



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 2015-005		Special Use Permit	
Reference Name	Matt Construction - Construction Storage Yard		
	Proposed Use	Construction Storage Yard for Equipment	
Existing Site Characteristics	Existing Zoning	LI – Light Industrial District	
	Existing Use	Single Family – Vacant (Demolition)	
	Site Acreage	0.877 acres	
Applicant	Matt Ilik		
Submittal Date	July 27, 2015		
Location	5423 Orr Road		
Tax Map Number(s)	07-069-128		
Plan Consistency	Town of Indian Trail Land Use Map	Designation	Sun Valley Village
		Consistent with Request	Yes

PROJECT SUMMARY

The applicant is requesting a Special Use Permit (SUP) to allow for a Construction Storage Yard at 5423 Orr Road. Currently, the lot contains a single family residence that will be demolished. A Construction Storage Yard is regulated in section 530.020 of the Unified Development Ordinance (UDO), which requires an SUP in Light Industrial District.

ANALYSIS

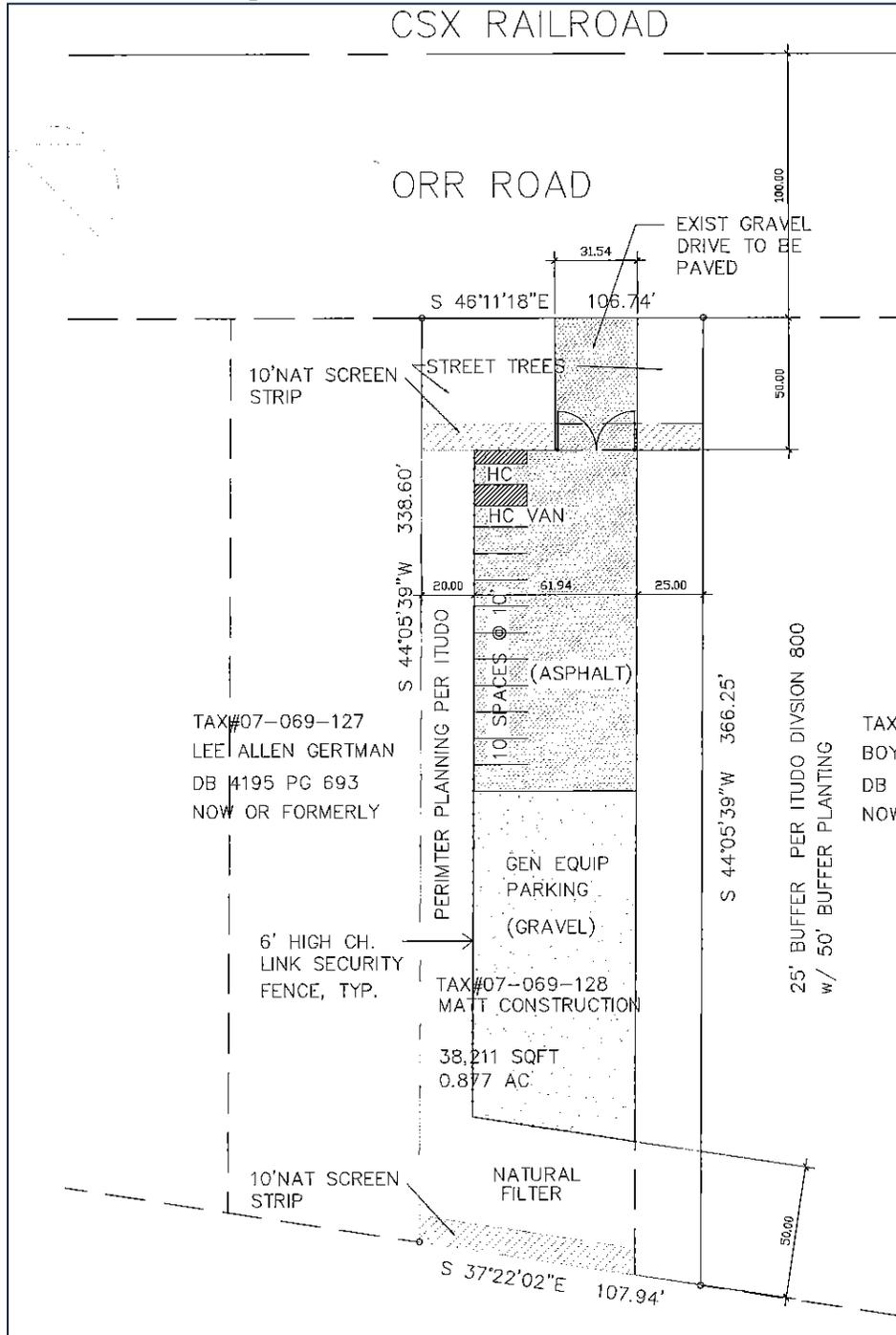
Proposed Land Use

The SUP application contemplates an approximately 0.877 acres of land for the use of a construction storage yard. The property has a light industrial classification and is located along the CSX Rail Line that runs parallel to Orr Road.

