

Pender County Planning and Community Development

Planning Division

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Burgaw, NC 28425



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www.pendercountync.gov

Cannady Mini-Storage Application Information Special Use Permit

Case Number: SUP 2023-42

Application Type: Special Use Permit

Applicant: Hugh A. Canady

Owners: High A. Canady

Location: The subject property is located on Hwy 50 approximately 800 feet south of the intersection NC Hwy 50 and Mill Creek Road in the Topsail Township and may be further identified by PIN 4236-31-2974-0000.

Property ID #(s): 4236-31-2974-0000

Description: Hugh A. Cannady, applicant and owner, is requesting the approval of a Special Use Permit to allow for the construction of two mini storage buildings under NAICS Code 53, Real Estate and Rental and Leasing. The use is proposed on approximately 2 acres within the RP, Residential Performance zoning district.

Current Zoning: RP, Residential Performance

Technical Review Committee Meeting:

Board of County Commissioners/Planning Board Meeting

04/17/2023

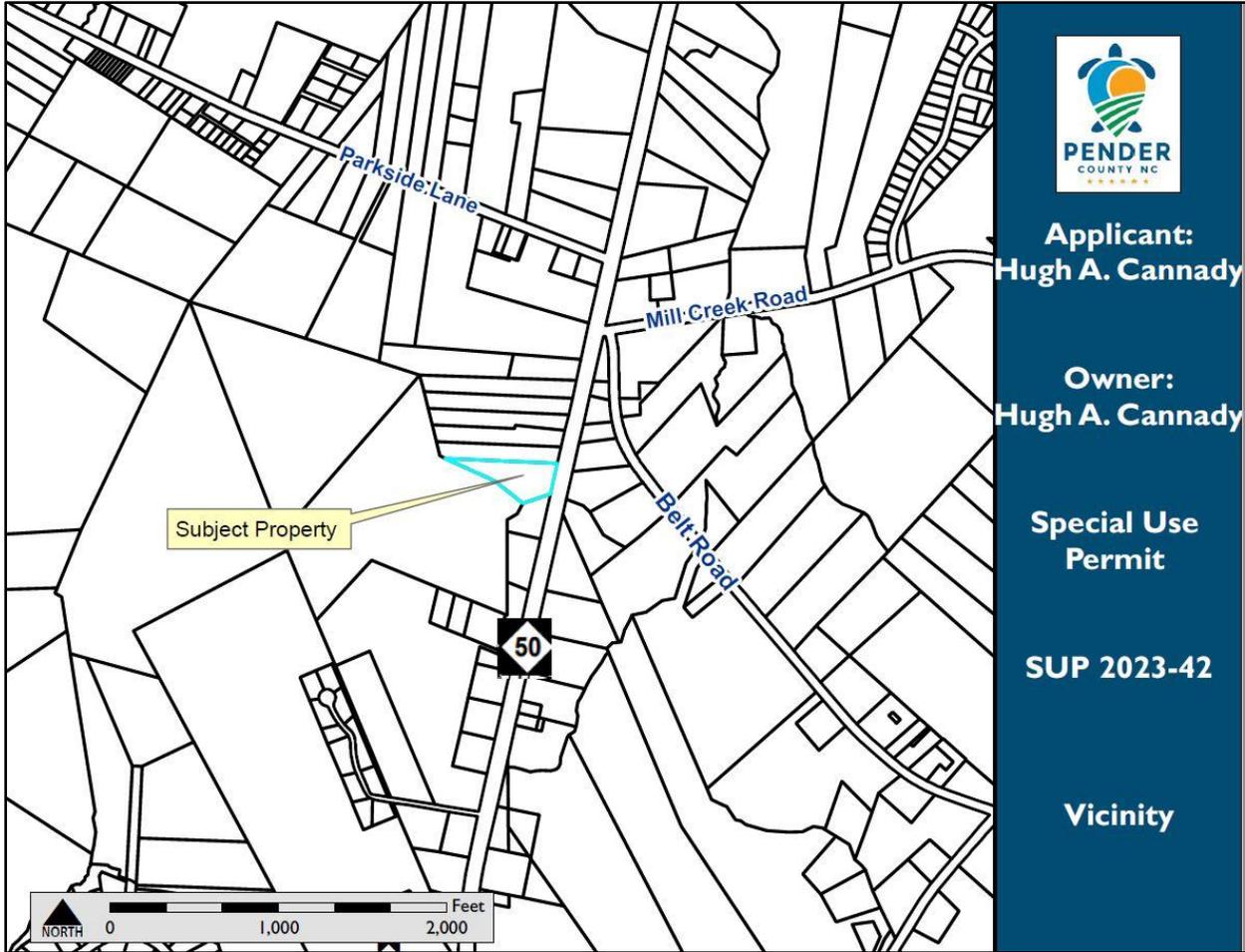
Application Materials

Application Package
Site Plan

STAFF REPORT FOR SUP 2023-42 SPECIAL USE PERMIT APPLICATION

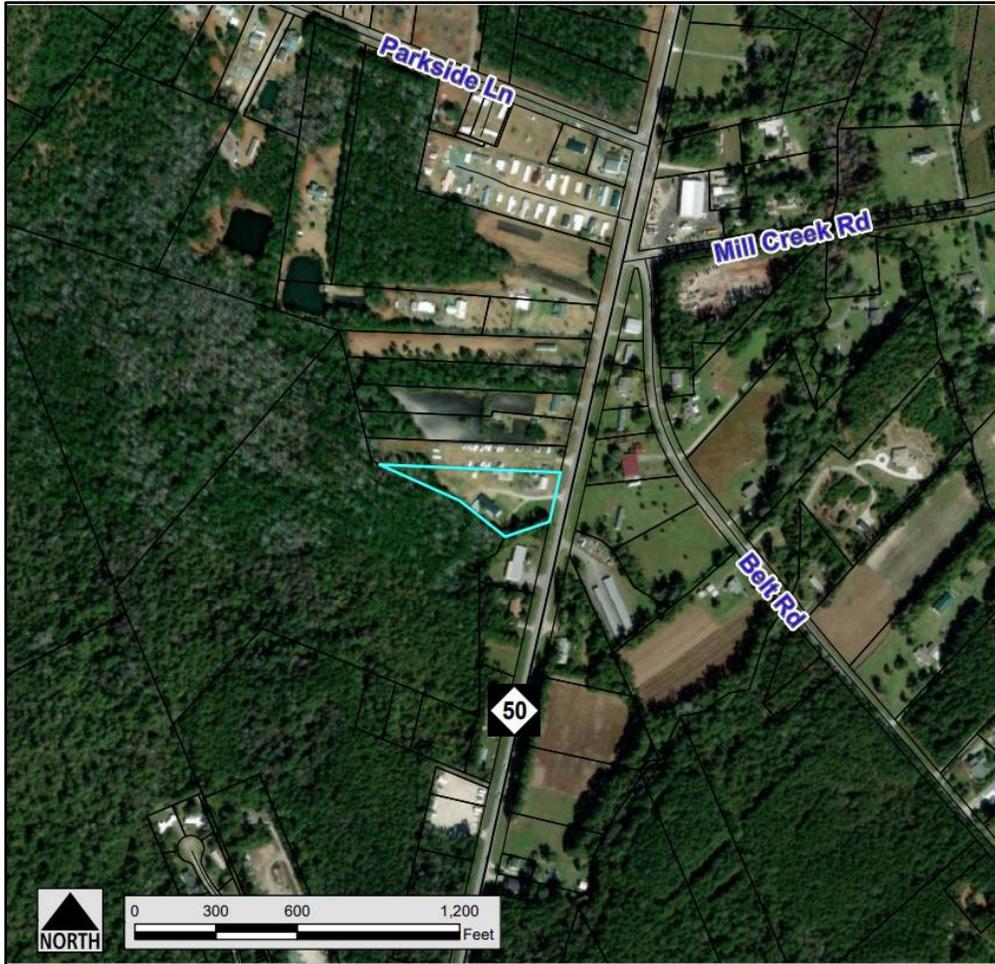
APPLICATION SUMMARY	
Case Number	SUP 2023-42
Hearing Date	April 17, 2023 Board of County Commissioners
Applicant	Hugh A. Canady
Property Owners	Hugh A. Canady
Parcel Identification Number	4236-31-2974-0000
Acreage	2.01
Township	Topsail
Zoning District	RP, Residential Performance
Pender 2.0 Future Land Use Category	Medium Density Residential

SPECIAL USE PERMIT PROPOSAL
Hugh A. Cannady, applicant and owner, is requesting the approval of a Special Use Permit to allow for the construction of two mini storage buildings under NAICS Code 53, Real Estate and Rental and Leasing. The use is proposed on approximately 2 acres within the RP, Residential Performance zoning district.
LOCATION
The subject property is located on Hwy 50 approximately 800 feet south of the intersection NC Hwy 50 and Mill Creek Road in the Topsail Township and may be further identified by PIN 4236-31-2974-0000.



