

May 2, 2013
Revised May 31, 2013

Uhaul of Chapel Hill Conditional Zoning District – Regional Business (CD-RB)

“Required Application Information”

This application is being submitted with the purpose of accomplishing these outcomes:

- 1) Rezone the entire property to CD-RB so the newly acquired 0.64 acre parcel can be added to the main property. A new self-storage building is proposed on this new parcel.
- 2) Combine a separate ‘non-contiguous’ 5.0 acre parcel with the existing facility to be used to increase the impervious surface allowance on the existing facility. This separate parcel will be combined through zoning approval and permanently preserved in its current vegetated / natural state. The current approved uses on the existing facility (self-storage, truck rental and boat and RV parking) will not change. The approved boat and RV parking will be covered following the approval of this request.

Today, the applicant uses the main office for self-storage rental and truck rental. The rental truck parking area is in the back of the facility shown on sheet SU2 labeled “truck parking area”. The applicant wants to use the office area permitted in 2003 at the back of storage building 1 to rent trucks and continue to use the main office in front of the facility for self-storage. This additional office was built with the first storage building but never used as an office. This will place the truck rental office closer to where the trucks will be parked. The self-storage operation has one employee and the truck rental operation has one employee. There will be no changes to the current operations other than the separation of the storage and truck rental offices.

The existing self-storage facility was first approved as Ironclad self-storage in 2003 as a Conditional Use Permit (CUP-IND L). On August 21, 2006, we received approval of a modification to the original 2003 CUP. The modification included adding a stand-alone office building with accessory apartment facing 15-501 and adding a second driveway to the facility to access the new office. Construction of the facility was completed in 2008. On April 16, 2012, the zoning was changed again to add 5 acres to the original 5.4 acres for boat and RV storage and rental truck parking. The existing zoning is Conditional Use Zoning Regional Business. (CU-RB) The Uses today are Boat Storage Facility, Recreational Vehicle Storage Facility and Self-storage facility / mini-warehouse storage facility with related retail and Services (i.e. moving truck rental).

The facility was sold to Uhaul in 2012. Uhaul acquired a small 0.64 acre parcel from Chatham County at a tax lien sale in December 2012. They are requesting to add this parcel to their main parcel. The zoning process that allows this is to rezone the entire property to Conditional Zoning District Regional Business (CD-RB). The applicant is requesting that all previous approvals and permits for the site remain valid with the change of zoning required with this application.

Submission Materials Checklist Information

General Application Requirements:

- 1) Location: This parcel is located at the intersection of Vickers Road (SR 1719) and US 15-501, southeast quadrant and approximately one-quarter mile north of Jack Bennett Road.
- 2) Private Roads: There are no private roads that serve or cross the property.
- 3) Current Zoning: The existing 10.4 acre self-storage facility is zoned Conditional Use Zoning-Regional Business (CU-RB). The second parcel (0.64 ac) is zoned R-1.
- 4) Watershed Classification: The watershed classification is WS-IV-PA. The maximum impervious surface area is 36 %.
- 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.
- 6) Size in Acres of Site: The size of the site is 11.04 acres (10.4 + 0.64)
- 7) Utility or Other Easements: The property is subject to the rights-of-ways of Vickers Road (SR 1719) and US Hwy 15-501 South. There is a 10 ft. Progress Energy easement adjacent to the US Hwy 15-501 r/w across the front of the property.
- 8) Current Use: One parcel is currently a self-storage facility + truck rental and the other parcel is vacant / wooded.
- 9) Current Contents of the site: The main parcel has 4 self-storage buildings, one office/apartment building and paved driveways. The second parcel is wooded.
- 10) Other Conditional Use Permits granted for the site: The existing self-storage was granted a Conditional Use Permit in 2003 for mini storage. The CUP was modified in 2006 to add the freestanding office/apartment building. The permit was modified again in April 2013 to add 5 acres to the 5.4 acre site and add truck rental and boat and RV storage.

Description of Use:

This application is being submitted with the purpose of accomplishing the following 2 outcomes: 1) Rezone the entire property to CD-RB so the newly acquired 0.64 acre parcel can be added to the main property. A new self-storage building is proposed on this new parcel. 2) Attach a separate 5.0 acre tract not

connected to the main facility to be used to increase the impervious surface allowance on the existing facility. The current approved uses (self-storage, truck rental and boat and RV parking) will not change. The approved boat and RV parking will be covered following the approval of this request.

Start and Completion Projections:

The boat and RV parking area has been graded. The canopies will begin construction in 2013 and finish at the beginning of 2014. The newly proposed self-storage building on the new 0.64 acre tract is not needed today. The applicant predicts that building will be needed within five years.

Reference to Existing County Plans:

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

The following 4 items shall be addressed for a Conditional Use Zoning District request per the Chatham County Zoning Ordinance section 5.3.A.

