



INDIAN TRAIL
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 Town of Indian Trail, NC
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PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

Special Use Permit Staff Report

Case: SUP 2015-004 Special Use Permit			
Reference Name	Pristine Auto Sales Inc.		
	Current Use	Automobile Sales and Service	
Existing Site Characteristics	Existing Zoning	Regional Business District	
	Existing Use	Multi-Tenant Building	
	Site Acreage	1.78 acres	
Applicant	Scott Garera – Pristine Auto Sales		
Submittal Date	May 28, 2015		
Location	4004 D Sardis Church Road		
Tax Map Number(s)	07-069-198		
Plan Consistency	Town of Indian Trail Land Use Map	Designation	US 74 East Corridor
		Consistent with Request	Yes

PROJECT SUMMARY

The applicant is requesting a Special Use Permit (SUP) to allow for their business to continue operations at 4004 D Sardis Church Road. The applicant has been at this location since 2010, at that time they were classified as internet only auto sales and auto repair with no outdoor display. However; within the past few years the applicant started to display vehicles for sale in the parking lot. This request is a result from a notice of violation sent for operating without a SUP. The business is classified as Light Equipment Sales/Rental (Retail) & auto repair in section 520.020 of the Unified Development Ordinance (UDO), which requires an SUP when located in a multi-tenant building.

ANALYSIS

Proposed Land Use

The SUP application contemplates an approximately 4,050 square feet (2 suites) of an existing 8,000 square foot building for the use of a Pristine Auto Sales Inc. Services provided include the sale of vehicles to the general public and repair services. Light Equipment Sales and Rental (Retail) requires an SUP due to being located in a multi-tenant building. The SUP requirement for a multi-tenant building is to insure that the applicant is only using their allocated space so that other tenants in the building have their allowed parking spaces free for their normal operations. Hours of operation for Pristine Auto Sales are typically 9:00 am to 6:00 pm Monday – Friday, 9:00 am to 3:00 pm Saturday and appointment only on Sunday.

Picture 1: Pristine Auto Sales 4004 D Sardis Church Road (occupies suite C & D)



Proposed Site

The subject parcel is located in the Sardis Church Business Park which is made up of 5 parcels of land totaling 6.59 acres and 40,000 square feet of building space. The applicant is currently leasing two of the four spaces in one of the 8,000 SF buildings. They share the building with two other businesses; Amramp – installer of wheelchair ramps & American Wood Reface – kitchen remodeler.

Existing Conditions: This business has been operating since 2010 at this location. Since the applicant uses approximately 50% of the building they are allowed approximately 15 parking spaces along the front of the building facing Sardis Church Road. There are additional spaces located along the side and rear of the property they are allowed to use. Below is a breakdown of the number of spaces provided and what is required by the Unified Development Ordinance.

The applicant has stated that they do not keep more than 7-10 vehicles in their inventory and at the end of each day the vehicles are moved inside the building for liability purposes.

