



# Chatham County, NC

## Legislation Text

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File #: 22-4466, Version: 2

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Vote to approve a quasi-judicial request by 28 Mt Gilead LLC (American Self Storage) for a Special Use Permit (SUP previously CUP) revision, on Parcel 17454, located at 30 Mt Gilead Church Road, New Hope Township, to add an additional 48 pod storage units to the existing site.

### **Action Requested:**

Vote to approve a quasi-judicial request by 28 Mt Gilead LLC (American Self Storage) for a Special Use Permit (SUP previously CUP) revision, on Parcel 17454, located at 30 Mt Gilead Church Road, New Hope Township, to add an additional 48 pod storage units to the existing site.

### **Introduction & Background:**

A quasi-judicial public hearing was held September 19, 2022. Planning staff along with Matthew Limoli, attorney for the applicant, and Adam Jarrell, site manager, presented the request. No other persons spoke on the matter.

This property was originally approved for the storage facility in 1995 with two revisions in 2016 and 2019. In 2021, the county cited the property for adding additional storage units without benefit of a SUP revision submittal and a revised site plan approval. This request is to bring the property into compliance with zoning regulations and the SUP permit.

During the last revision in 2019, the property violated the watershed protection buffer regulations regarding the stream that crosses the property to the east. Restoration of the buffer was implemented, and they continue to work with the Watershed Protection Department on required reporting to ensure compliance continues to be met.

**The Planning Board met October 4, 2022. Questions from the Board were to confirm violations have been addressed and are following regulations. Staff advised yes and if approval given for this request, it will bring the property back into compliance with their SUP and site requirements. No other concerns discussed.**

### **Discussion & Analysis:**

Section 17-17.4 of the Zoning Ordinance provides the requirements for applying for or revising an existing Special Use Permit (SUP). In this case, a revision is being sought and the five findings are required to be satisfied per Ordinance requirements and regulations.

**Finding No 1** - The use requested is among those listed as an eligible special use in the district in which the subject property is located or is to be located. The use remains allowable with benefit of a SUP.

**Finding No 2**- The requested special use permit is either essential or desirable for the public convenience or welfare. The additional storage units are requested in order to fulfill customer

demand for additional availability. There will be no expansion of the existing built upon area footprint, no additional driveway location, no new signage, and no new lighting proposed or needed. The Chatham County Appearance Commission reviewed the revised site plan and recommended approval and to ensure all existing landscaping is being maintained. A community meeting was held and no adjacent/adjoining landowners attended. The only response received was from a neighbor about any additional lighting, which is not requested as part of this application and will not be added per Mr. Jarrell.

*The following is a current google map image of the site*



**Finding No 3-** The requested permit revision will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety, or welfare of the community. No changes to the existing footprint of the storage facility is needed. All 48 units will be located within the existing developed area. No new lighting, signage, access, or other modifications to the site needed for these additional units.

**Finding No 4-** The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof (i.e. Comprehensive Land Use Plan. Page 20 of the Comprehensive Land Use Plan discusses the need for services that support residential growth. Trends for increased housing development continue. Under Chapter 3, Goals and Objectives, pages 41-42, the applicant contends this project supports three of the stated goals by increasing the non-residential tax base, avoiding further landscape fragmentation, and provides services that support recreation opportunities, access to parks, and community facilities due to the closeness to Jordan Lake and other amenity areas.

**Finding No 5-** Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies, and regulations. The site currently has one office that operates on a private well and septic system. No changes are needed. No expansion of existing stormwater retention is needed as these units will be located on existing built upon areas already calculated for the retention area. The property is located within the WSIV-PA watershed designation area.

**How does this relate to the Comprehensive Plan:**

Chapter 3, Goals and Objectives, pages 41-42, the applicant contends this project supports three of the stated goals by increasing the non-residential tax base, avoiding further landscape fragmentation, and provides services that support recreation opportunities, access to parks, and community facilities due to the closeness to Jordan Lake and other amenity areas.

**Recommendation:**

The Planning Board recommends approval by vote of 9-0 and adoption of a resolution approving a request by 28 Mt Gilead LLC (American Self Storage) for a Special Use Permit (SUP previously CUP) revision, on Parcel 17454, located at 30 Mt Gilead Church Road, New Hope Township, to add an additional 48 pod storage units to the existing site. Conditions are provided for consideration of this approval.

**Site Specific Conditions**

1. All previous conditions approved with the original and all subsequent revisions shall remain in effect.
2. The landscaping plans as reviewed by the CCAC shall be maintained. Inspections for compliance can be made by Commission members or Planning staff to ensure landscaping continues to thrive.
3. A building permit/s, if required, shall be obtained and remain valid at all times within three (3) months of the date of this approval or the SUP revision becomes null and void and all 48 units must be removed from the property and the site restored to last approved site plan revision from 2019.

**Standard Site Conditions**

4. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
5. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

**Standard Administrative Conditions:**

6. Fees - Applicant and/or landowner shall pay to the County all required fees and charges

attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.

7. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
8. Non-Severability - If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.
9. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

## ATTACHMENT A

Revised site plan to be incorporated upon approval of SUP revision:

