

CHATHAM DEVELOPMENT
CORPORATION

REQUEST FOR
CONDITIONAL USE DISTRICT

± 15.16 ACRE PARCEL LOCATED ON THE SOUTH SIDE OF
U.S. HWY 64, 0.92 MILES WEST OF N.C. HWY 751



April 18, 2008

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Wetlands & Stream
Delineation

STATEMENT OF PURPOSE

The Applicant, Chatham Development Corporation, is applying to Chatham County for approval of a conditional use permit for use of an approximately 15.16 acre site to be developed as a boat and RV storage facility. The facility will consist of covered storage buildings for boats, recreational vehicles, trailers, and other vehicles. All storage areas will be covered, with both open front and fully enclosed storage available. See the enclosed Exhibit Map 1 – Illustrative Plan.

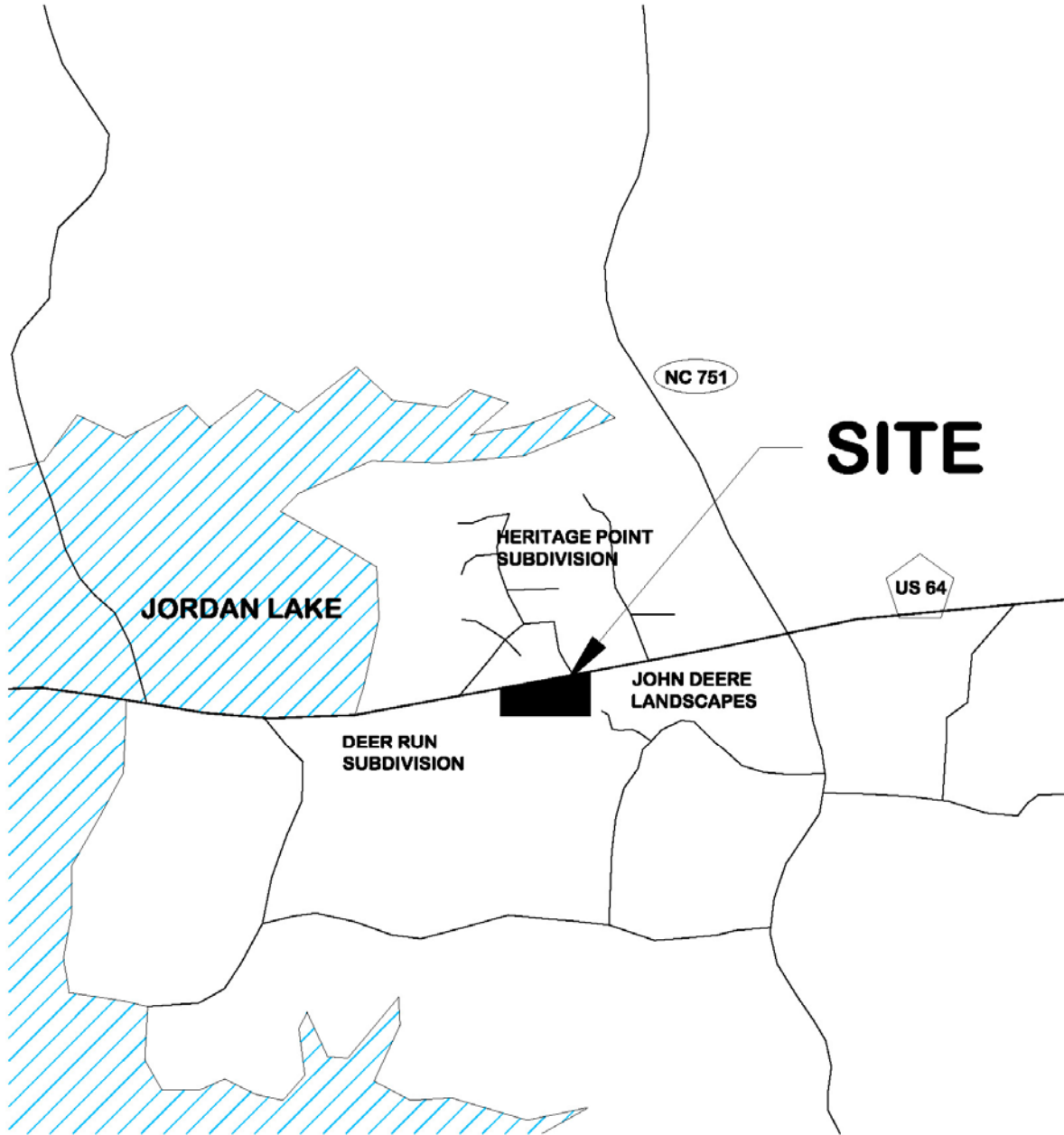
The property is located on the south side of US Hwy. 64, 0.92 miles west of NC Hwy. 751, as indicated on the attached site plan. Following is a Vicinity Map that illustrates the general location of the site. The site is located immediately west of John Deere Landscapes and across Hwy. 64 from The Extra Garage storage facility currently under construction. The proposed conditional land use district and permit are for the following anticipated uses: boat, recreational vehicle, trailer and other vehicle storage facility. This request is to grant a conditional use permit for those uses.