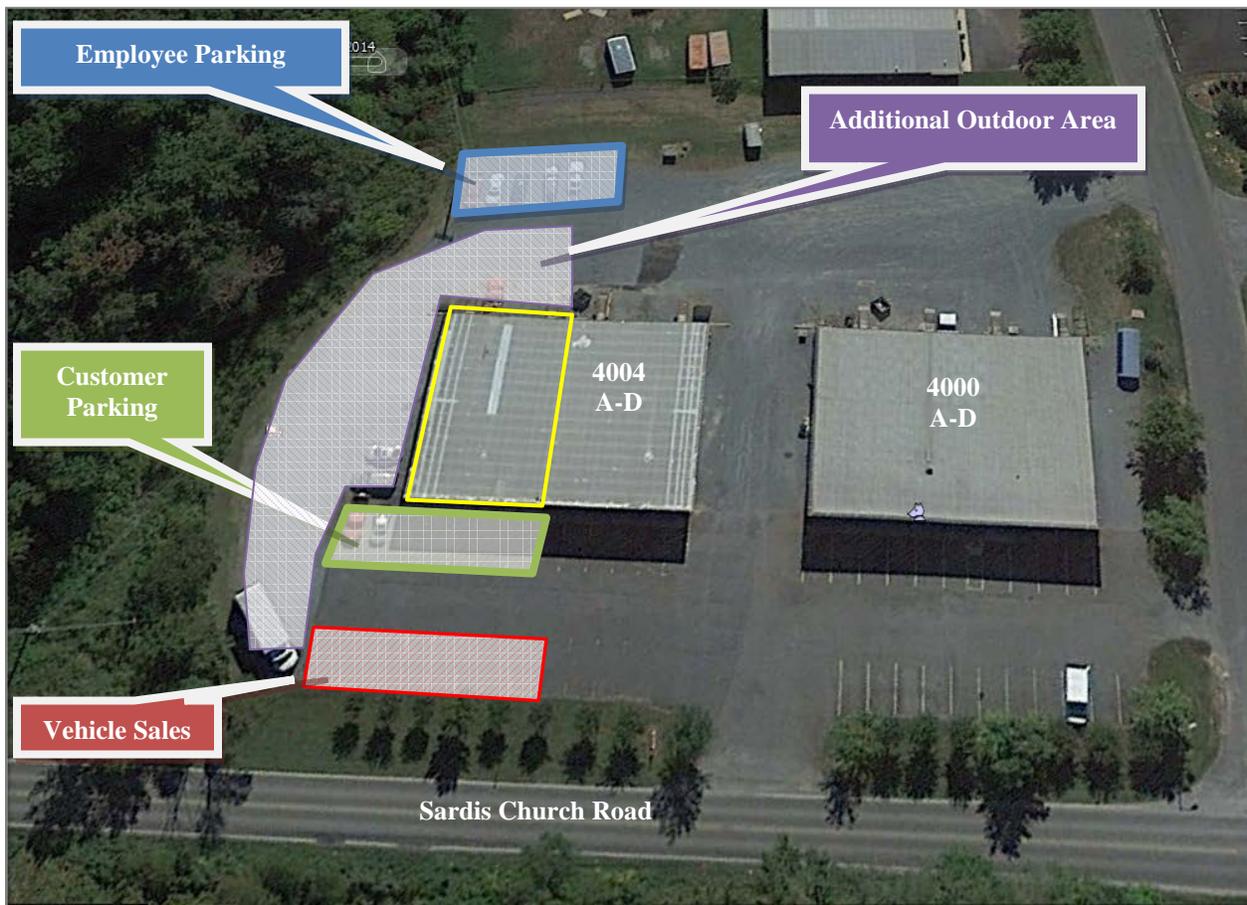
Table 1: Provided Parking Spaces

Parking Location	Number of Spaces
Front	15
Side	10
Rear	5
Total Provided	30

Table 2: Required Parking Spaces (per UDO 1020.010)

Required Spaces	Number of Spaces
Auto Sales: 1 space/ 200 SF at 1,000 SF office (5) + 1 space/ 5,000 SF outdoor at 8,500 SF (2)	7
Auto Repair: 1 space per employee (2) + 1 space per bay (1)	4
Total Required Customer and Employee	11

