

Valley Forge Self Storage Conditional Use Permit (Case #BA-10-2011)
December 14, 2011

A. Waivers from the following requirements of the UDO (Unified Development Ordinance) approved:

1. Article 6.3 (General Dimensional Requirements), Subsection 6.3.2 (Table: Dimensional Requirements – Non-residential)
 - a. Minimum Front Setback is 35 feet in the GI district – Note: The proposed fabric awning over the front door (shown on the building elevations) extends 4 feet into the front setback; 2 feet more than is allowed.
2. Article 6.7 (Design Requirements for All New Non-residential Buildings), Subsection 6.7.3 (Articulation)
 - a. Paragraph 6.7.3.1: The façade shall be articulated with design features or employ a level of architectural detailing sufficient to ensure visual interest and promote pedestrian scale.
 - b. Paragraph 6.7.3.3: Building mass shall be articulated as individual bays.
 - c. Paragraph 6.7.3.4: Architectural features such as recesses and projections, door and window rhythm, columns, piers, varied rooflines, and brick patterns shall be used to divide and create vertical orientation.
3. Article 6.7 (Design Requirements for All New Non-residential Buildings), Subsection 6.7.8 (Fenestration)
 - a. Paragraph 6.7.8.2: Openings such as windows and doors shall account for a minimum 50% on the pedestrian side of the ground floor and 30% of the pedestrian side on upper floors.
 - b. Paragraph 6.7.8.7: Larger scale design features such as garage doors shall be placed at the side or rear of the facility.
4. Article 6.7 (Design Requirements for All New Non-residential Buildings), Subsection 6.7.9 (Materials)
 - a. Paragraph 6.7.9.3: Primary building materials shall consist of wood, masonry, concrete, glass, or stone.
 - b. Article 6.7 (Design Requirements for All New Non-residential Buildings), Subsection 6.7.10 (Orientation/Entrance Location)

- c. Paragraph 6.7.10.5: Pedestrian access to buildings shall be provided from the street and from parking areas. Note: Plans approved with no sidewalk provided from the street.
- 5. Article 6.7 (Design Requirements for All New Non-residential Buildings), Subsection 6.7.11 (Roof Pitch)
 - a. Paragraph 6.7.11.2: Sloped roof structures must maintain a pitch between 5:12 minimum and 12:12 maximum on all primary roof areas (not including dormers, entry canopies, or similar elements). Note: Applicable to the storage buildings and storage portion of Building #1.
 - b. Paragraph 6.7.11.3: Buildings with sloped roofs shall have a roof overhang between 6 inches and 18 inches deep.
- 6. Article 6.10 (Landscaping (Parking Lot)), Subsection 6.10.3 (Landscaping Requirements)
 - a. Paragraph 6.10.3.1: Parking lots shall contain at least one shade tree for every 7 parking spaces required on site. These trees shall be located a sufficient distance from existing overhead utility lines to ensure the health and growth of the tree. Note: The submitted landscaping plan approved with the project is acceptable although several spaces on the northeast side of the property will not meet this requirement.
- 7. Article 6.13 (Parking, Loading, and Circulation), Subsection 6.13.3 (Off-street Parking Provisions)
 - a. Paragraph 6.13.3.3 (Minimum Number of Parking Spaces Required Outside the CC (Central Commercial) District) – Note: 99 off-street parking spaces are required; 7 spaces are approved.
- 8. Article 6.13 (Parking, Loading, and Circulation), Subsection 6.13.7 (Off-street Parking Setback and Location)
 - a. Paragraph 6.13.7.1: Parking spaces are considered structures for the purpose of determining setback requirements as described in Section 6.3 (General Dimensional Standards). Note: Parking for loading and unloading of vehicles will be permitted in the drive aisle located in the front setback) in front of Building #1 as shown on the approved plans.
- 9. Article 6.22 (Tree Protection Standards), Subsection 6.22.3 (Requirements)
 - a. Paragraph 6.22.3.2: Tree inventories shall identify all canopy trees on site including the diameter (dbh) and species. Plans shall clearly indicate the trees to be removed and those to remain. Note: The submitted site plan set does not

identify all canopy trees; only those located east of the on-site sewer easement adjacent to the east side of Cates Creek. This is acceptable in this case as not development occurs west of the sewer easement.

B. Conditions of Conditional Use Permit Approval:

- a. With the exception of necessary changes to proposed water service connections and fire protection apparatus, the applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board, a copy of which is filed in the Town of Hillsborough Planning Department. Said plans include the site plan set entitled "Valley Forge Self Storage" by Philip Post and Associates dated August 9, 2011 with a latest revision date of November 28, 2011, the written narrative statement for the project, and all other documents pertaining to the project including, but not limited to, all erosion and stormwater control plans, utility plans, landscape plans and building plans.
- b. The property owner shall record a survey plat of the property subject to the Conditional Use Permit with the Orange County Register of Deeds Office prior to the required recordation of the Conditional Use Permit document. The survey shall identify all proposed easements for access, utilities and other uses.
- c. Required parking spaces, parking aisles and drive aisles shall not be rented as, or used for, vehicular storage.
- d. The buildings and premises subject to this permit shall only be used for self-storage subject to the following restrictions:
 - i. The self-storage units and premises shall be limited to dead storage use only. "Dead Storage" is defined as goods not in use and not associated with any office, retail or other business use on the premises.
 - ii. No activities other than the rental of storage units and pick-up and deposit of dead storage shall be allowed on the premises.
 - iii. Examples of activities prohibited on the premises include, but are not limited to:
 - (1) Auctions, commercial, wholesale or retail sales, miscellaneous sales and garage sales. Provided, however, the owner and/or operator of the facility may conduct periodic auctions of abandoned and/or delinquent storage items to free up storage units for future use.
 - (2) The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances or other similar equipment.

- (3) The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
- (4) The establishment of a transfer and storage business.
- (5) Any use that is noxious or offensive because of odors, dust, noise, fumes or vibrations.
- (6) Storage of radioactive materials, explosives, highly combustible and flammable materials or hazardous chemicals.
- (7) Use of any storage unit as a permanent or temporary residence.

All self-storage rental contracts or leases shall include clauses prohibiting, at a minimum, the above-referenced uses. A copy of the property owner's/operator's proposed rental contact or lease agreement shall be provided to the Planning Director prior to the Planning Department's authorization for the issuance of a Certificate of Occupancy for the first phase of the project.

- e. Outdoor advertising displays and signage that does not identify the nature of the self-storage itself shall not be permitted on the premises. Site signage shall be governed by the applicable terms of the Town's UDO (Unified Development Ordinance). In no case shall any signage or other advertising mediums be placed upon, attached to, or painted on any site fencing or buildings used for fencing. This provision shall not apply to "no trespassing" or other warning or directional signs.
- f. The property owner shall grant a 100-foot wide greenway easement to the Town of Hillsborough for the future construction of the proposed Cates Creek Greenway. The easement shall be located on the west side of Cates Creek, with the width of the easement being measured 100 feet from the top of the west bank of Cates Creek. The easement width may be reduced as necessary in areas where there is not enough property to provide the entire 100-foot width.
- g. As approved by the Town of Hillsborough Tree Board, the Red Oak and Winged Elm trees located in the right-of-way of Valley Forge Road shall not be removed. These 2 trees shall be marked in the field; tree protection fencing installed around them; and inspected by Town Planning Department staff. These actions shall be performed prior to any grading and/or land disturbance related to the project and prior to the issuance of any initial Zoning Compliance Permit for the project.
- h. The mounting height of all proposed exterior pole mounted light fixtures shall not exceed 24 feet as measured from ground level to the top of the lighting fixture. The applicant and/or property owner shall provide written verification to Town Planning Department

staff that the mounting height limit is not exceeded. The verification shall be provided prior to the issuance of a Certificate of Occupancy for the first phase of the project.

- i. The applicant and/or property owner shall cause and an on-site exterior lighting survey for the project to be held in order to verify that lighting intensities meet the requirements of Section 6 (Development Standards), Article 6.11 (Lighting), Subsection 6.11.4 (Minimum Light Levels) of the UDO. The survey shall be performed by professionals qualified to perform it, and Town Planning Department staff shall be invited to attend. The survey shall be performed as soon as reasonably possible after the light fixtures have been electrified, but prior to the issuance of a Certificate of Occupancy for the first phase of the project.