SPECIAL USE PERMIT PROPOSAL

The applicant is seeking to obtain a Special Use Permit in order to construct two storage buildings, with one totaling approximately 15,000 sq ft and consisting of 120 storage units, and the other totaling approximately 10,500 sq ft and consisting of 105 storage units. According to the applicant, both buildings will consist of 50% climate-controlled units and 50% non-climate-controlled units with security lights attached to the exterior of the building. The subject property is in the RP, Residential Performance, zoning district. The applicant is proposing to use the self-storage buildings for the storage of personal belongings and no storage of chemicals or hazardous materials. According to the applicant’s submitted narrative, there will be one employee on site.



Applicant:
Hugh A. Cannady

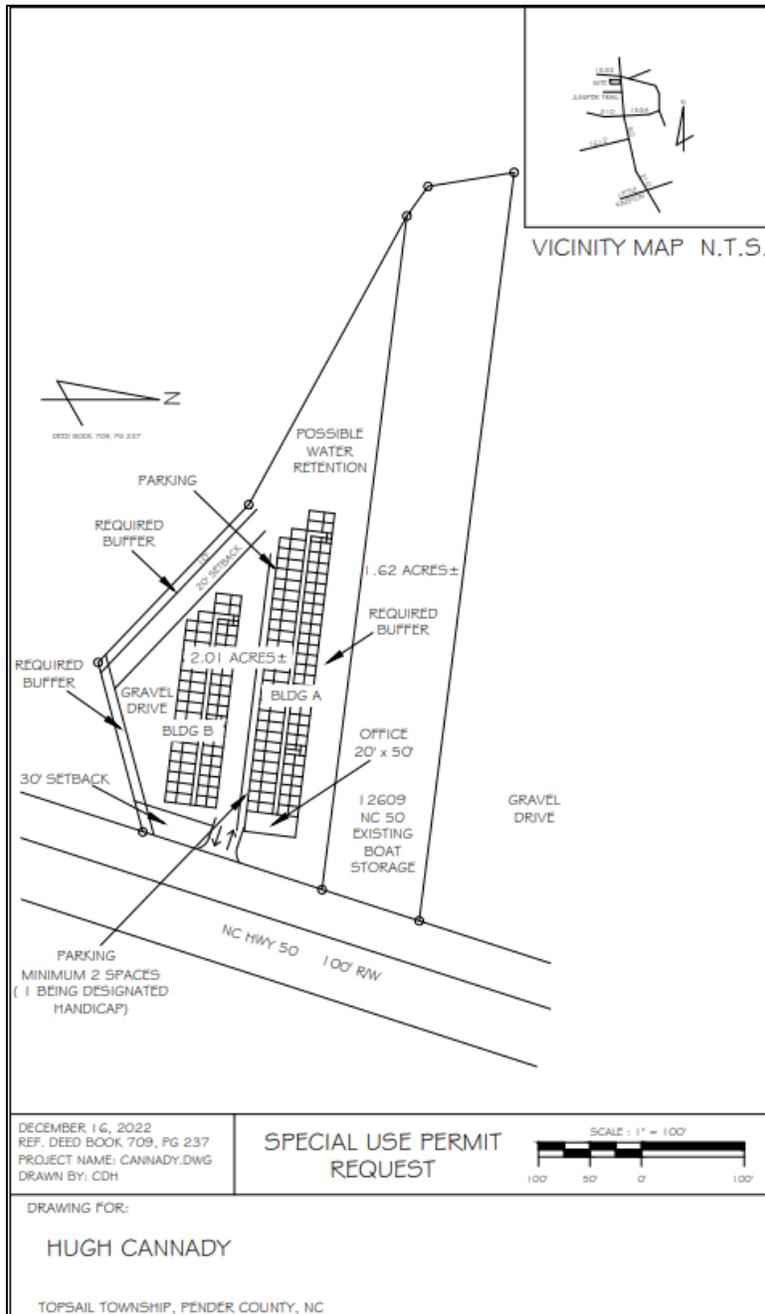
Owner:
Hugh A. Cannady

Special Use Permit

SUP-2023-42

Aerial

Below: Applicant's Site Plan



Hours of Operation

Within the applicant's narrative, no specific hours of operation are stated, however, the applicant is proposing the storage facility be accessible during daytime hours.

Access

The site is accessed using Hwy 50. The applicant will be required to obtain a driveway permit from NCDOT in order to access the property based on the proposed use.

Traffic

A Traffic Impact Analysis (TIA) is not anticipated as the proposed use is estimated to generate less than 100 trips in the morning and evening peak hours and less than 1,000 trips per day. Any required road improvements would be constructed to NCDOT standards.

NCDOT Average Annual Daily Traffic (AADT)

Road	Location	Volume	Capacity	V/C
HWY 50	Between Mill Creek Rd and Juniper Trail	11,500	15,900	0.72

¹Information based off **NCDOT Average Annual Daily Traffic (AADT) 2020**

²Information for Capacity is planned capacity.

Because a Traffic Impact Analysis is not required to be completed at this time that analyzes roadway impacts as a result of the development, the volume to capacity ratio for Hwy 50 near the subject site has been provided. This ratio is based on average daily trips and the design characteristics of a given roadway, which can provide a general idea of the function of such roadway. Based upon the available volume to capacity data, Hwy 50 in this area has the capacity to handle anticipated traffic volume increases associated with the proposed Special Use Permit.

Landscaping and Buffers

Developments in commercial districts are required to provide specific buffers along the certain parcel boundaries on the subject property. As proposed, the subject site will be required to meet the landscaping and buffering standards outlined in the table below. If approved, landscaping and buffering will be evaluated when a site-specific development plan is submitted. Given the size of the property and the size of the development the buffers are subject to change in accordance with Section 8.2.2 Location Exception.

Required Buffers	
Buffer Type	Location of Buffer
Type B	Along South property line (side)
Type A	Along East property line (front)
Type B	Along North property line (side)
Type D	Along West property (rear)

Signage

Signage is not being proposed at this time. Any proposed signage shall be required to be in conformance with the standards outlined in Article 9 of the Unified Development Ordinance.

Utilities

According to the applicant, the property currently has water and power and no sewer will be needed. Water is currently provided to the property by PCU and power is provided by Jones-Onslow Electric Membership Corporation (JOEMC). However, if this Special Use Permit is approved, all proposed utility systems are subject to review and approval by all required review agencies.

ENVIRONMENTAL CONCERNS	
Special Flood Hazard Areas	The subject property does not contain any Special Flood Hazard Areas ¹ .
Wetlands	Portions of the subject property may contain wetlands ^{2,3} . No Jurisdictional Determination for the U.S. Army Corps of Engineers has been submitted by the applicant, which will be required prior to any administrative approvals. Any disturbance within these wetlands is subject to review and approval by the U.S. Army Corps of Engineers.
Areas of Environmental Concern	The subject property does not contain any Areas of Environmental Concern (AEC) ⁴ .

¹ According to the effective regulatory and preliminary Flood Insurance Rate Maps NC Flood Risk Information System (NC FRIS)

² According to the NC Division of Coastal Management (NC DCM)

³ According to the National Wetlands Inventory (NWI)

⁴ According to the North Carolina Department of Environmental Quality (NCDEQ)