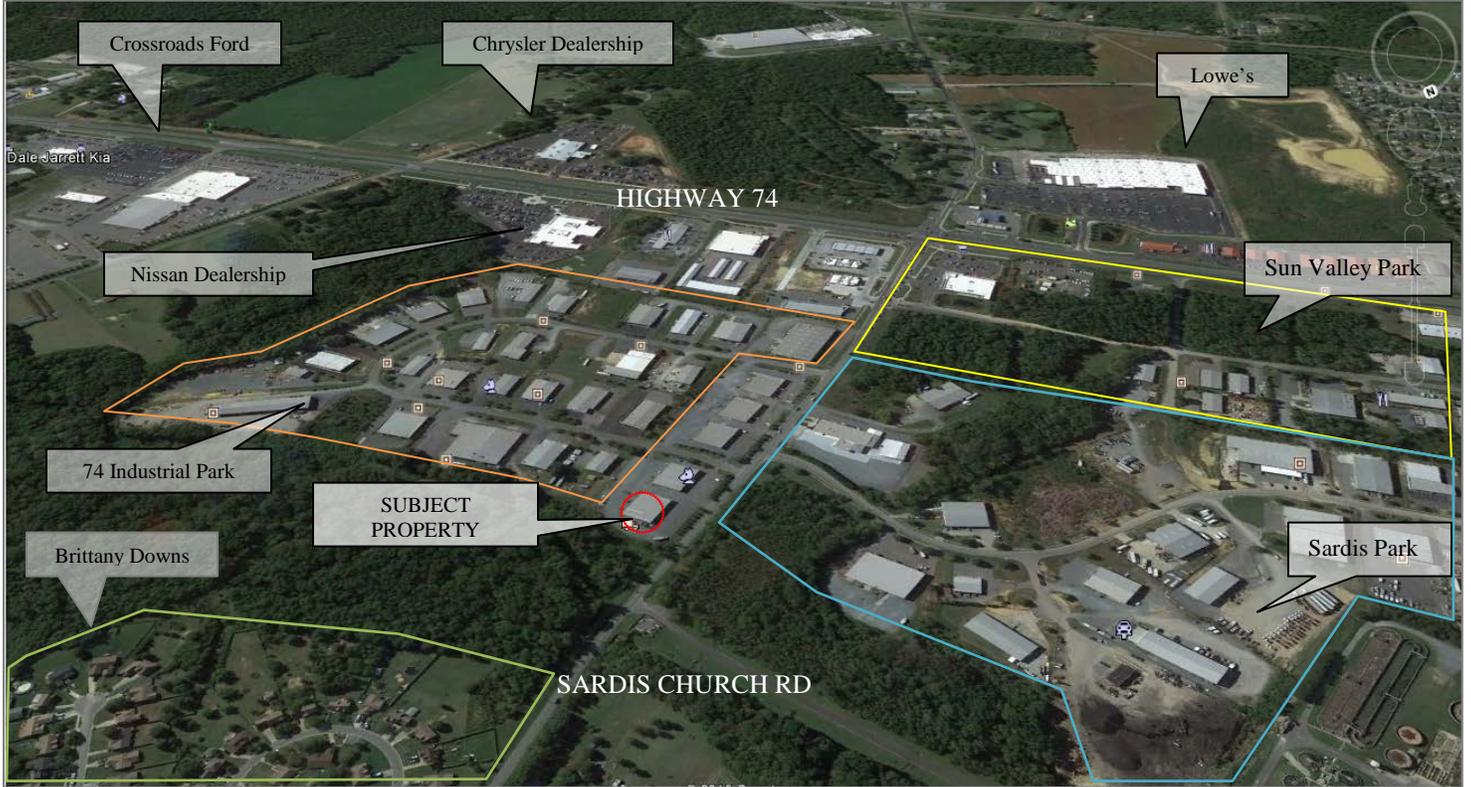
Map 1: Parking Lot



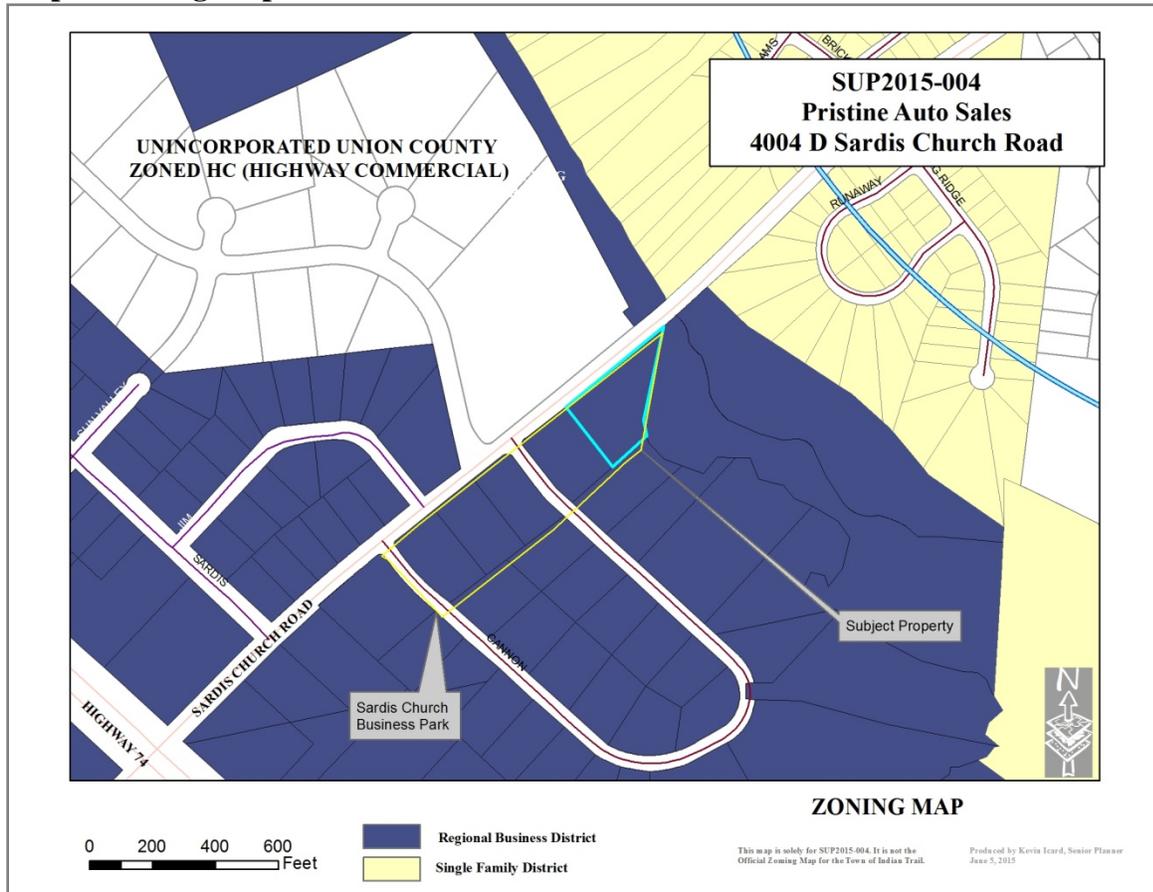
Surrounding Uses: This property is surrounded by a mixture of commercial, industrial and residential uses. Specifically, the following are uses that are immediately adjacent to this property.

DIRECTION	USE
North	Vacant Wooded Lot
South	EnviroClean (Restoration)
East	Vacant Floodplain
West	Service/Retail Uses in multi-tenant building

Map 2: Surrounding Uses



Map 3: Zoning Map



Real Estate Appraisal Report (Attachment 1)

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, Inc. The findings in the report state the operation of Auto Sales at this location 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.

