



Town of Indian Trail, NC
P.O. Box 2430

Indian Trail, North Carolina 28079
Telephone (704) 821-5401

PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

Special Use Permit Staff Report

Case: SUP 2015-003		Special Use Permit	
Reference Name	Moser Group Outdoor Boat and RV Storage Facility		
	Proposed Use	Boat and RV Storage Yard	
Existing Site Characteristics	Existing Zoning	RBD Regional Business District	
	Existing Use	Farmer & Daughter Produce Stand & Vacant Lot	
	Site Acreage	2.31 acres	
Applicant	Eagle Engineering, Inc. on behalf of Green River Fund, LLC		
Submittal Date	May 26, 2015		
Location	320 Unionville-Indian Trail Road		
Tax Map Number(s)	07-084-323 & 07-084-320E		
Plan Consistency	Town of Indian Trail Land Use Map	Designation	US-74 Corridor West
		Consistent with Request	Yes

PROJECT SUMMARY

The applicant is requesting a Special Use Permit (SUP) to allow for a Boat and RV Storage Facility at 320 Unionville-Indian Trail Road. Currently, the two lots contain the now closed Farmer & Daughter Produce Stand and a vacant lot. A Boat and RV Storage Facility is regulated in section 520.020 of the Unified Development Ordinance (UDO), which requires an SUP in Regional Business District.

