

CONDITIONAL ZONING DISTRICT

APPLICATION FOR CHANGE OF ZONING OF PROPERTY

Chatham County
Planning Department

P. O. Box 54, 80-A East St, Pittsboro, NC 27312
Telephone: (919) 542-8204 FAX: (919)542-2698

Section A. APPLICANT INFORMATION

NAME OF APPLICANT: Apex Storage Partners, LLC

MAILING ADDRESS OF APPLICANT: P.O. Box 58071 Raleigh, NC 27658

PHONE NUMBER/E-MAIL OF APPLICANT: Warren Mitchell 919-593-1916 warrendmitchellpe@gmail

PROPERTY OWNER INFORMATION (If different from the applicant): *Owner Authorization Signature Required; See end of application.

Name(s) David S. Durham & Warren D. Mitchell (17890) Space Station Inc. & Warren Mitchell (17891)

Address: 104 Amber Wood Run

Chapel Hill, NC

ZIP 27516

Telephone: 919-593-1916 FAX: _____

E-Mail Address: warrendmitchellpe@gmail.com

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the rezoning request:

ADDRESS OF SUBJECT SITE: 13144 US Hwy 64 East, Apex NC

CHATHAM COUNTY PROPERTY PARCEL NUMBER (AKPAR #): 17890 and 17891

CURRENT ZONING DISTRICT/CLASSIFICATION(S): CD-RB - No Change

PROPOSED ZONING DISTRICT(S): CD-NB CD-CB CD-RB CD-O&I CD-IL CD-IH

TOTAL SITE ACRES/SQUARE FEET: 45.731 acres

(Do not round up acreage. Use exact acreage amounts from tax records or as a recorded survey)

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: Boat Storage Facility; Recreational Vehicle Storage Facility; Self-Storage Facility / mini warehouse facility with related retail and services (ie. Moving truck rental)

- a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
 - b. The Planning Department shall take no further action on the application until the applicant submits the required information.
 - c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting, and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.
 - d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.
- (4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.

Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION and REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). Please check the list below carefully before you submit:

- (1) The application shall include a **site plan**, drawn to scale or as accepted by staff, with supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:
 - a. Information showing the boundaries of the proposed property as follows:
 1. If the entire parcel will be zoned, a GIS or survey map and parcel number of the subject property.
 2. If only a portion of the parcel will be zoned, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways,
 - b. Legal Description of proposed conditional zoning district;
 - c. All existing and proposed easements, reservations, and rights-of-way;
 - d. Proposed use of all land and structures, including the number of residential units and the total square footage of any non-residential development;
 - e. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; **(SECTION 12 LANDSCAPING & BUFFERING REQUIREMENTS)**
 - f. All existing and proposed points of access to public and/or private streets;
 - g. Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County;
 - h. Proposed phasing, if any;
 - i. Generalized traffic, parking, and circulation plans; **(SECTION 14 OFF STREET PARKING)**
 - j. Proposed provision of utilities;
 - k. The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old;
 - l. The approximate location of any cemetery;

- m. Proposed number, location, and size of signs; (**SECTION 15 SIGN REGULATIONS**)
- n. Location and description of any proposed lighting on the project site with a note that any lighting will comply with Section 13; (**SECTION 13 LIGHTING STANDARDS**)
- o. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and
- p. Please be sure to address all of **Section 11.2.A through I** in your application.
- q. Environmental Impact Assessment pursuant to **Section 11.3** of the Zoning Ordinance, if applicable. If you are or will be disturbing 10 or more acres in connection with this application, you are required to submit and EIA with this application. Failure to do so will result in the delay of scheduling your request for public hearing or may be returned completely for re-submission.
- r. Please check if a Special Study is required for certain Heavy Industrial uses as described in the Table of Permitted Uses in the Zoning Ordinance, Section 10.13. The study is required to be submitted with this application.

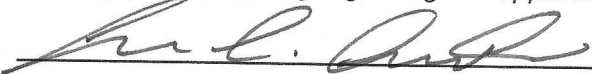
The above information is required to be shown on the site plan submitted with this application. If, for some reason, any of the required items above are not included on the site plan, reasons for excluding those requirements must be given.

