(2) Watershed Considerations: The property is located in the WS-IV PA watershed district. The projected impervious surface to be created by the improvements shown on the Site Plan will cover 35.94% of the surface of the site. The property is not located in a flood hazard area.

Finding #5: Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

(1) Water Source and Requirements: The water requirements for the single residence on the site will be satisfied by an on-site well. No other water will be required for the proposed use.

(2) Wastewater Management: The wastewater disposal requirements of the single residence on the property will be managed by on-site conventional septic methods. North Carolina licensed soil scientist Karl Shaffer has confirmed that the soils on the site are adequate for the proposed septic system. A copy of the soil evaluation site sketch map prepared by Mr. Shaffer is included with this application.

(3) Access Roads: The property is served by both Mt. Gilead Church Road (S.R. 1700) and Hatley Road (S.R. 1714). The North Carolina Department of Transportation has approved the proposed driveway connections. No upgrades of public or private roads will be necessary to serve the property.

(4) Storm Water Runoff: Storm water runoff from the site will be managed with grass lined swales to direct runoff to the existing stream on the property, which discharges to the west of the site through an existing culvert. No permanent storm water detention structures are required for the project based upon the calculations by Earthcentric Engineers, Inc. that are included in this application.

CONCLUSION

The information contained in this application is sufficient to support the five necessary findings. The proposed use will enhance the health, safety and welfare of the citizens of Chatham County by providing a service for which there is high demand in a sensible location that will have minimal impact on its neighbors. The Applicant respectfully requests that the proposed conditional use zoning district and conditional use permit be granted.