ANALYSIS

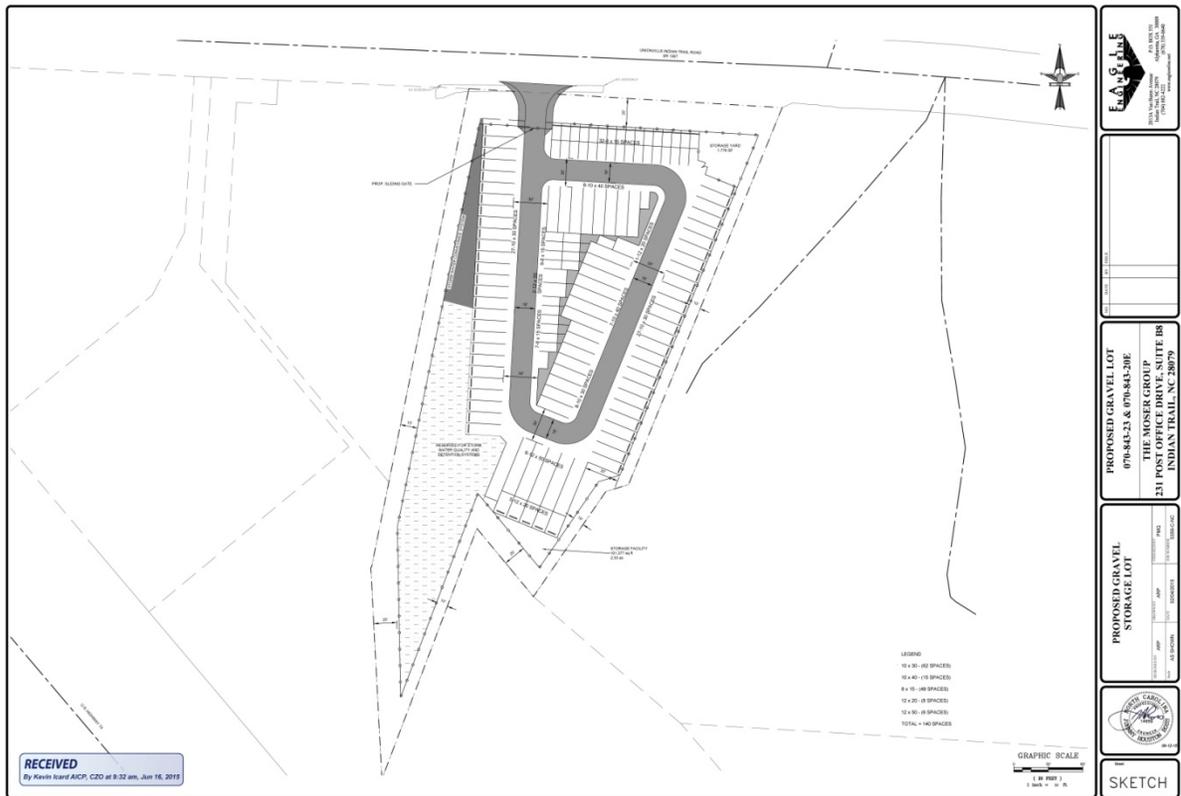
Proposed Land Use

The SUP application contemplates an approximately 2.33 acres of land for the use of a boat and RV storage facility.

Proposed Site

The subject parcel is located at 320 Unionville-Indian Trail Road and is approximately 2.33* acres in size. (*Area includes both parcels)

Site Plan 1



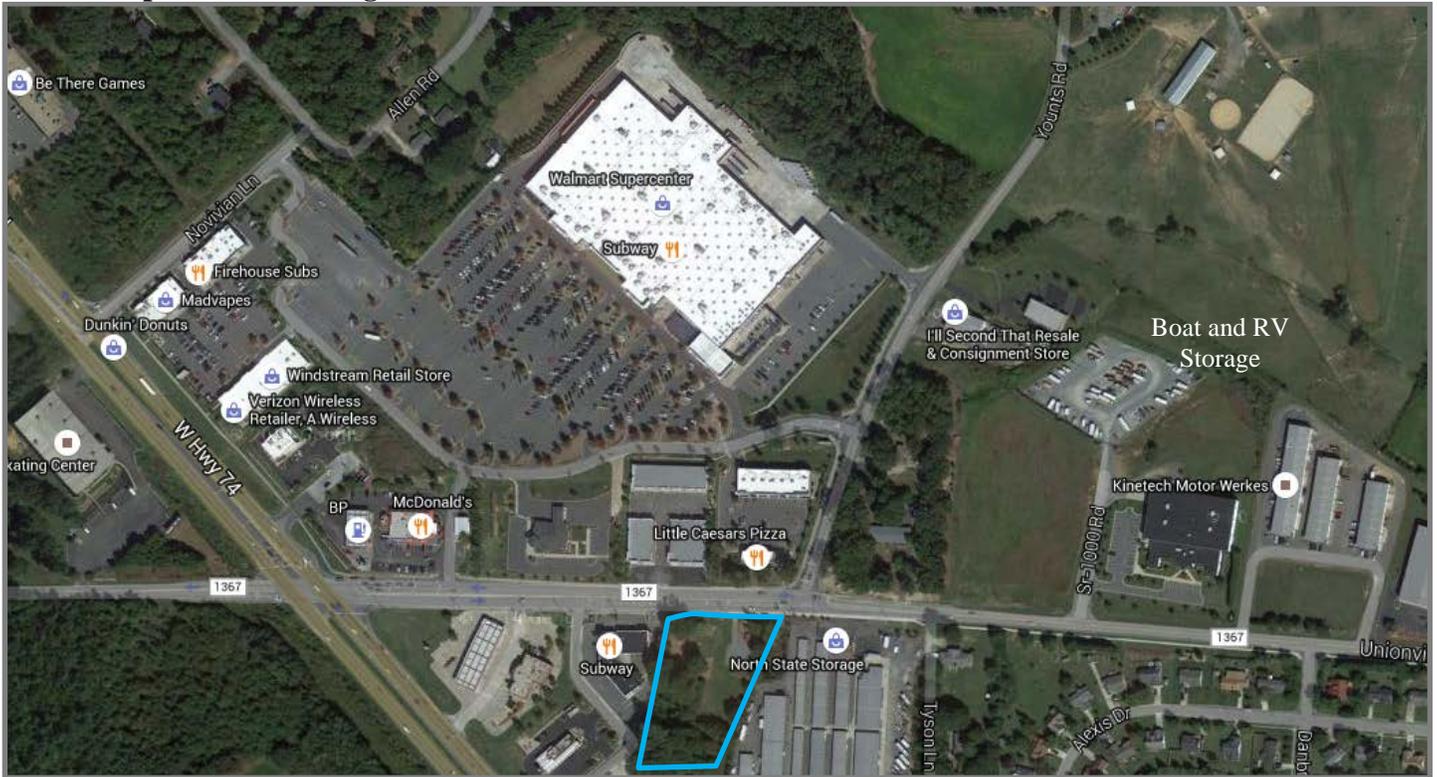
Existing Conditions: Parcel 07-084-320E, where the Farmer & Daughter Produce Stand is located, and currently closed, previously received a Special Use Permit (SUP2013-001). If the proposed SUP is approved, the existing SUP for the produce stand will no longer be active. Parcel 07-084-323 is currently vacant; previously it was a single family residence that was recently demolished. The frontage of these properties already has curb/gutter and sidewalks. The site currently has access via the existing driveways (one for each lot) on Unionville-Indian Trail Road. The site is located within a commercial corridor and is surrounded by commercial/retail type uses as further described below:

Table 1: Adjacent Uses

Area	Existing Use
South	Car wash and drive-in restaurant
West	Auto repair, and multitenant commercial center
North	Multitenant commercial center and Wal-Mart
East	Self storage facility

The closest residential neighborhood is Brittany Downs, located immediately east of the North State Storage facility, approximately 500 feet from the subject property. There is also a row of houses on Tyson Road between Brittany Downs and North State Storage, approximately 323 feet from the subject property.

Map 1: Surrounding Uses



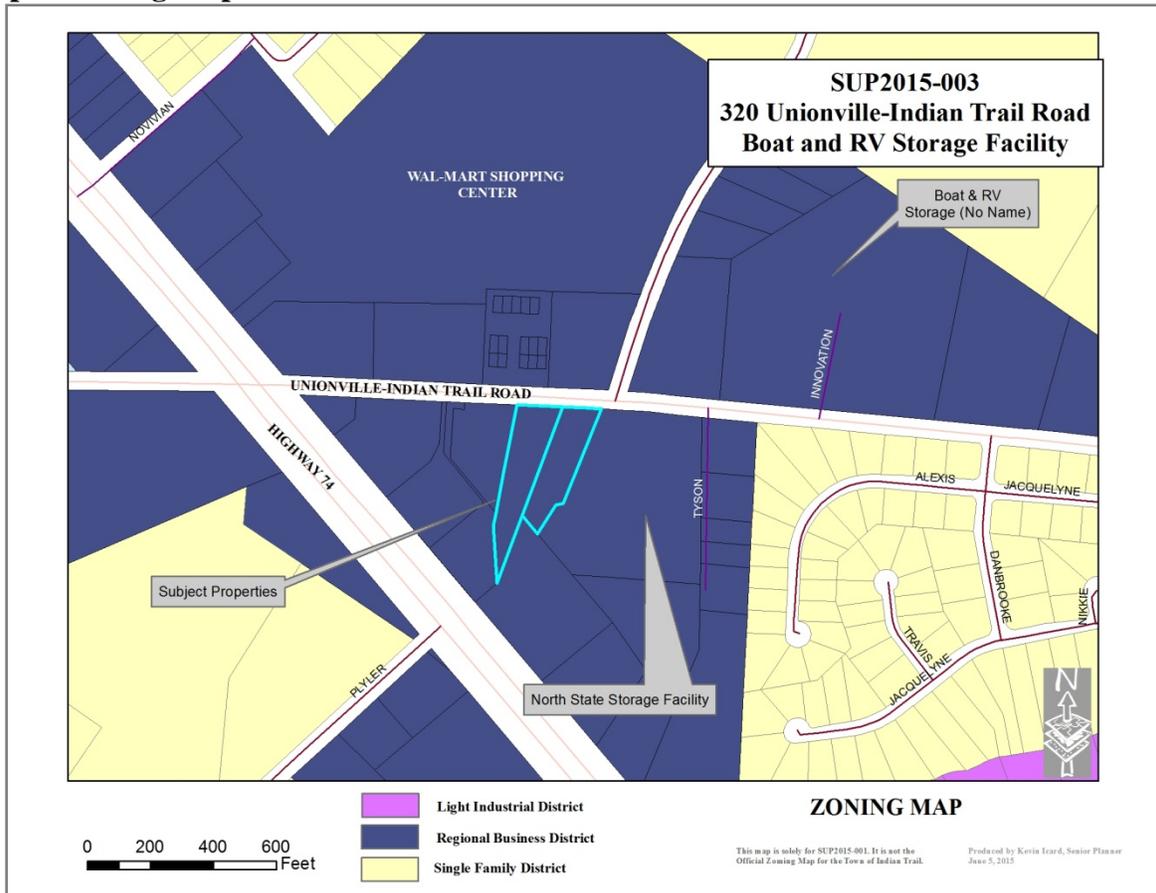
Site Improvements: The site is currently proposed to include 140 storage spaces, as detailed below. Based on time of printing this report; staff will require the site to be completely screened by both existing mature trees and supplemental landscaping on all four sides. Other improvements include the following:

- Mitigation of any Heritage Tree
- Asphalt circulation with gravel storage area
- Meet all buffer requirements and the future ROW dedication
- Enhanced fence securing the property (not chain link)
- Lighting Plan, if applicable
- Permanent space markings via wheel stops
- Appropriate amount of distance for the entrance gate from the ROW to prevent backing up in the roadway
- No storage containers (i.e. PODS or Sea Containers) allowed on site

Table 2: Storage Space Sizes

STORAGE SIZE	SPACES
10' x 30'	62
10' x 40'	15
8' x 15'	49
12' x 20'	8
12' x 50'	<u>6</u>
TOTAL	140

Map 2: Zoning Map



Real Estate Appraisal Report (Attachment 2)

The Town requires a real estate appraisal report to be submitted as part of the SUP submittal (UDO Section 360.010). The purpose is to determine whether or not there will be a substantial negative impact on neighboring property values as a result of the proposed use. The applicant has submitted such a report as part of his application prepared by Morrison Appraisal. The findings in the report state the operation of a Boat and RV Storage Facility is not deemed to have any detrimental effect nor diminution in value to the surrounding area.

Outside Agency Comments

There were no comments or issues identified by outside agencies.

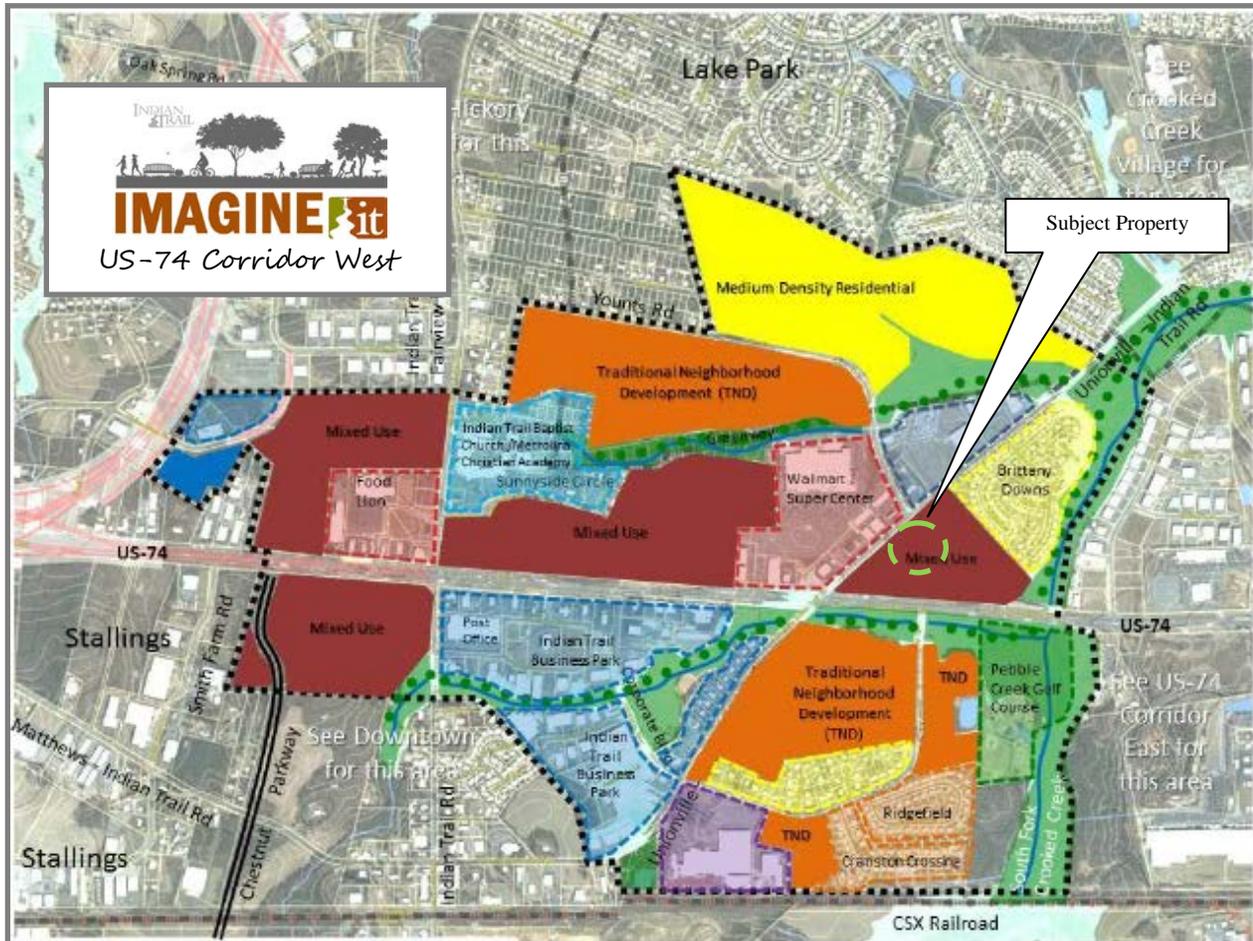
Plan Consistency

The subject property is located within the US-74 Corridor West Plan of the Comprehensive Plan. This corridor is the regional economic engine in Indian Trail and the surrounding municipalities in Union County. This area provides numerous essential services to the residences of Indian Trail. Based on analysis of this use, Staff is of the opinion that the proposed use is in harmony with the surrounding area based on the following goal:

- **Economic Development Goal No. 1:** *Create a more balanced tax base by promoting the development of office parks, businesses, retail centers and industrial parks. Promote a diverse local economy that will support varied employment opportunities.*

The Town's Comprehensive Plan shows that land as being designated as mixed-use which is a similar category as the Wal-Mart shopping center development.

Map 3: US-74 West Corridor



As more citizens are relocating into Indian Trail the homes that they are purchasing are located in subdivisions that have restrictions on the storing of recreational type vehicles and equipment. Storage facilities like this provide a place that is convenient to store their equipment in a safe and secure environment that is regulated and controlled. While this business does not create a lot of new jobs for the area, the property's assessed value will be increased with the improvements of the site.

