

RESOLUTION B
(Revocation of Special Use Permits)

A RESOLUTION APPROVING THE REVOCATION OF 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. FROM THE EXISTING SPECIAL USE PERMITS (2021-03-10/R-3)

WHEREAS, on April 28, 1980, the Chapel Hill Town Council approved a Special Use Permit for 87 dwelling units, known as Tarheel Mobile Court, encumbering 607,226 square feet and approximately 13.94 acres, which was recorded at the Orange County Register of Deeds in Deed Book 338, Page 541; and

WHEREAS, on March 15, 1995, the Chapel Hill Town Council approved a Special Use Permit Modification for a drive-in business, to include self-service gasoline pumps, known as Airport Road Mini Mart, encumbering 35,070 square feet and approximately 0.80 acres, which was recorded at the Orange County Register of Deeds in Deed Book 1356, Page 182; and

WHEREAS, on February 13, 2019, the Town Council reviewed a concept plan for 1200 MLK for a development containing service station/convenience store, self-storage facility, conditioned, and a mobile home park; and

WHEREAS on May 30, 2019, the applicant submitted a Special Use Permit Modification for a Service Station/Convenience Store, Self-Storage Facility, Conditioned, and Mobile Home Park; and

WHEREAS, on September 1, 2020 the applicant requested to replace the Special Use Permit Modification application, with a Conditional Zoning permit application in order to move forward with the project during the COVID-19 pandemic and requested revocation of the existing Special Use Permits.

WHEREAS, Section 4.5.5(f)(2) of the Land Use Management Ordinance has been met as the request is made in conjunction with an application for approval of a development other than that authorized by the permit of modification;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby revokes the 1995 and 1980 Special Use Permits for 1200 and 1204 Martin Luther King Jr. Blvd., known as Tarheel Mobile Court, as they pertain to the 9.2-acre parcel for which the 1200 MLK Conditional Zoning Permit is currently proposed. The revocation of the Special Use Permits and any Modifications would be such that the subject parcels for the 1200 and 1204 MLK Conditional Zoning (PINs 9789-39-2409 and 9789-29-7279), would no longer be encumbered by Special Use Permits; and

BE IT FURTHER RESOLVED that the applicant shall record the affidavit for revocation for the parcels identified as Orange County Parcel Identifier Numbers (PIN 9789-39-2409 and 9789-29-7279), for the Tarheel Mobile Court Special Use Permit, dated April 28, 1980 and the drive-in business Special Use Permit Modification, dated March 15, 1995.

This the 10th day of March, 2021.