Formed in 1994, Chatham Development Corporation is a locally owned, family operated business. All of the principles with the company are Chatham County residents. Chatham Development Corporation has successfully developed five large scale communities in the area, including The Hills of Rosemont.

Every effort has been made to ensure that this project will blend harmoniously with the rural/commercial feel established by the adjoining John Deere Landscapes project. The proposed use is also consistent with the nearby commercial properties, including existing and under construction storage facilities, building supply and contractor facilities along the Highway 64 corridor. The project will have a 50' building setback along the public right-of-way, which will allow retention of existing trees and shrubs. This natural buffer will be supplemented with additional planting to improve the screening of the site from the highway. The signage is intended to be compatible with the existing and proposed signage of other commercial properties in the neighborhood. The frontal elevation of the facility will have limited visibility from the highway due to the topography and the screening within the setback.

Due to the increasing need within Chatham County for funds to support education, infrastructure and other community services, many in the County have expressed support for more commercial development. This project would generate additional revenue for the County without creating a significant demand for County services.

The request is consistent with the Chatham County Zoning Ordinance and is described in detail in the following sections.



VICINITY MAP

APPLICATION

List of Adjoining Property Owners

DESCRIPTION OF LAND

The development parcel is comprised of the following parcel.

Parcel # 80203 is described as follows:

Commencing at an existing iron rod on the northern right-of-way of US Highway 64, said iron rod being the southeastern corner of Heritage Pointe Subdivision – Phase I (Plat Slide 2003, Page 244) and running South 00°09'11" West 204.11 feet to an existing iron pipe on the southern right-of-way of US 64, said iron pipe being the point of BEGINNING; thence leaving US 64 and running with the line of Jeffery Cosgrove South 04°21'49" West 631.18 feet to an existing concrete monument (a common corner with Zane Abernathy, Jr. and Donald Goodwin); thence with the line of Donald Goodwin North 89°21'10" West 1363.47 feet to an existing concrete monument (a corner in the line of Deerfield Subdivision); thence with Deerfield Subdivision North 02°40'15" East 334.32 feet to an existing iron pipe on the southern right-of-way of US 64; thence with the southern right-of-way of US 64 North 78°39'26" East 1423.64 feet to the point and place of BEGINNING, containing 15.158 acres, and being subject to NC DOT Drainage Easement as noted on plans for project #8.t520904.

DESCRIPTION OF PROJECT

The applicant's intentions are illustrated on the enclosed Exhibit Map 2 – Site Plan. The property will be used for a covered storage facility for boats, recreational vehicles, trailers, and other vehicles. A portion of the covered storage buildings will consist of open front bays, while others will provide fully enclosed storage bays with lockable garage-type doors.

Upon establishment of the B-1 conditional use district, Applicant requests a conditional use permit approving the previously stated uses in accordance with the enclosed site plan.

Location:

- A. Public Highways. The property adjoins US Highway 64 East. The Project will have two (2) one-way driveways on U.S. Hwy. 64, the western driveway will be right-in only and the eastern driveway will be right-out only. The approximate distance between the two driveways will be 725 linear feet.
- B. Private Roads. There are no private roads adjacent to the project site.
- C. Current Zoning. The current zoning of the site is RA-40.
- D. Watershed Classification. The watershed classification is WS-IV-PA. Within this

watershed, impervious surface is limited to 24% for projects with a curb and gutter system. The maximum is 36% for projects without curb and gutter. Since this project does not propose to use a curb and gutter system, the maximum impervious surface allowed by the ordinance is 36%. The actual projected impervious surface area for the project is approximately 23.3%.