Under **UDO Section 360.080**, the Board of Adjustment, when considering whether to approve an application for a special use permit, shall review and evaluate the following:

1. **Whether the application is complete.**
 - a. Staff is of the opinion that the application for SUP2015-003 is complete.
2. **The Board will consider whether the application complies with all of the applicable requirements of this ordinance.**
 - a. As per the stated conditions of this special use permit, staff is of the opinion that SUP 2015-003 is in compliance with the requirements set forth by the Unified Development Ordinance (UDO).

3. **If the Board of Adjustment concludes that all such requirements are met, it will issue the permit unless it adopts a motion to deny the application for one or more of the reasons set forth in UDO Section 360.030.** Such a motion will propose specific findings, based upon the evidence submitted, justifying such a conclusion.

Under **UDO Section 360.030**, the Board of Adjustment must make these required considerations of public health, safety, and welfare. The Board of Adjustment's authority in the review of this special use permit application is broad and the Board may approve with conditions if it concludes, based upon the information submitted at the hearing, that the proposed development will:

1. **Not materially endanger the public health or safety; and**
2. **Not substantially injure the value of adjoining or abutting property; and**
3. **Be in harmony with the area in which it is to be located; and**
4. **Be in general conformity with the Town of Indian Trail Comprehensive Plan and other adopted plans.**

If one of these findings cannot be made, then the Board must move to deny the special use permit request, stating for the record why the Board has decided to do so.

Recommendation

If the Board is of the opinion that the above required findings can be made to approve the project, staff recommends the site be subject to the following conditions, along with the Board's approval of the special use permit:

1. The site plan provided is conceptual and subject to change; for the property will go through a full review process and meet all requirements of the Unified Development Ordinance; and
2. Any trees that are considered a heritage tree, if removed, will be mitigated; and
3. The curb and gutter located along Unionville-Indian Trail Road that currently has the second driveway entrance will be removed and replaced with standard curb and gutter to match what is existing; and
4. The internal circulation area shall be improved with asphalt, a minimum of eighteen feet (18) feet in width, as shown on the submitted site plan; and
5. No landscaping material is allowed to be stored on site (i.e. stone, mulch, sand, dirt, trees, shrubs, etc.); and
6. No storage containers (i.e. PODS or Sea Containers of any size) are allowed to be stored on site; and
7. No portal offices may be located on site; and
8. No one may operate a business out of this site; and
9. The site is not allowed to store any vehicles which may constitute as junk or salvaged; and
10. Prior to final zoning compliance; the owner shall recombine the two parcels through the Town's Subdivision process; and
11. It is prohibited for an individual to sleep overnight in a recreational vehicle onsite.

Attachment 1 – Application

Attachment 2 – Real Estate Appraisal Report

Attachment 3 – Site Plan & Tree Survey

Staff Contact

Kevin P. Icard, AICP, CZO

Senior Planner

kicard@planning.indiantrail.org

ATTACHMENT 1
APPLICATION

SPECIAL USE PERMIT APPLICATION

R-000610

Inv 24150

CK393



Planning & Neighborhood Services
PO Box 2430
Indian Trail, NC 28079
Telephone (704) 821-5401
Fax (704) 821-9045

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee \$300.00 for Major Home Occupation, \$400 for Non-Residential Use
+ \$100 for Engineering Review for Commercial Plans

Notification Fee \$2.50 per notice

Notices sent to all property owners within 400 feet of subject property

Date Received _____

05-26-15 P05:00 OUT



SPECIAL USE PERMIT APPLICATION

Submittal Requirements

- Completed Application
- Notarized signatures of applicant and property owner
- Letter of Intent
- 8 copies of Concept Plan (including a digital copy)
- Statement of Justification (used to determine if Findings of Fact can be made at public hearing)
- Statement of Appraisal (8 hard copies and 1 digital)
- Fees associated with review