Proposed Site

The subject parcel is located at 5423 Orr Road. It's approximately 106' wide by 380' in depth. The property is currently overgrown with weeds and scrub brush. The house on the property is damaged beyond repair and will be demolished prior to operation of the site. There are some large maturing trees located at the rear of the property that will not be disturbed during the development of the site.

Site Plan 1 – Conceptual (See Attachment #3)



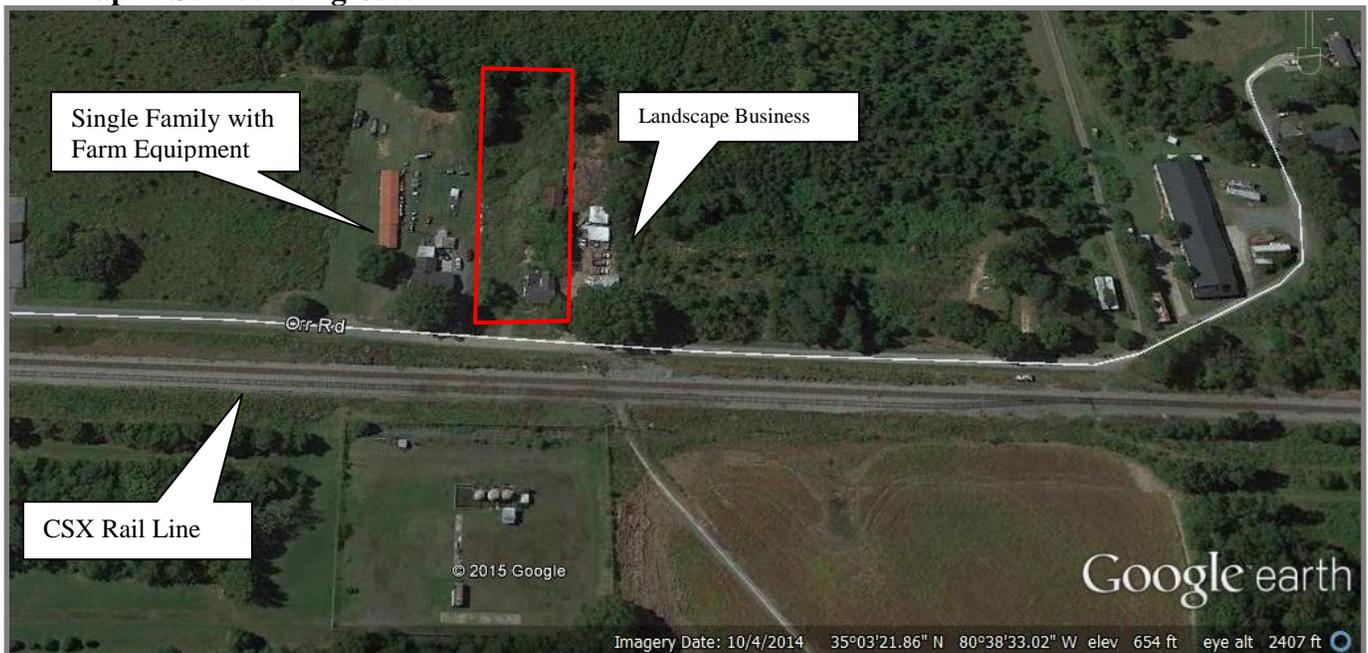
Existing Conditions: The parcel contains a building that was once a Single Family residence that will be demolished. The property is zoned light industrial and located off Orr Road. Orr Road is a state maintained road that is approximately sixteen feet (16') wide (at the subject property location) and is a dead end street. The parcel itself is a relatively flat parcel that is partially enclosed by a chain link fence. There is a natural buffer located at the rear of the property with some large maturing trees. While the site is located in an industrial zoning classification; one of the adjacent parcels is a single family residence. The applicant received recommendation from