- E. Major Wildlife Areas. This site is not in or adjacent to any area designated as a natural area according to the "Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina."
- F. Size in Acres of Site. The size of the development site is approximately 15.16 acres.
- G. Utility or Other Easements. The right of way for Highway 64 runs along the northern boundary of the site. The applicant is not aware of any utility or other easements within the project site.
- H. Current Use. Currently, the site is not in use.
- I. Current Contents of Site. Currently, the site is vacant.
- J. Other Conditional Use Permits Granted for the Site. None.

Description of Use:

The proposed use is a boat, recreational vehicle, trailer, and other vehicle storage facility. The facility will consist of both enclosed storage bays with lockable garage-type doors; and storage bays with open fronts. The facility will have security fencing around the perimeter of the buildings and internal drive aisles, with gates at both the entrance and exit driveways. There will also be 24-hour video surveillance of the storage facilities.

Site Plan and Drawing:

The enclosed preliminary site plan (Exhibit 2) describes the site in detail.

- A. Existing Buildings. There are no existing structures on the site.
- B. New Buildings. There are three proposed storage buildings, totaling approximately 75,500 square feet. The first phase of construction will consist of the northern structure and middle structure comprising 115 (10'x30') bays and 31 (16'x50) enclosed bays. The third southern most structure will be constructed as demand for additional space arises. All parking, landscaping, lighting and signage will conform to the County ordinances, including the Draft Lighting

Ordinance.

- C. Landscape Plan. The enclosed Conceptual Landscape Plan (Exhibit 5) illustrates the proposed use of existing and new plantings to provide intermittent screening along the Highway 64 frontage and to screen the rear of the facility from adjoining properties. Large areas of existing vegetation increase the width and screening effectiveness of the proposed plantings, well beyond the Landscape Buffering Requirements of the Chatham County Design Guidelines.
- D. Screening/Buffering Plan, Setbacks. See Item C. above for screening and buffering. All setbacks for the B-1 district in the Zoning Ordinance will apply for this project. Those setbacks are listed on the appropriate Exhibit Maps enclosed at the end of this document. As proposed, the facility will be located approximately 425' from the nearest existing residence in the Deer Run subdivision on the south side of Highway 64 and 650' from the nearest home in the Heritage Pointe Subdivision on the north side of Highway 64. The existing vegetation within the two stream buffers will be retained, further adding to the screening of the facility.
- E. Natural Preserved Areas. Approximately fifty percent (50%) of the total site will remain in its existing natural condition.
- F. Site Boundaries with Adjacent Properties. The boundary lines depicted on the enclosed exhibit maps for the project site and adjoining properties are taken from the Chatham County GIS system. The description of land in a previous section of this document is from deed references.
- G. Parking. Aside from the storage bays themselves, no additional parking is provided.
- H. Sign Location, Type and Size. A double-sided sign is being proposed near the entrance drive as indicated on the Site Plan. Exhibit 3 shows a concept sketch for the proposed sign. The sign monument will be constructed of masonry columns with a stucco finish and aged copper caps. The signage will consist of a panel with the facility name along with a smaller panel with moveable lettering. The dimensions of Business sign area are is 10' x 10' (100 Sqft.)
- I. Areas Reserved for Future Development or Improvements. The remaining property will be considered as open space with plans for future development.
- J. Lighting Plan. See the enclosed Exhibit 6 – Conceptual Lighting Plan. This plan illustrates the approximate location of outdoor fixtures for lighting this facility. The Chatham County Draft Lighting Ordinance will be followed.
- K. Percentage of Impervious Surface. The proposed plan includes approximately 23.3% of impervious surface. Since a curb and gutter system is not being

proposed, this is well below the allowable impervious surface of 36%.