General Information

Project Address 320 Unionville Rd

City Indian Trail State NC Zip 28079

Tax Parcel ID 07084323 & 07084320E Zoning Designation RBD

Total Acres 1.24 & 1.07 Impervious Area _____

Project Description Outdoor Storage Facility

Contact Information – Applicant

Name Dennis Moser *Green River Fund, LLC*

Address 231 Post Office Dr

City Indian Trail State NC Zip 28079

Phone 704-882-1700 ex 211 Fax _____

Email dmoser@themosergroupinc.com

Contact Information – Property Owner

Name Dennis Moser

Address 231 Post Office Dr

City Indian Trail State NC Zip 28079

Phone 704-882-1700 ex 211 Fax _____

Email dmoser@themosergroupinc.com



SPECIAL USE PERMIT APPLICATION

Applicant's Certification

Signature [Signature] Date 5.26.15
Printed Name/Title Dennis Moser

Signature of Notary Public [Signature] Date 5.26.15

Notary Seal RAENAE H. LITTLE NOTARY PUBLIC Stanly County, North Carolina My Commission Expires 4/16/2017

Property Owner's Certification

Signature [Signature] Date 5.26.15
Printed Name/Title Dennis Moser

Signature of Notary Public [Signature] Date 5.26.15

Notary Seal RAENAE H. LITTLE NOTARY PUBLIC Stanly County, North Carolina My Commission Expires 4/16/2017

TOWN OF INDIAN TRAIL OFFICE USE ONLY
CASE NUMBER:
DATE RECEIVED: AMOUNT OF FEE:
RECEIVED BY: RECEIPT #:



SPECIAL USE PERMIT APPLICATION

**PLEASE PROVIDE INFORMATION REGARDING THE FOLLOWING ITEMS TO BE
CONSIDERED COMPLETE AS AN SUP APPLICATION:**

- 1.) **Concept Plan** - Need to include specifics on the following items:
 - Building footprint (including setbacks, height, dimensions, etc.)
 - Parking Area (On and off-site, handicap spaces, truncated domemats, etc.)
 - Open Space Areas
 - Signage
 - Sidewalks, trail and bikeways
 - Lighting
 - Utilities
 - Stormwater/Drainage Calculations and Plan
 - Other Requirements related to this concept plan as may be needed or required by the Unified Development Ordinance, Land Development Standards, Comprehensive Plan, and/or other related plans
- 2.) **Letter of Intent** – Need to include specifics on the following items:
 - Hours of Operation (if not a residential use)
 - Size and scope of potential use
 - General outline of Concept Plan described above
 - Other Requirements related to this letter of intent as may be needed or required by the Unified Development Ordinance, Land Development Standards, Comprehensive Plan, and/or other related plans

STATEMENT OF APPRAISAL

Please add a written consulting report from a North Carolina State Certified Real Estate Appraiser that conforms to Standard 5 of the Uniform Standards of Professional Appraisal Practice.

STATEMENT OF JUSTIFICATION (see attached form next page)

The applicant must prove the following in a letter addressing each item in this list individually.

- 1.) That the use will not endanger the public health, safety, and welfare
- 2.) That the use will not injure the value of adjoining or abutting property (a statement from a Certified Real Estate Appraiser is required).
- 3.) That the use will be in harmony with the area in which it is located.
- 4.) That the use will be in conformity with the land development plan, thoroughfare plan, and other plans officially adopted by the Town Council.



SPECIAL USE PERMIT APPLICATION

Statement of Justification:

Please fill out this form or provide attached documentation as needed

For each item, please specify as to how each required finding can be met and satisfied:

1. That the use will not endanger the public health and safety
The proposed use of an Outdoor Storage Facility is consistent with the surrounding uses.
The adjacent uses include a mini storage facility, outdoor storage facility and multiple commercial developments (which include automotive service centers). This use will consistent with the surrounding developments.

2. That the use will not injure the value of adjoining or abutting property (a statement from a certified appraiser may be required to show this)
Please see attached Impact Study for this project site.

