



Town of
INDIAN TRAIL
north carolina

Town of Indian Trail, NC

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Indian Trail, North Carolina 28079

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PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

Special Use Permit Staff Report

Case: SUP 2011-005		Special Use Permit	
Reference Name	Heritage Crematorium Facility		
	Proposed Use	Crematorium Facility	
Existing Site Characteristics	Existing Zoning	Regional Business District (RBD)	
	Existing Use	Multi-Tenant Office Warehouse	
	Site Acreage	.88 acres	
Applicant	Heritage Funeral Home		
Submittal Date	June 30, 2011		
Location	5639 Cannon Drive, Indian Trail		
Tax Map Number(s)	07069175		
Plan Consistency	Town of Indian Trail Land Use Map	Designation	74 Business Corridor
		Consistent with Request	Yes

Project Summary

The applicant is requesting a Special Use Permit (SUP) to authorize the establishment of a crematorium facility within an existing 9,500 sq. foot office-warehouse located within a planned industrial park. This request is in keeping with Section 520.020 G of the Unified Development Ordinance (UDO) which requires the applicant to obtain approval of said permit prior to establishing the subject use.

Analysis

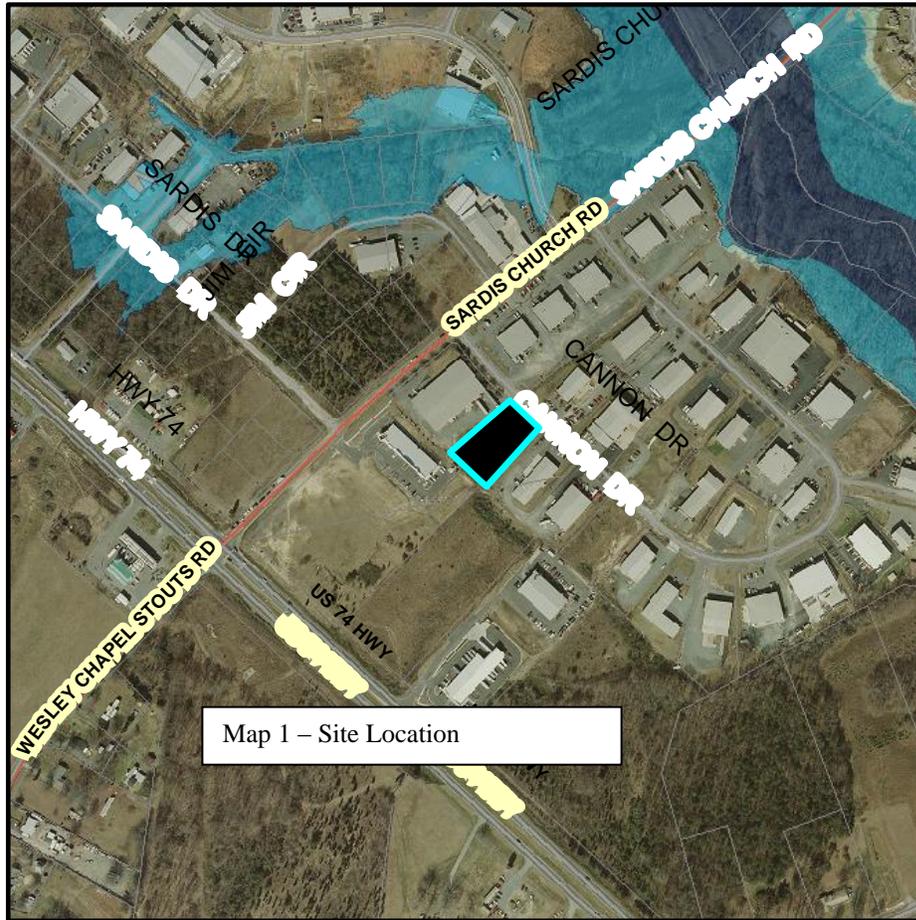
Proposed Land Use

The applicant has indicated this request to relocate their existing facility from the Town of Stallings to the subject site in Indian Trail is for the purpose of meeting their current and future business growth needs. The facility will provide cremation services for both humans and pets, operate as a 24/7 business, and the public doors will open usually from 9 to 5 p.m. All deliveries will be received at the rear of the property.