- L. Topographical description/drawing of current site and after improvements have been made to the site. The Site Plan (Exhibit 2) illustrates the existing topography on the site. The topographic information shown is from the NCDOT. A Preliminary Grading Plan has been prepared for the proposed improvements. See Exhibit 4 enclosed at the end of this document.
- M. Designate streams and wetlands and any required water hazard setback areas. A preliminary wetland delineation and stream buffer evaluation was performed by Soil and Environmental Consultants, PA. These features are depicted on the enclosed exhibit maps.
- N. Vicinity Map showing property location. A vicinity map is included in the front of this document. A reduced vicinity map is also included on the exhibit maps.
- O. County tax map with location of property identified. A copy of this map is included in this document.
- P. Storm Drainage Run off plan. Storm run off will be collect in two ways;
 - 1. Roof top rain run off will be collected into a cistern to be utilized in the Rinse down area.
 - 2. General run off will be collected through a drainage system depositing it in the storm water retention basin located in the south of the property.
- Q. Rinse off area for Boats and RV's will use roof top collect water conveyed to in a underground cistern to rinse of boats or RV's. Waste water from the Rinse down area is collected and processed through a filtration system and then put into the storm water retention basin. **The Rinse off area will be a non detergent use area.**

Start and Completion Preliminary Projections:

Fall 2008	Preliminary Site Plan and Conditional Use Approval
Winter 2008	Completion of Site Permitting
Spring 2009	Commence Construction of Storage Units Phase 1
Fall 2009	Complete Construction of Storage Units Phase 1

Reference to Existing County Plans:

The project meets and conforms to the Chatham County Land Conservation and Development Plan, commonly referred to as the Land Use Plan.

Please see the application for a conditional use district for a full discussion of how this conditional use permit application meets the directives of the County plan.

FINDINGS REQUIRED BY ZONING ORDINANCE

The Chatham County Zoning Ordinance requires that the Board of Commissioners make five affirmative findings in establishing a conditional use district and in granting 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 use is allowed within the requested B-1 conditional use district. The establishment of a B-1 district in this location is being requested, and if granted, will allow for the proposed conditional use.
2. Land Development Plan Reference: This application is consistent with the Land Use Plan. Please see the discussion under "Reference to Existing County Plans" contained in the Conditional Use District application.

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

1. Need and Desirability. The proposed business uses will be beneficial to the County by providing a necessary service to the local citizens and by increasing ad valorem real and personal property tax revenue. With the lack of suitable soils on the parcel, the viability of this site as a residential parcel has been considerably diminished. Additionally, the location of commercial uses directly beside the property and nearly across the Highway of similar type leads to the conclusion that conversion of the property from residential to commercial is appropriate. Also, the Corridor Task Force has recently submitted that the adjacent properties to the east would become a commercial node. Our property due to insufficient septic system capacity has negated the possibility for residential uses and has limited even the commercial application for the said parcel. Since the parcel is already adjacent to the commercial node and our limited use of the property.

In a public hearing in 2006 regarding the application of a nearby rezoning for a Boat and RV Storage Facility Neighbors said:

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George Farrell, Jr., 354 McGhee Road, Chapel Hill, NC, stated that he is an adjoining property owner; that he wants Mr. Lewis to hurry and fill his property with boats; and that his property is already full.

Russell McGhee, 273 McGhee Road, Chapel Hill, NC, stated that he is an adjoining property owner and that he had no objections at all to the proposal.

George Farrell, Jr., 354 McGhee Road, Chapel Hill, NC, stated that the existing storage space is filled out; that he recently bought additional land across from his existing storage facility; that there is a great deal of buffer available; and that this is a low-impact business.

We think that since there will be more growth in Chatham County and the neighboring counties that there will be a continuing need for this kind of business.

2. Survey of Similar Uses. According to NC. Division of Parks and Recreation Jordan Lake State Recreation Area in the year 2005 there were over 600,000 boaters at Jordan Lake and the representative said that is has been growing since then. This year's estimation of attendance at the parks around Jordan Lake is over a million people.

There currently are 6 locations with similar facilities around Jordan Lake. Two are new and under construction or have been recently opened. The new facilities are American Storage off Mt. Gilead Rd. and the Extra Garage Facility on Hwy 64. Another recent facility is Farrell's Apex Self Storage which has some outdoor boat and RV Storage. The other facilities are American Self Storage at the Corner of Hwy 64 and Mt Gilead Rd., Jordan Lake Boat Storage on John Horton Rd off Hwy 64 and Heritage Strip and Finish on Farrington Rd. In gathering information regarding these existing facilities, we have found that many of them are full or nearly full. This has led us to believe that there is a need for more boat and RV storage within Chatham County.