- (2) In the course of evaluating the proposed use, the Zoning Administrator, Planning Board, Chatham County Appearance Commission, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:
- a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features;
 - b. Existing and general proposed topography;
 - c. Scale of buildings relative to abutting property;
 - d. Height of structures;
 - e. Exterior features of the proposed development;
 - f. A traffic impact analysis of the proposed development prepared by a qualified professional. The traffic impact analysis shall follow the NCDOT TIA Analysis Guidelines, and shall also include consideration for non-motorized and public transportation;
 - g. Any other information needed to demonstrate compliance with these regulations.


NOTE: The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.

SECTION D. SIGNATURE STATEMENTS

OWNER'S SIGNATURE*: *In filing this application, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate _____ to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.*

Signature:  WARREN D. MITCHELL
Date: 8.13.19

APPLICANT SIGNATURE: *I hereby acknowledge that I am making this application on behalf of the above owner's statement or myself as the owner and that all the information presented in this application is accurate to the best of my knowledge, information, and belief. I acknowledge understanding of the requirements set out in this application and in the ordinances and/or guidelines used to determine the completeness of this submittal and to proceed as determined.*

Signature:  WARREN D. MITCHELL
Date: 8.13.19

OFFICE USE ONLY:

Date Application Received: _____

Received By: _____

Fee Paid: \$ _____

Check No. _____ Cash Credit Card Money Order

Application No. PL 20 _____

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 error in the ordinance being remedied with the application of this rezoning proposal.

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.

The changed conditions in the market are the following:

- A. The boating season is short. It can be a difficult business since the sales are slow for over half of the year. We did not find anybody who was interested in starting a boat dealership or moving an existing boat business to this property*
- B. The developers have operated the boat and rv storage business for approximately 3 years and understand the needs of those customers. We are expanding that business with phases 3A and 3B. Phase 3B is shown as boat + rv storage on the approved plan already.*
- C. The self-storage is only being relocated on the property.*

3. The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof. (I.e. Comprehensive Plan, Chatham/Cary Joint Land Use Plan, etc.) You must note specifics from the plan/s giving reference to page number and section.

The requested revision deletes the boat dealership from the project. Boat and RV storage is replacing the dealership. Traffic from the project will be reduced because there are very few trips generated by the boat and RV storage compared to a retail dealership. The septic system for the dealership and potential waste generated by servicing of boats is being eliminated with this revision. These reasons make this revision better for Chatham County compared to the current approved zoning plan.

Land Use Suitability: The Comprehensive Plan identifies the area around and including this property as suitable for industrial and commercial development (p.21). Page 61 of the Comp Plan reads "In the future, more growth and development should occur within and near established and planned centers of activity. Policy recommendations seek to guide the form and intensity of development by clustering development in appropriate areas, establishing walkable centers, defining edges and keeping rural areas rural."

The Comprehensive Plan identifies the US 64 / Hwy 751 intersection as an Employment Center. Strategy 4.4 on page 56 reads "Permit existing commercial and industrial uses that are appropriately zoned to continue to operate, and allow for reasonable expansion, contingent upon meeting environmental and transportation requirements."

The Comprehensive Plan discusses in Strategy 6.3 on page 58 "Support increased tourism and recreation opportunities and amenities, particularly promoting sustainable tourism and authentic experiences." The expansion of our boat and RV storage facility is directly tied to increasing recreation opportunities in the County.

4. The requested amendment is either essential or desirable for the public convenience or welfare. (i.e tell how and for what purpose/s the amendment would provide to the county as a whole)

The current owners have operated the existing facility for 3 years. Based on this experience, this use is desirable because many people are not allowed to store boats or RVs on their property or they do not have adequate space to do so. By locating this business in a zone identified as commercial/employment center on the Comprehensive Plan, it will further help to keep rural areas of the County rural.

5. All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. (i.e. watershed classification, impervious surface, utilities, infrastructure, etc.)

This project is located on a major transportation corridor in an area that is growing and is expected to continue to grow. There are already several existing commercial businesses at this crossroads including a lumber sales and hardware store, self-storage and truck rental business, boat storage facility and recreational vehicle storage facility, a recreational vehicle sales and service business, a concrete plant, and a landscaping supply business.