EVALUATION

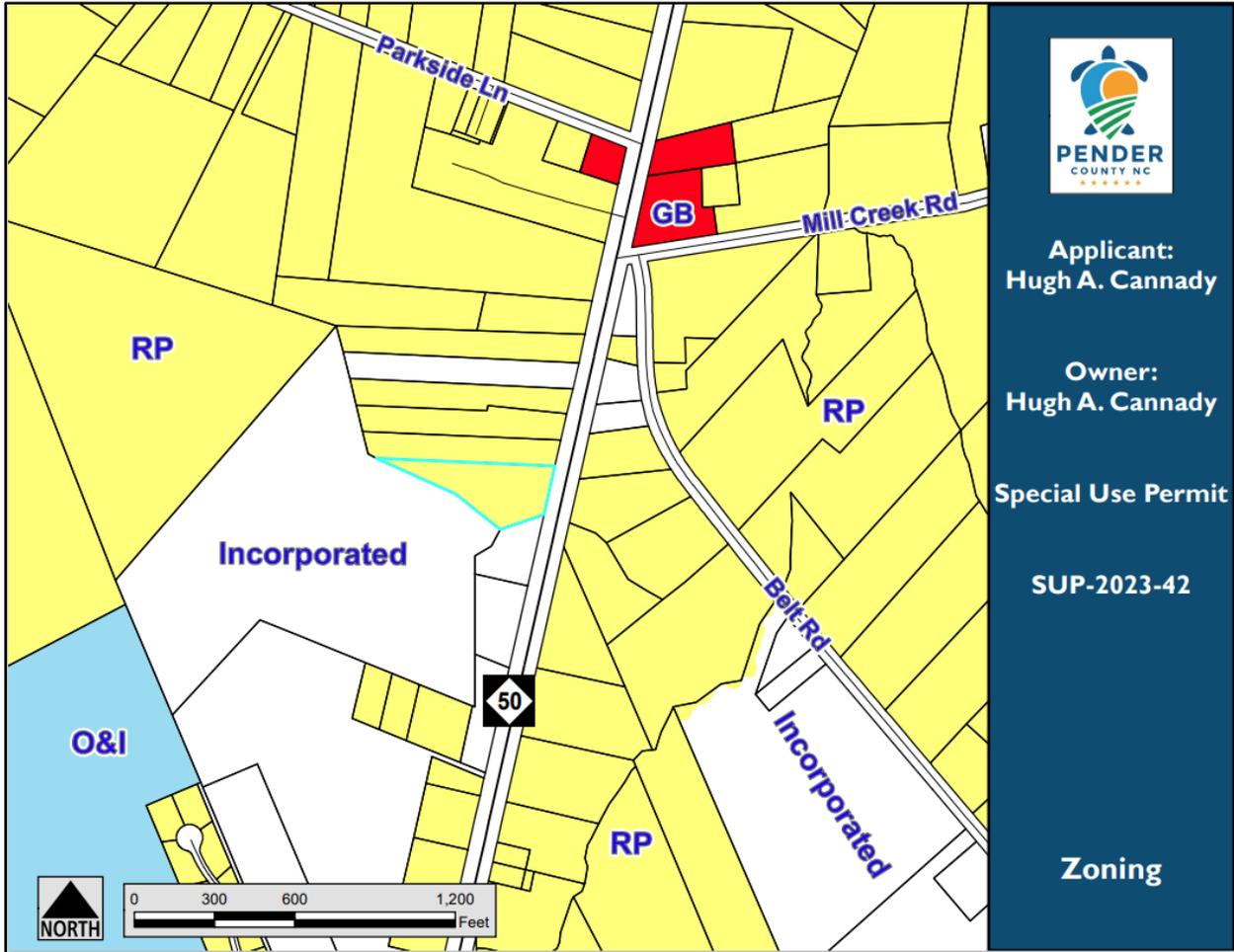
Basis for Granting SUP

Approval and revocation procedures for Special Use Permits are located in Sections 3.12.3 and 3.12.4 of the Pender County Unified Development Ordinance.

Zoning and Existing Land Use in Area

There are currently three structures on the property. Two are residential structures and one is a garage that is used as a mechanic shop. Within the applicant's narrative, they have indicated that these structures would be removed prior to construction of the proposed mini storage buildings. Much of the immediately surrounding area consists of various commercial uses, including existing storage facilities, with some residential uses in the vicinity.

Below: Zoning Map of the Area



Applicant:
Hugh A. Cannady

Owner:
Hugh A. Cannady

Special Use Permit

SUP-2023-42

Zoning

CHARACTERISTICS OF THE SURROUNDING AREA		
	LAND USE	ZONING
North	Commercial Storage	RP, Residential Performance
East	Commercial, Residential	RP, Residential Performance
South	Commercial	Incorporated
West	Undeveloped	Incorporated

Unified Development Ordinance Compliance

The subject property is zoned RP, Residential Performance zoning district and according to Section 5.2.3 of the Pender County Unified Development Ordinance, Real Estate and Rental and Leasing is permitted in this zoning district via Special Use Permit.

		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
Real Estate and Rental and Leasing	53										
Real Estate and Rental and Leasing		S	S			P	P	P	P	P	

Prior to issuance of final zoning approval, a site development plan must be submitted and approved in accordance with all applicable provisions of the Pender County Unified Development Ordinance. The site development plan shall be reviewed by members of the Pender County Technical Review Committee (TRC). Furthermore, the proposal is subject to all other applicable federal, state, and local permits and approvals.

Pender 2.0 Comprehensive Land Use Plan Compliance

The Pender 2.0 Comprehensive Land Use Plan designates the subject property as Medium Density Residential. The Medium Density Residential future land use category is established in areas with proximity to supporting services and a mixture of development types. Appropriate uses are single-family residences, duplexes, townhomes, community recreation and open space uses, and neighborhood-scale institutional uses such as religious and civic organizations. Although this category is established to primarily include residential uses, some non-residential uses may be consistent if included within master planned communities with well-integrated neighborhood-scale commercial and office uses. The Pender 2.0 Comprehensive Land Use Plan defines “neighborhood scale” as development that conforms to the neighborhood fabric, and the footprint of neighborhood scale structures is typically limited to 15,000 square feet with parking facilities less than 20,000 square feet in area. Inappropriate uses for the Medium Density Residential future land use category are industrial and manufacturing uses, along with commercial office uses not located within a master planned community.



Planning staff finds the proposed request to be inconsistent with the Future Land Use Map (FLUM) classification for the property as the Medium Density Residential designation only supports commercial development when part of a Master Development Plan. However, the proposed Special Use Permit application was found to conform with much of the surrounding area and is supported by one policy within the Pender 2.0 Comprehensive Land Use Plan:

Policy 5.1.K: Commercial Development: The County supports a wide range of commercial development, particularly those businesses that provide needed services to residents and visitors, provided that the impacts on traffic are minimized.