3. Public Provided Improvements: No additional public improvements will be needed for this project.
4. Tax Considerations: A detailed analysis of the tax considerations has not been completed at this time.
5. Employment: There will be no employees necessary for the completion of this facility.

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. As described above, the parcel is adjacent to other existing and under construction commercial uses and, where residential uses adjoin, a significant distance separates existing residential dwellings and the proposed facility. The site is located along a major transportation corridor that will provide direct access to the project. The proposal is certainly in character with the existing uses. The property is also adjacent to the current proposed commercial node by the Corridor Task force. We think that this property should be included in that node, due to the fact of its inability to be used for residential purposes, because of a lack of septic system viability. And limiting other uses for it. The proposal will not be detrimental in any way to the health safety or welfare of the community.
2. Emergency Services: The project is expected to make very limited demands on fire and police protection and emergency services. This is certainly true as compared to other possible uses of the subject property, such as residential. The Facility will be unmanned and security will be provided through gating, fencing and surveillance cameras. Emergency response is approximately 2 miles away west on Hwy 64.
3. Traffic: Ramey Kemp & Associates has performed an assessment of the traffic generation from the proposed use and the potential impact on existing traffic levels. From that assessment, the project "is not expected to have a significant impact on the adjacent roadway." A copy of the traffic assessment is included in this document. The NCDOT has been contacted to evaluate the proposed driveway connections. That response and information will be received in advance of the public hearing and forwarded to the planning staff upon receipt. Applicant will perform all improvements either required by the NCDOT or recommended by the traffic impact analysis.
4. Visual Impact and Screening: The proposed use has been situated on the property to minimize the visual impact to the surrounding neighbors. As discussed above, existing vegetation along with new landscape planting will be utilized to further screen the facility from adjoining properties.
5. Lighting: Exterior lighting will utilize full-cut off fixtures and will conform to the requirements of the Chatham County Draft Lighting Ordinance. The developer is considering alternative methods of producing electricity for lighting. This could minimize impact of this facility to the environment as a whole.
6. Noise: The proposed use will result in ordinary levels of noise associated with vehicular traffic entering and exiting the facility to either pick-up or leave their boats and/or recreational vehicles. No industrial or other use is being proposed that are commonly associated with significant noise generation.

7. Chemicals, Biological and Radioactive Agents: Given the proposed uses, none are anticipated.
8. Signs: Please see the Site Plan and Drawing section regarding the proposed signage.

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

The Land Use Plan states that development should be designed appropriately and guided to suitable locations. This proposal is certainly in a suitable location in that it is near the intersection of Hwy 64 and Hwy 751. It will join pre-existing commercial uses in this area including the Ferrell's Rent-All and Apex Self Storage, Extra Garage, John Deere Landscapes, 1st Source Building Supply Company, S.T. Wooten Corporation, and the Sprint PCS tower site. This parcel is ideally suited to a commercial use with frontage on US Hwy 64. For reference, a map illustrating the existing zoning of the surrounding properties is enclosed in this document. The location is suitable and the design will conform to or exceed all County standards set forth in the design guidelines and other applicable ordinances.

The proposed facility can be built and developed meeting the criteria for the goals of the Land Use Development Plan.

As quoted on the Land Use Development Plan:

Goals are value-based statements that may not be easily measurable; they represent aspirations for Chatham County and outline the results that should be achieved.

1. More intensive land uses, e.g. commercial, high density residential and industrial, are concentrated in or near Chatham's existing towns, in designated economic centers and in clustered and mixed use developments.

Portside is at a designated economic center that will meet the need of those that use Hwy 64 as an access point into Chatham County and recreate at Jordan Lake.

2. An increased proportion of land is preserved as open space in areas under development.

Approximately fifty percent (50%) of the total site will remain in its existing natural condition. Because this project does not have a curb and gutter street system, up to thirty-six percent (36%) impervious surface or "built-upon area" is allowed. The actual projected impervious surface is approximately 23.3% -- well below the

allowed limit.

3. Chatham County's natural resources are identified, conserved and protected.

All streams and wetland have been located and identified. All streams and wetlands will be buffered and protected. Erosion control practices and storm water control will be actively maintained.

4. Chatham County's surface and underground water resources are effectively protected.

This will be done through innovative storm water run off plan. Storm run off will be collect in two ways;

1. Roof top run off will be collected into a cistern to be utilized in the Rinse down area.
2. General run off will be collected through a drainage system depositing it in the storm water retention basin located in the southern part of the property.

