

A RESOLUTION APPROVING MINOR MODIFICATIONS TO PERMITTED USES, GATEWAY SIGNAGE, AND PUBLIC STREET 'A' FOR CARRAWAY VILLAGE SPECIAL USE PERMIT, 3000 EUBANKS ROAD (2020-11-04/R-)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by William Derks, PE on behalf of NR Edge Property Owner LLC, located at 3000 Eubanks Road on property identified as Orange County Property Identifier Numbers 9870-99-0152, 9870-88-9229, 9870-98-5265, 9880-08-2292, 9880-07-7983, 9880-08-8353, 9880-17-1994, if developed according to the plans submitted would:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. Comply with all required regulations and standards of the Land Use Management Ordinance;
3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and
4. Conform to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the 2020 Comprehensive Plan.

Modifications to Existing Special Use Permit

BE IT FURTHER RESOLVED by the Town Council of Chapel Hill that it finds, in this particular case, that the economic development potential and affordable housing plan associated with this project, is a public purpose and that said public purpose is satisfied to a greater degree by allowing the modifications requested by the applicant

1. Modification of permitted uses to allow conditioned self-storage facilities in Block G and allow gasoline sales as a primary use.

The follow uses are permitted within Carraway Village development:

USE and Type
Business, commercial, retail
ATM – drive up, bank, barber shop, business (convenience, general, wholesale) club, daycare, drive in window, funeral home, gasoline sales as a primary or accessory use, hotel, place of assembly, publishing, printing, recreation facility, veterinary clinic
Institutional
Essential services, place of worship, public cultural facilities, public use & service facility, school, vocational school
Office, Industrial
Business – (office type, clinic), Self-Storage Facility, Conditioned
Residential
Duplex, group care, manufactured home park, multi-family, single-family, rooming house, tourist home

This finding is based on a determination that public purposes are satisfied to an equivalent or greater degree as the proposal would generate increased economic development, expand the non-residential tax base and would increase the likelihood of further affordable housing being made available in the greater Chapel Hill community.

2. Modification Section 5.14.11 (Sign in Mixed Use O-I and R-1 Districts) and Section 5.14.12 (Commercial Ground Sign) of the Land Use Management Ordinance to modify the sign regulations to clarify applicability as noted below:

- a. Section 5.14.11.(b).(1) Signs

- Development identification signs: increase maximum number from 1 to 2 signs at each principal access point, and 1 at each right-in, right-out access point
- Display areas square footage: increase from 20 sq. ft. to 40 sq. ft.

That the following modifications shall be approved with the submission of a Zoning Compliance Permit application(s) for the project with a cumulative total of ~~25,000~~ **20,000** sq. ft. of commercial floor area:

- Anchor tenant, including office and residential use, names, increase maximum number from 1 to unlimited
- Letters, registered logo: increase percent of the size from 50% to 75%

- b. Section 5.14.11. (b) .2.

- Building identification signs: increase maximum display area from 5% of the building façade to 10% for buildings facing the I-40 ramp; and allow the sign height to increase from approximately 24-feet to the top level of the building for building facing the I-40 ramp.

- c. Section 5.14.11. (b). (3)

- Identification signs for individual establishments: increase maximum display area from 5% of the building façade to 10% for wall signs facing the I-40 ramp; and allow the sign to be located at the top level of the building for building facing the I-40 ramp

- d. Section 5.14.11. (b). (4).

That the following modifications shall be approved with the submission of a Zoning Compliance Permit application(s) for the project with a cumulative total of ~~25,000~~ **20,000** sq. ft. of commercial floor area:

- Internally illuminated sign: maximum size shall be increased from one-half of the maximum to the same as the maximum allowable size

- e. Section 5.14.12. (a). (3).

That the following modifications shall be approved with the submission of a Zoning Compliance Permit application(s) for the project with a cumulative total of 50,000 sq. ft. of commercial floor area:

Specifically for the Gateway-sign feature to be located in the southeast corner of the property at the Eubanks Road and Martin Luther King Jr. Blvd. intersection and the sign facing I-40 in the northeast corner of the site:

- Height: increase the maximum height from 14 feet to 30 feet
- Illumination permitted during non-business hours

- f. Section 5.14.12.(a).(5)

That the following modifications shall be approved with the submission of a Zoning Compliance Permit application(s) for the project with a cumulative total of 50,000 sq. ft. of commercial floor area:

Specifically for the Gateway-sign feature to be located in the southeast corner of the property at the Eubanks Road and Martin Luther King Jr. Blvd. intersection and the sign facing I-40 in the northeast corner of the property:

- Overall sign area: overall dimensional square footage or sign structure proportions may be greater than the dimension limits for commercial center signage
Display area: increase the maximum display area from 75 to 200 sq. ft.; ~~display area may include up to 5 tenants/use signs~~; project logo/Icon excluded from the 200 sq. ft. display area limit

This finding is based on a determination that public purposes are satisfied to an equivalent or greater degree as the proposal would generate increased economic development, expand the non-residential tax base and would increase the likelihood of further affordable housing being made available in the greater Chapel Hill community.

3. Modification to adjust the existing Special Use Permit to end Public Street A at it's current termination point.

This finding is based on a determination that public purposes are satisfied to an equivalent or greater degree as the proposal would generate increased economic development, expand the non-residential tax base and would increase the likelihood of further affordable housing being made available in the greater Chapel Hill community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the request by McAdams, for the minor modifications to permitted uses, gateway signage, and public street 'A' of the Carraway Village Special Use Permit.

This the 4th day of November, 2020.