1. The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed, reasons how the proposed amendment will correct the same.

There is no alleged error in the Ordinance that this proposal amendment will remedy.

2. The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.

Conditions in the area and County have not changed that make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.

However, this request for a Conditional Zoning District is made based on conditions that have changed on the applicant's property and adjacent property. The applicant owns the existing self-storage facility on 10.4 acres. In December, the applicant acquired a 0.64 acre parcel from Chatham County in a tax lien sale. This parcel is surrounded on 3 sides by the applicant's self-storage facility. The applicant wants to combine this smaller tract with the existing facility.

The second condition creating this request is a new statute passed by the NC State Assembly in August of 2012. The relevant section of the statute is as follows:

**GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2011
SESSION LAW 2012-200 SENATE BILL 229**

PART VII. PROVIDE CONDITIONS TO ALLOW FOR TWO NONCONTIGUOUS PROPERTIES TO BE TREATED AS A SINGLE CONTIGUOUS PROPERTY FOR PURPOSES OF COMPLIANCE WITH LOCAL WATER SUPPLY WATERSHED PROGRAMS

SECTION 7. G.S. 143-214.5 is amended by adding a new subsection to read:

(d2) A local government implementing a water supply watershed program shall allow an applicant to average development density on up to two noncontiguous properties for purposes of achieving compliance with the water supply watershed development standards if all of the following circumstances exist:

(1) The properties are within the same water supply watershed. If one of the properties is located in the critical area of the watershed, the critical area property shall not be developed beyond the applicable density requirements for its classification.

(2) Overall project density meets applicable density or stormwater control requirements under 15A NCAC 2B .0200.

(3) Vegetated buffers on both properties meet the minimum statewide water supply watershed protection requirements.

(4) Built upon areas are designed and located to minimize stormwater runoff impact to the receiving waters, minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.

(5) Areas of concentrated density development are located in upland areas and, to the maximum extent practicable, away from surface waters and drainageways.

(6) The property or portions of the properties that are not being developed will remain in a vegetated or natural state and will be managed by a homeowners' association as common area, conveyed to a local government as a park or greenway, or placed under a permanent conservation or farmland preservation easement unless it can be demonstrated that the local government can ensure long-term compliance through deed restrictions and an electronic permitting mechanism. A metes and bounds description of the areas to remain vegetated and limits on use shall be recorded on the subdivision plat, in homeowners' covenants, and on individual deed and shall be irrevocable.

(7) Development permitted under density averaging and meeting applicable low density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.

(8) A special use permit or other such permit or certificate shall be obtained from the local Watershed Review Board or Board of Adjustment to ensure that both properties considered together meet the standards of the watershed ordinance and that potential owners have record of how the watershed regulations were applied to the properties."

3. *The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.*

- 1) Land Development Plan Reference: This site is proposed at an intersection / node where several businesses currently operate.

We found several relevant sections in the Land Development Plan which apply to this application:

Consider the following Policy Objective:

1. *Land Conservation & Development In Chatham County Will Reflect Balanced Growth.*

Balanced growth means that new development is welcomed and accommodated, but in ways that ensure that:

“Development is guided to appropriate locations and is designed appropriately for its setting.”

This expansion of the existing self-storage facility is located at an existing commercial crossroads that contains an antiques shop, bathroom design store, veterinarian and kennel and future market and commercial use associated with a Compact Community – Briar Chapel. This site is located on a transportation corridor, US 15-501 which is mentioned several times in the Land Development Plan as suitable for development in appropriate locations.

Consider the following Policy Objective:

“Encourage Compact Communities with A Mix Of Activities As Development Occurs.”

This project achieves each of these goals of this Policy Objective. The compact community, Briar Chapel is located across the highway from Ironclad Self Storage. That community does not have planned any of the uses being offered currently by this facility or the uses being requested with this application.

The following are some of the major concerns of the technical and advisory committees for this objective as listed in the Land Development Ordinance:

- Site commercial uses along major highways in clusters at specific designated locations; design these commercial sites to retain a rural

crossroads or village character; and integrate these uses with other nearby development.

- Site commercial clusters/compact communities so that they might be able to be served by transit in the future, especially along US 15-501 north of Pittsboro and US 64 east of Pittsboro.
- Site commercial clusters so that they extend up side roads off main thoroughfares rather than as strips along main thoroughfares.

Consider the following Policy Objective:

“Designate economic development centers in order to promote a diversified, sustainable business community.”

Ironclad Self Storage is located at a crossroads with other commercial uses. Our customers live in the area.

Consider the following Policy Objective:

“Develop An Integrated Approach To Protecting and Promoting High-Quality Open Space, Recreation, Historic And Tourism Locations.”

The project does promote and encourage tourism and improve accessibility to the area’s natural recreational features, including Jordan Lake by providing convenient storage of boats, and recreational vehicles that users of those resources might desire.

4. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.

Reasons for support of this application are offered in items 2 and 3 above.