the Tree Advisory Board to allow for a buffer reduction due to the inability to meet the required fifty (50') foot buffer requirement and to be able to properly use his property. Below is a list of adjacent uses.

Table 1: Adjacent Uses

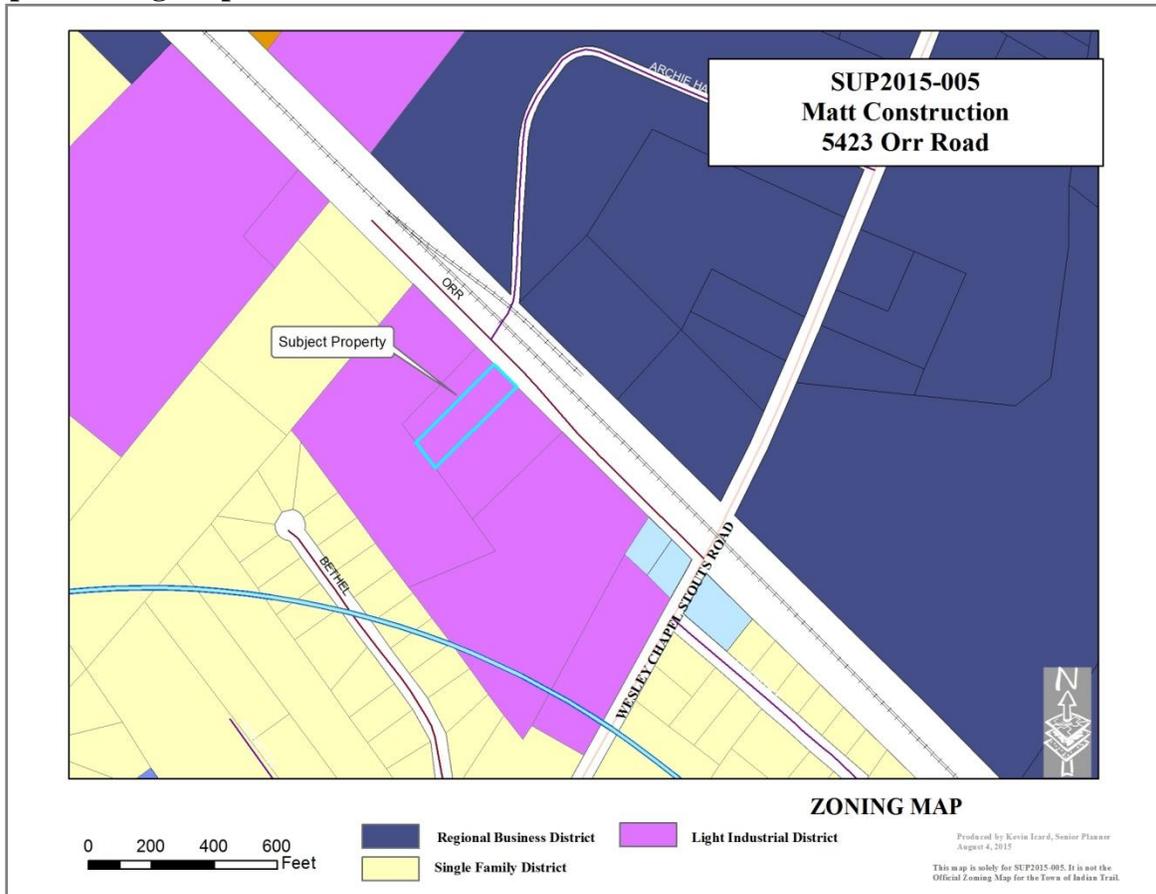
Area	Existing Use
South	Single Family Residence (Zoned Industrial)
West	Vacant Wooded Lot (Zoned Industrial)
North	Buckeye Landscapers (Zoned Industrial)
East	CSX Rail Road Tracks