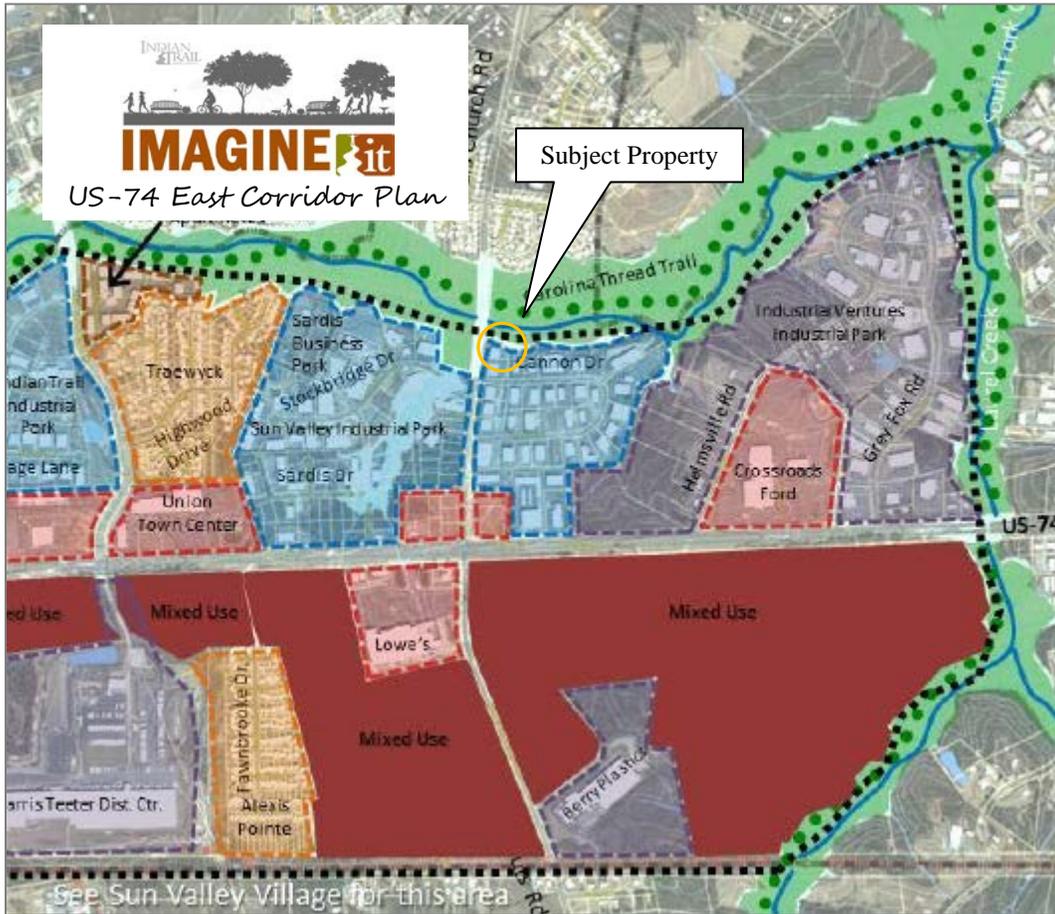
Plan Consistency

The subject property is located within the US-74 East Corridor Plan of the Comprehensive Plan. For purpose of the Comprehensive Plan analysis, this property is classified as existing office which supports; retail, service, sales, repair and flex warehousing space. This corridor provides a direct connection between some of the busiest portions of the state and serves as a gateway to municipalities in the western portion of Union County. Staff is of the opinion that the proposed use is in harmony with the surrounding area based on the following goals:

- **Land Use and Housing Goal No. 1:** *Promote a mix of different types of land uses within each village and avoid potential land use conflicts between neighboring properties and surrounding municipalities.*
- **Economic Development Goal No. 2:** *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 Sardis Church Business Park provides a wide range of goods and services to the citizens of Indian Trail. Specifically, Pristine Auto Sales has proven that they have a business model that has worked for the past 5 years at this location. They are providing a service for individuals that are looking for vehicles without having to visit the larger dealerships in the area.

Map 4: Future Land Use Plan US-74 East Corridor



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 SUP2015-004 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 2015-004 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 outdoor storage of automobile parts and other materials is prohibited; and
2. The outdoor servicing of vehicles is prohibited; and
3. Applicant will install additional low growing landscaping along Sardis Church Road; and
4. The applicant will re-stripe the parking lot so that the display spaces are properly marked.

Attachment 1 – Application

Attachment 2 – Real Estate Appraisal Report

Attachment 3 – Supplemental Pictures

Staff Contact

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Senior Planner

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ATTACHMENT 1
APPLICATION, LETTER OF INTENT & APPRAISAL REPORT
SEE ATTACHED FOLDER

ATTACHMENT 2
SUPPLEMENTAL PICTURES



Front Entrance



Vehicle Display Area



4000 Sardis Church Rd. Adj. Building



4004 Suite A & B Parking Spaces



View from Driveway Entrance



Employee Parking and Circulation