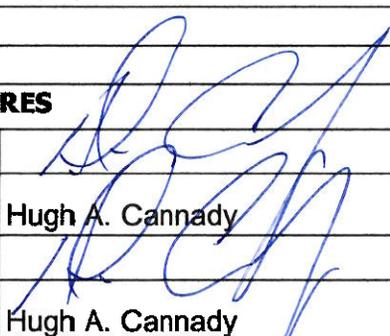
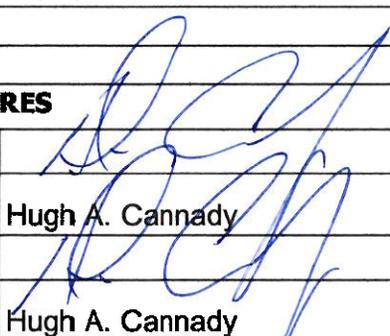
The proposed SUP appears to not be consistent with the goal, objectives, or policies within the Pender 2.0 Comprehensive Land Use Plan.

PROPOSED CONDITIONS

Conditions to Consider in Issuing a Special Use Permit for this Project

1. The project shall comply with all requirements of the Pender County Unified Developed Ordinance.
2. The obligations imposed by this permit will be the responsibility of the property owner and shall continue in effect for the duration of this permit.
3. The applicant shall meet all other local, state, and federal regulations.
4. Any violations of the conditions of this permit, confirmed by the Zoning Administrator shall result in the pursuit of revocation actions pursuant to N.C.G.S. 160D-403(f), if not corrected within 30 days of receipt of the notice of violation.
5. Unless a request for additional time is granted or approved otherwise as a condition of the permit, a Special Use Permit shall expire and become void if final Zoning Approval has not been issued for the project within 24 months after the Notice of Approval of the Special Use Permit has been served on the applicant.

APPLICATION FOR SPECIAL USE PERMIT

THIS SECTION FOR OFFICE USE			
Application No.	SUP 2023-42	Date	2/22/2023
Application Fee	\$ 300	Invoice Number	00031832
Pre-Application Conference	N/A	Hearing Date	4/17/2023
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Hugh A. Cannady	Owner's Name:	Hugh A. Cannady
Applicant's Address:	104 Abigail Ct.	Owner's Address:	104 Abigail Ct.
City, State, & Zip	Surf City, NC 28445	City, State, & Zip	Surf City, NC 28445
Phone Number:	910-389-1688	Phone Number:	910-389-1688
Email Address:	hughcannady@charter.net	Email Address:	hughcannady@charter.net
Legal relationship of applicant to landowner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4236-31-2974-0000	Total property acreage:	2.01
Zoning Classification:	RP	Acreage to be disturbed:	< 1 acre
Water Provider:	Pender County	Wastewater Provider:	Septic
Project Address:	12631 NC-50, Holly Ridge, NC 28445		NAICS Code: 53
Description of Project Location:	West side of NC-50 just south of Mill Creek Rd.		
Describe activities to be undertaken on project site:	Land prep and construction of mini-storage buildings.		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	2-24-23
Applicant's Printed Name:	Hugh A. Cannady	Date:	2-24-2023
Owner's Signature		Date:	2-24-23
Owner's Printed Name:	Hugh A. Cannady	Date:	2-24-2023
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Special Use Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Board of Commissioners or other authorized person agrees to table or delay the hearing. 4. Applicant may wish to review the required findings for approval of a Special Use Permit found on page 1 of this application 5. Permit will become void after 12 months if a final zoning permit is not obtained, unless specifically requested at the time of public hearing. 			

Office Use Only

\$ 300 for the first 5 acres; \$10 per acre over 5 acres of the project area

Total Fee Calculation: \$

Application#:

Date of Hearing:

Attachments Included with Application: (Please include # of copies)

CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large	# of 11X17	Other documents/Reports	<input type="checkbox"/> Y <input type="checkbox"/> N
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Payment Method:	Cash : <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	Check: <input type="checkbox"/> Check # _____
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Application received by:		Date:
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Application completeness approved by:		Date:
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Project Narrative: Self-Storage buildings at 12631 NC-50

Property location is on NC-50 approximately .14 of a mile south of Mill Creek Rd. (SR-1588) and .80 of a mile north of NC-210. The physical address of the property is 12631 NC-50. Access to the project will be a 40' driveway with an approved NCDOT drain culvert.

This parcel is approximately 2.01 acres and currently there are three structures on the property, two residential structures and a garage building. My request for a special use permit is to remove the current structures from the property and to construct two self-storage buildings in their place.