Rinse off area for Boats and RV's will use roof top collect water conveyed to in a underground cistern to rinse of boats or RV's. Waste water from the Rinse down area is collected and processed through a filtration system and then put into the storm water retention basin. The Rinse off area will be a non detergent use area. The use of wells will not be needed thereby conserving the under ground water table.

5. Natural scenic areas are preserved.

Portside Storage will have complete covered storage of all recreational vehicles. There will be no unsightly in the open boats or RVs scattered around an open lot. The landscape plan proposed will blend the highway 64 front of the property to hide the buildings as much as possible.

6. Preserved open space and improved recreational opportunities are provided.

Approximately 50 percent of property is preserved as open space. RV and Boat storage will provide increased recreational activities for Chatham County.

7. Tourism is established as an important component of the County's economy.

With the growth of surrounding Townships and Counties that are seeking recreational activities Jordan Lake is a huge draw into Chatham County. Portside

Storage is in a strategic location to take advantage of tourism coming into the county from the east.

The Land Use Plan also encourages the development process to be open, proactive, and cooperative. The Applicant is planning to voluntarily meet with adjoining property owners and business owners prior to the Planning board meeting. In addition, the Applicant has met with Planning Staff to address any concerns.

Additionally, because the application is a request for a conditional use permit, a public hearing will be held. For this, a public advertisement will be published, the property will be posted with signs giving notice of the public hearing, and notice will be given to all adjoining property owners.

In addition to being consistent with the general policies of the land Use Plan, this project as proposed is in harmony with additional applicable recommendations of the plan as it relates to commercial development. The site is located in one of the areas defined as an economic development center. The document identifies “the area just to the west of the Chatham/Wake County line near the US 64/NC 751 intersection. This area may link to infrastructure and build on the economic activity in western Wake County.”

The configuration of the site plan provides for protection and conservation of Chatham County’s existing natural resources. Development of this project meets the County Strategic Plan goals of effective growth management, minimization of transportation and infrastructure costs, preservation of open space, and the growth of acceptable small businesses based on tourism.

Since there will be continued growth in Chatham County and the other neighboring counties there will be an ongoing need for this kind of business.

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 facility will not utilize County water resources. Water for the rinse-down bay will be supplied by a roof top collection system and reservoired in cisterns. Thereby not impacting the county water system and the underground water table
2. Wastewater Management: The rinse down bay will be a non detergent use area. Owners will use it to rinse off Lake or pond scum. No detergents will be allowed to be used. The waste water from the rinse down bay will then be run through a pretreatment system and released into the storm water retention basin to dissipate with any other water in the basin. There are no proposed restrooms for this facility. Therefore, wastewater will not be generated from the site. If restroom facilities become necessary during the operation of the facility, One of

the bays will be converted to a restroom using incinerator toilets

3. Access Roads: The project site is directly adjacent to Highway 64.
4. Storm water Runoff: Storm water runoff from the drive areas will be conveyed to a grassed water quality area. Storm water from roof tops will be conveyed to a cistern and to be used in the rinse down area. The excess water will then be conveyed to the grassed water quality area. The water quality area will be sized to control runoff from the .5" storm event and release such event through a level spreader. An emergency spillway will also be provided to accommodate larger storm events. This water quality area will serve as an erosion control device during construction. The sizing of the temporary erosion control measure will meet the 25 year storm rather than 10 year. A Faircloth Skimmer will be used in the temporary measure.

CONCLUSION

The proposed application is consistent with the five necessary findings and will enhance the area by adding needed, attractive commercial, recreational, and tourism uses. The applicant respectfully requests that the request for a conditional use permit be granted.

Additionally, since it is not the goal or intent of Chatham County and its related agencies to punish property owners by restricting the economic value of private property and since this site has no other economic value due to lack of approved septic onsite we ask the planning department, planning board and the county commissioners to approve this conditional use application. The owners purchased this property anticipating such a commercial use in as much as the county had already approved the immediate area and adjacent properties for similar uses in accordance with the county plan. There remains an ongoing need for this type of storage both now and in the future for this use factor according to the Corp of Eng. for Jordan Lake and other recreational areas for NC.

TRAFFIC SUMMARY