The North Carolina Board of Funeral Service is responsible for licensing and inspecting crematories in North Carolina. The applicant's existing facility is permitted (Permit #61) with the Authority. A relocation of the facility will require the applicant to obtain a new permit. The applicant is also a boardmember of the NC Board of Funeral Service.

Proposed Site

According to Town records, the subject property was platted in 1991 as lot 3 of Phase 1 of the 74 Industrial Park accessed from Sardis Church Road just north of Hwy 74 (Map 1). The property is .88 acres in size and zoned Regional Business District (RBD).



The property was developed in 1998 with a 9500 +/- square foot office-warehouse structure (Attachment 2 – Site Plan). An inspection was conducted utilizing the 1998 approved plans and the following discrepancies were found:

1. Missing landscaping at the northeast front of the building;
2. Parking had been added on the west side of the building, restricting the width of the drive aisle below minimum standards.
3. Curbing around landscaped area at the front property line was not constructed.
4. The 96 x30' concrete pad in rear loading area was not constructed.
5. The proposed drive at the northeast corner was not constructed.

It is unclear, based on Town records, if any of these field changes were authorized by the Town. However, there is the ability to address some of these discrepancies through conditioning the permit if approved.

As previously stated the subject property is located within a planned two-phased industrial park which is now fully built-out. The park is developed with similar office-warehouse structures as that on the subject property. The adjacent uses are as follows:

Parcel	Address (if applicable)	Use
North	3822 Sardis Church Road	Light Industrial Distribution
East	5638 Cannon Drive	Plumbing Light Industrial
South	5635 Cannon Drive	Light Industrial
West	Hwy 74 Multi-tenant	General Commercial

Appraiser’s Report (See Attachment #1)

As part of the Town’s requirements for an SUP, the applicant is required to submit an appraisal report 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 William R. Morgan of William R. Morgan Company. The report’s findings state that the facility will be of the approved state-of-the-art standards with virtually no fumes, noise nor external influences. The report concludes that there would be no detrimental effect or diminution in value to the surrounding properties in regards to the applicant’s use.

Outside Agency Comments

Comments were received from the following Agencies:

Union County Public Works: The plan cannot be approved without a complete Interior Up-Fit Plan submittal. The applicant is currently working with an engineer to provide this plan. This approval can be obtained through the Town’s Site Plan Approval process.

Union County Fire Marshal: The applicant may be required to install a fire sprinkler system depending upon the up-fit area of the building. This will be determined at the Site Plan Approval process stage.

North Carolina Department of Transportation: They have no comments on the proposed application.

Plan Consistency

The subject property is located within the 74 Business Corridor of the Comprehensive Plan. Based on analysis of this use, staff is of the opinion that the proposed use is consistent with the intent of economic corridor as follows:

- **Goal 1.3.2** – Land Use: The subject site and proposed use is located in an appropriate area surround by other light industrial and commercial use thus avoiding the potential land use conflicts between neighboring properties.

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 SUP2011-005 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 2011-005 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 or 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 applicant shall submit and obtain a site plan approval prior to occupancy of the building. Said site plan submitted under this SUP shall be subject to the requirements of the Indian Trail Unified Development Ordinance (UDO), including any outside agency approvals or permits for the use's operation (i.e., Union County Public Works, NCDOT, Union County Fire Marshall, etc.).
2. The site plan shall include the following:
 - a. Additional landscaping where feasible to replace missing plantings.
 - b. The removal of the existing parking spaces located on the west side of the building.
 - c. New paving for the circulation area needed at the rear of the property to accommodate deliveries and overflow parking.
3. Applicant shall obtain and maintain all required permits for facility operation.
4. All operations must be conducted indoors.

Attachment 1- SUP Application w/Real Estate Appraisal Report

Attachment 2- SUP Concept Plan

Staff Contact

Shelley DeHart, AICP
Planning Director

ATTACHMENT 1
SUP Application w/Appraiser's Report

ATTACHMENT 2
SUP Concept Plan