Proposed project would consist of two buildings, Building (A) is approximately 15,000 square feet. (120 Units). Building (B) is approximately 10,500 square feet. (105 units) storage building, both consisting of 50% climate-controlled units and 50% non-climate-controlled units with security light attached to the exterior of the building. If special use permit is approved a certified engineer will be contracted to create a site plan and determine the exact dimensions of the buildings to be within the guidelines of the Pender County Planning Board. When completed, this project will be a neat and professionally maintained facility where people can store their personal belongings in a safe secure storage unit. There will be no storage of chemicals or hazardous materials. Hours of operation will be daytime hours, in order to give customers, the time needed to access the units to secure and later retrieve their belongings when needed. There would be one employee on site. Each customer will have access to the secured area.

The use requested for my proposal is listed among the special uses within this district. My requested use will not impair the integrity or character of the surrounding or adjoining district, nor adversely affect the safety, health, morals, or welfare of the community. Self-storage is consistent and conforms to businesses in this area. The adjacent property to the north is a boat storage business, that I own and obtained a special use permit to operate. The adjacent property to the south is a large metal warehouse building. The property directly across NC-50 to the east is currently a self-storage business consisting of 2 buildings for a total of 80 units. This project use would not constitute a nuisance

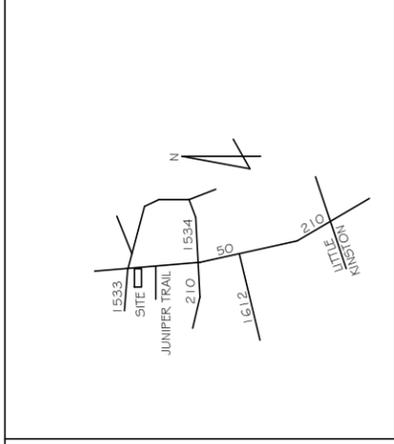
or hazard. The requested use for this project will be in conformity with the Pender County Land Use Plan and other official plans or policies adopted by the Board of County Commissioners. There would not be any noticeable changes to traffic on NC-50 due to this project, tenants of self-storage units tend to sporadically access these facilities when needed, usually while conducting their routine commute.

Site preparation for this construction will consist of 1). Silt fence installed around disturbed area. 2). Rip Rap for sediment control where needed. 3). Temporary construction entrance if needed. 4). Haul in and compact fill dirt as specified by engineer. 5). Haul in and grade ABC gravel around the building to provide a driveway/parking area. 6). Identify and construct a water retention area per engineer and N.C. State regulations. 7). A concrete slab will be poured, and metal building will be erected. 8). Landscape buffers and set back will be in accordance with Pender County's established regulations. All construction will be overseen by a N.C. licensed General Contractor and performed within the guidelines of an engineer's and or architect's designs to be consistent with Pender County's planning and community development plan. Proposed access to the project will be a 40' driveway with an approved NCDOT drain culvert.

There will be no need for sewer with this project. Pender county currently provide water service to this property. I plan to continue with Pender County utilities to provide water to the site. JOEMC currently provide electric utilities to this property. I plan to continue with JOEMC to provide electricity.

State permits required as I know are, Storm water related and driveway related permits. I know of no federal permits required for this project.