Map 1: Surrounding Uses



Site Improvements: Based on the site plan provided (see attachment #3) the applicant is requesting to develop the site as an outdoor equipment storage yard to support his construction business. The site will include the appropriate amount of landscaping around the property, a paved parking area with the necessary curb and gutter for employee parking, a gravel equipment/material storage space and a security fence around the storage area. The side adjacent to the residential property will have a 25-ft. buffer area with the typical plantings of a 50-ft. buffer (see site plan) this includes a mixture of Red Maples, Lone Leaf Pines, Crape Myrtles and Arborvitaes. In addition to the landscaping the applicant will install a 6-ft. high opaque fence, similar to a PVC panel fence available at home improvements stores, to block the entire view of the equipment from the adjacent property.

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 Heritage Realty of Monroe, Inc. The findings in the report state the operation of a Storage Yard/Facility is not deemed to have any detrimental effect nor diminution in value to the surrounding area.

Outside Agency Comments

Based on preliminary discussions with NCDOT; they may require some minor repairs and/or an asphalt overlay of Orr Road. The final improvements will be determined by NCDOT during the review of the driveway permit for the project. Attached is a copy of an email sent to representatives with NCDOT and Town staff discussing the necessary improvements to Orr Road. (See Attachment #4)

Plan Consistency

The subject property is located within the Sun Valley Village Plan of the Comprehensive Plan. This village is the largest village in Indian Trail. The majority of development in the Sun Valley Village is focused around the intersection of Wesley Chapel and Old Monroe Road. This property is located on the periphery of the village and is classified as Mixed-Use. Since this location is not immediately off of a major thoroughfare, which should be reserved for a more

intense retail type use, a storage facility is appropriate at this location. The adjacent property, opposite the single family use, is currently operating as a contractor's office and storage yard. The value of the property will increase due to the change of use, the property will be reassessed based on an industrial classification versus a residential use. The redevelopment of the site will enhance the property and will be a vast improvement for the adjacent single family property. 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 2.3.7:** *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.*
- **Land Use & Housing Goal 2.3.3:** *Emphasize high quality design to ensure attractive land development and redevelopment.*

The Town's Comprehensive Plan shows that land as being designated as mixed-use which supports the use of a construction storage yard at this location.

Map 3: Sun Valley Village Comprehensive Plan



Due to the size of this property it is difficult for the property owner to have a typical industrial use be located here. The size of the lot is suited for a smaller operation similar to the adjacent contractor use. This use is compatible with the area that it is located in.

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 SUP2015-005 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 2015-005 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 owner will develop the property in accordance of the standards set forth in the UDO, including but not limited to; paving, curb and gutter, landscaping, street and sidewalk improvements and any potential stormwater requirements; and
2. A solid panel fence shall be provided along the side of the property that is adjacent to the single family residence; and
3. A lighting plan meeting town guidelines shall be submitted for review and approval if the applicant decides to have his property lit. Any lights will be full-cut fixtures with zero foot-candle at the property line and no taller than twelve feet (12') in height; and
4. No fabrication or other outdoor activities may take place on the subject property that generate excessive noise that would be a disturbance to surrounding properties; and
5. Storage of materials that pose an environmental hazard such as; soil, fertilizer, or other loose unprotected material shall be fully contained to prevent leaching or run-off and shall not be permitted without prior approval from the Town, Fire Marshal and/or Building Code Enforcement; and
6. No shipping containers or tractor trailers may be used for storage onsite.

Attachment 1 – Application

Attachment 2 – Real Estate Appraisal Report

Attachment 3 – Site Plan

Attachment 4 – NCDOT Email

Staff Contact

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Senior Planner

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ATTACHMENT 1
APPLICATION

ATTACHMENT 2
REAL ESTATE APPRAISAL REPORT

ATTACHMENT 3
SITE PLAN

ATTACHMENT 4
NCDOT EMAIL