3. That the use will be in harmony with the area in which it is located
The proposed use of an Outdoor Storage Facility is consistent with the surrounding uses.
The adjacent uses include a mini storage facility, outdoor storage facility and multiple commercial developments (which include automotive service centers)

4. That the use will be in conformity with the Comprehensive Plan, Thoroughfare Plan, or other plan officially adopted by the Town Council
The proposed use is consistent with the Town of Indian Trails Comprehensive Plan and Thoroughfare Plan.



May 26, 2015

Mr. Rox Burhans
Director of Planning
Town of Indian Trail
130 Blythe Drive
Indian Trail, NC 28079

Re: Letter of Intent
Special Use Permit Petition
Outdoor Storage Facility
Indian Trail, North Carolina

Dear Mr. Burhans:

On behalf of our client, Green River Fund, LLC, it is our intent and formal request to obtain a special use permit on 2.31 acres (PID's 07084323 & 07084320E) of property to accommodate a proposed outdoor storage facility under the Town's Unified Development Ordinance. In support of our request for a Special Use Permit, included herein are a Special Use Permit Application and supporting documentation.

The subject property currently has a small fruit stand with gravel parking lot on the front portion of the site while the rest of the site is a combination of woods and grass. The parcel is currently zoned RBD by the Town of Indian Trail.

The subject site is west of the intersection of Unionville Indian Trail Rd and Younts Rd in the Town of Indian Trail. There is an existing mini-storage facility immediately to the east, a commercial plaza to the west with an automotive service facility and Subway sandwich shop, vacant land to the south and commercial shopping center to the north which includes multiple retail entities including Wal-Mart.

The proposed outdoor storage facility will serve as a similar use to the adjacent mini-storage facility and the existing outdoor storage unit to the north-east of this site. The project site currently has sidewalk and roadway improvements that enhance pedestrian connectivity within the community.

Atlanta

P.O. Box 551
Alpharetta, GA 30009
Ph 704 893 1255
Fax 678 339 0534

www.eagleonline.net

Charlotte

2013-A Van Buren Avenue
Indian Trail, NC 28079
Ph 704 882 4222
Fax 866 775 0329

Mr. Rox Burhans

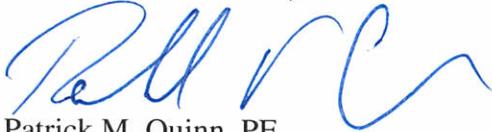
May 26, 2015

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We believe this request is consistent with the intent of the Town's Unified Development Ordinance and with the existing use on the surrounding parcels. We thank you for your consideration of this application. Should you have any questions or require additional information, please feel free to call at your convenience.

Sincerely,

EAGLE ENGINEERING, INC.



Patrick M. Quinn, PE

Principal

File: 5359

ATTACHMENT 2
REAL ESTATE APPRAISAL REPORT



IMPACT STUDY OF A
OUTSIDE STORAGE AREA

DENNIS MOSER
320 Unionville Indian Trail Road
Indian Trail, NC

As of:
May 6, 2015

Date of Report:
May 8, 2015

For:
Town of Indian Trail

By:
Rob Morrison, Appraiser
613 Euclid Street
Monroe, North Carolina 28110



Morrison Appraisal, Inc.

613 Euclid St
Monroe, NC 28110
704-283-2286
704-283-8989 fax
morrisonappraisal@carolina.rr.com

May 8, 2015

Planning Dept.
Town of Indian Trail
P.O. Box 2430
Indian Trail, NC 28079

Dear Sir or Madam:

As requested, I have studied the property located at 320 Unionville Indian Trail Road in Indian Trail, NC. The property consists of 2.31 acres of land where a paved or rock parking area will be added. The property is owned by Green River Fund. The owner wishes to use the subject property for a outside storage area, which requires a special use permit.

Based on the information gathered, it is my opinion that the proposed use will not substantially injure the value of the abutting or adjoining properties.

If you have any questions please let me know.

Sincerely,

Rob Morrison



ATTACHMENT 3
SITE PLAN & TREE SURVEY