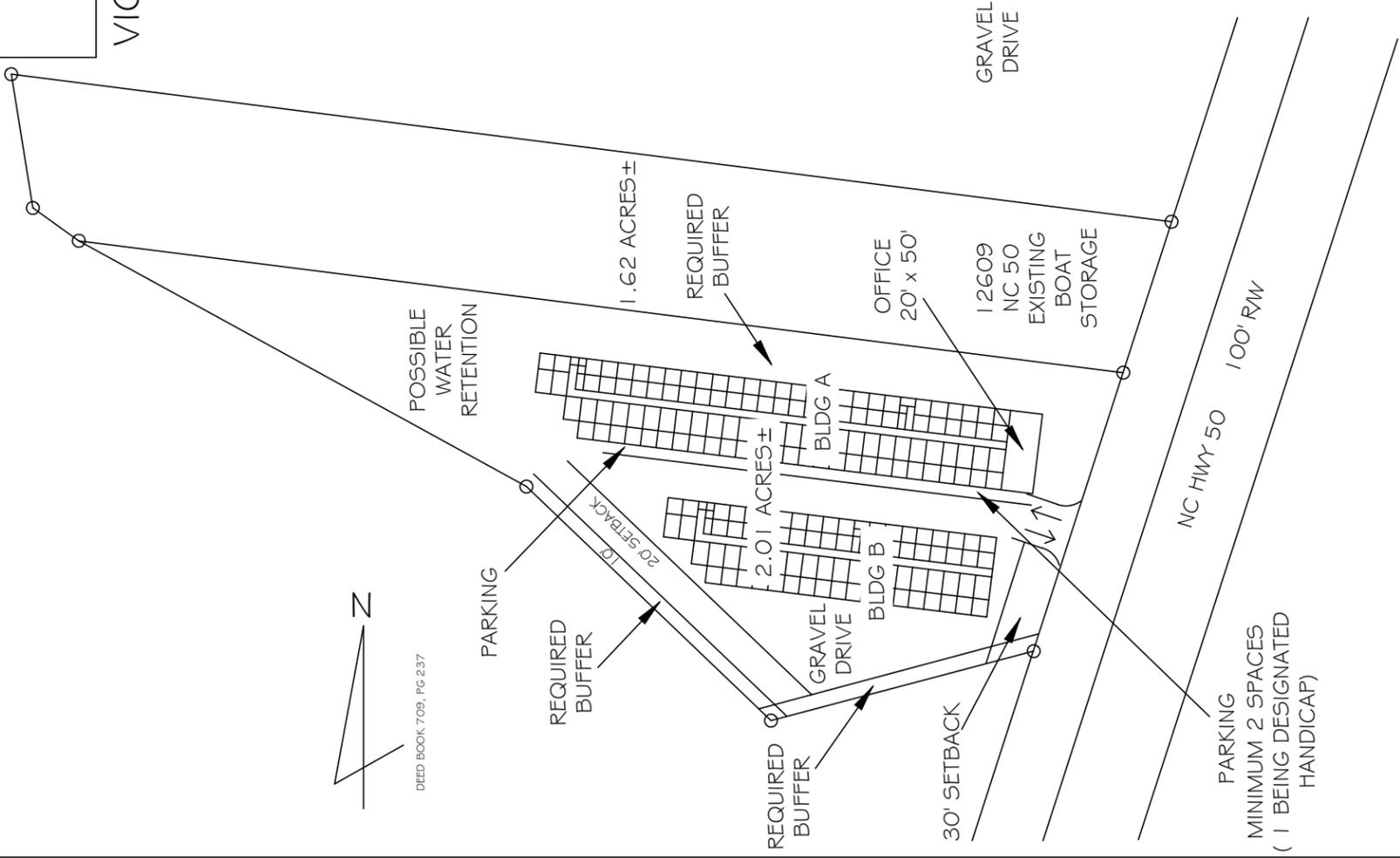
My wife and I have lived in Pender County now for over 25 years. The North Carolina State Highway Patrol assigned me here for my first duty station, and the Topsail Island area is our home. We have observed the increase in residential neighborhoods and the increased population of year-round residents in our area. Home construction in the coastal area of Pender County is not conducive to homes with basements for additional storage. My proposed project would give the residents in our area a safe, secure, and convenient space to store their possessions.



VICINITY MAP N.T.S.

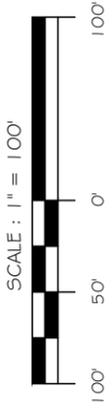


DEED BOOK 709, PG 237



DECEMBER 16, 2022
 REF. DEED BOOK 709, PG 237
 PROJECT NAME: CANNADY.DWG
 DRAWN BY: CDH

SPECIAL USE PERMIT
 REQUEST



DRAWING FOR:

HUGH CANNADY

TOPSAIL TOWNSHIP, PENDER COUNTY, NC



REQUEST FOR BOARD ACTION

ITEM NO. SUP 2023-42

DATE OF MEETING: April 17, 2023

REQUESTED BY: Daniel Adams, Planning & Community Development Director

SHORT TITLE: Resolution Requesting Approval of a Special Use Permit to allow for the construction of two mini storage buildings under NAICS Code 53, Real Estate and Rental and Leasing.

BACKGROUND: Hugh A. Cannady, applicant and owner, is requesting the approval of a Special Use Permit to allow for the construction of two mini storage buildings under NAICS Code 53, Real Estate and Rental and Leasing. The use is proposed on approximately 2 acres within the RP, Residential Performance zoning district.

SPECIFIC ACTION REQUESTED: To hold a public hearing and consider the approval of a Special Use Permit that allows for the construction and operation of two mini storage buildings.

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that:

On April 17, 2023, the Pender County Board of Commissioners (approved, modified, denied) a request to approve Special Use Permit, as described herein. The Chairperson/County Manager is authorized to execute any/all documents necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Newton ___ McCoy ___ George ___ Groves ___ Fletcher-Hardee ___

Jacqueline A. Newton, Chairwoman Date

ATTEST Date
Clerk to Board

County Seal: