



TOWN COUNCIL

11.16.2022

Chapel Hill North (Harris Teeter) – Special Use Permit (SUP) Modification





PROJECT UPDATES

- Council Comments from May 18, 2022, Public Hearing:
 - ❑ Concerns for loss of tree canopy in buffers
 - ❑ Opposition to reducing the size of the buffer along I-40
 - ❑ Questioned need for a second gas station at Chapel Hill North
 - ❑ Interest in electric vehicle charging stations

- Applicant has submitted:
 - ❑ Factual Background and Statement of the Case
 - ❑ Appraisal



PROCESS

Staff Review



Advisory
Boards and
Commissions
Preliminary
Forum



Open
Evidentiary
Hearing
5/18/2022



Council Action
11/16/2022



PROCESS

Quasi-Judicial Process

No Council discussion outside the public hearing

Speakers provide factual evidence under oath during the evidentiary hearing

Council reviews evidence and determines if ordinance standards are met



RECOMMENDATION

- Close the evidentiary hearing
- Consider a Special Use Permit (SUP) Modification
 - Resolution A (R-15) – Approve SUP Modification
 - Resolution B (R-16) – Deny SUP Modification



PROCESS

Master Land Use Plan (MLUP)



Special Use Permit (SUP)



Individual Projects



FINDINGS OF FACT

4.5.2 Standards and Findings of Fact.

(1) That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

(2) That the use or development complies with all required regulations and standards of this chapter, including all applicable provisions of articles 3 and 5, the applicable specific standards contained in the supplemental use regulations (article 6), and with all other applicable regulations;

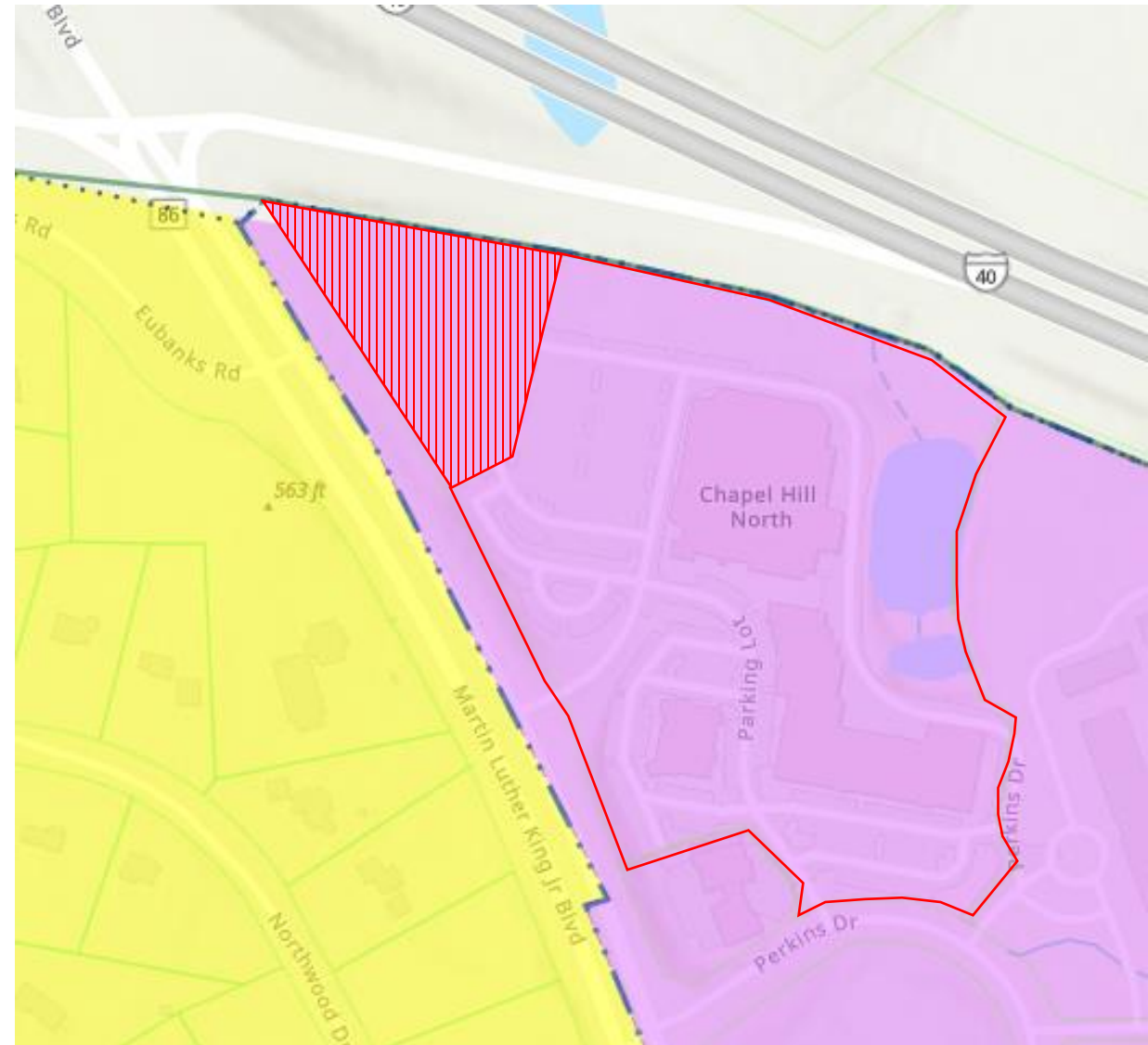
(3) That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and

(4) That the use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.



PROJECT SUMMARY

- ❑ 5-acre site
- ❑ Encumbered by the Chapel Hill North MLUP
- ❑ Extend SUP to Parcel #9880-27-0438
- ❑ 11,572 sf addition to grocery store & pharmacy drive-in window
- ❑ New fuel center with 7 fuel pumps (14 fuel positions) & 240 sf kiosk
- ❑ Additional parking and drive aisles





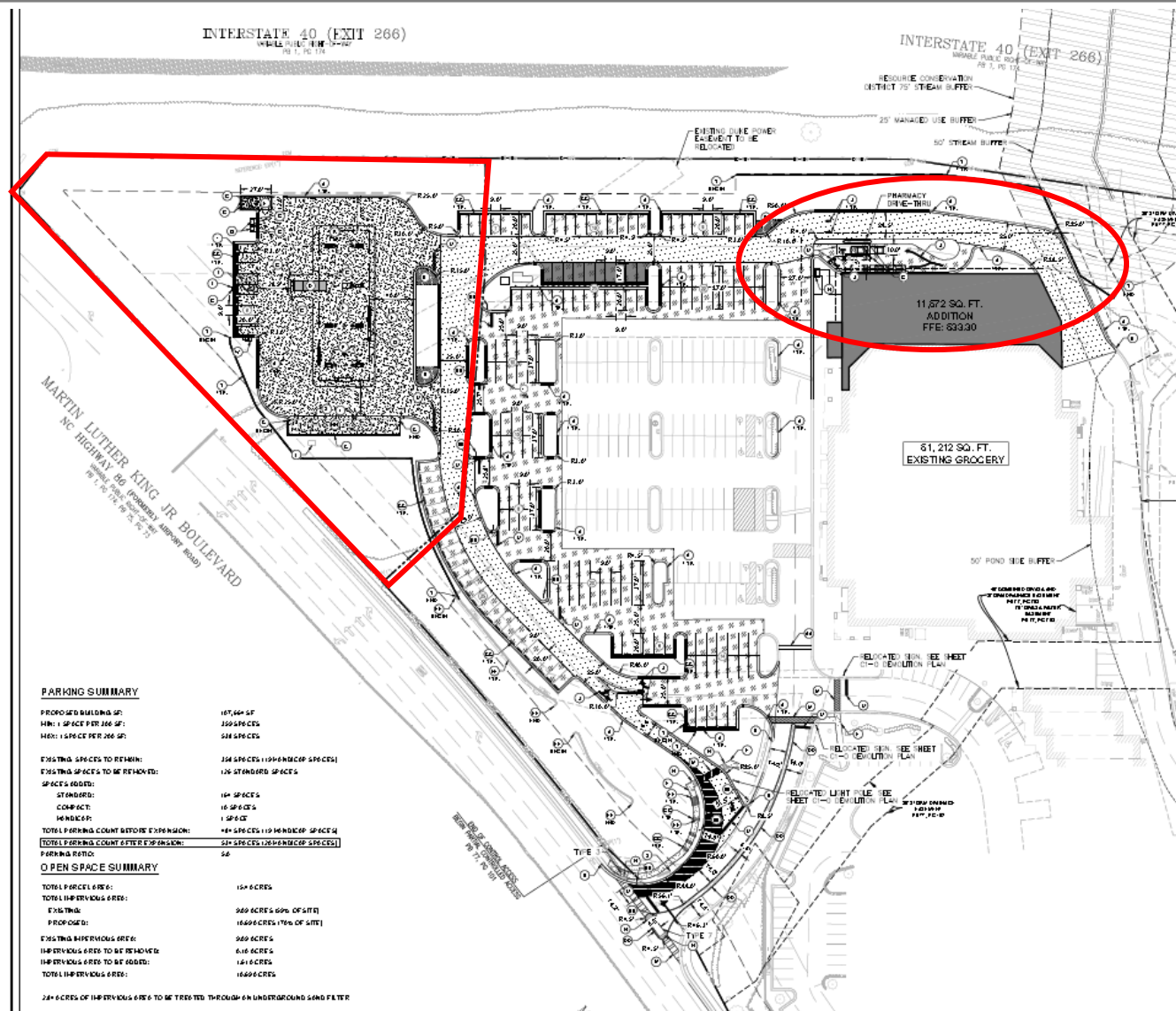
EXISTING CONDITIONS





PROPOSED SUP MODIFICATIONS

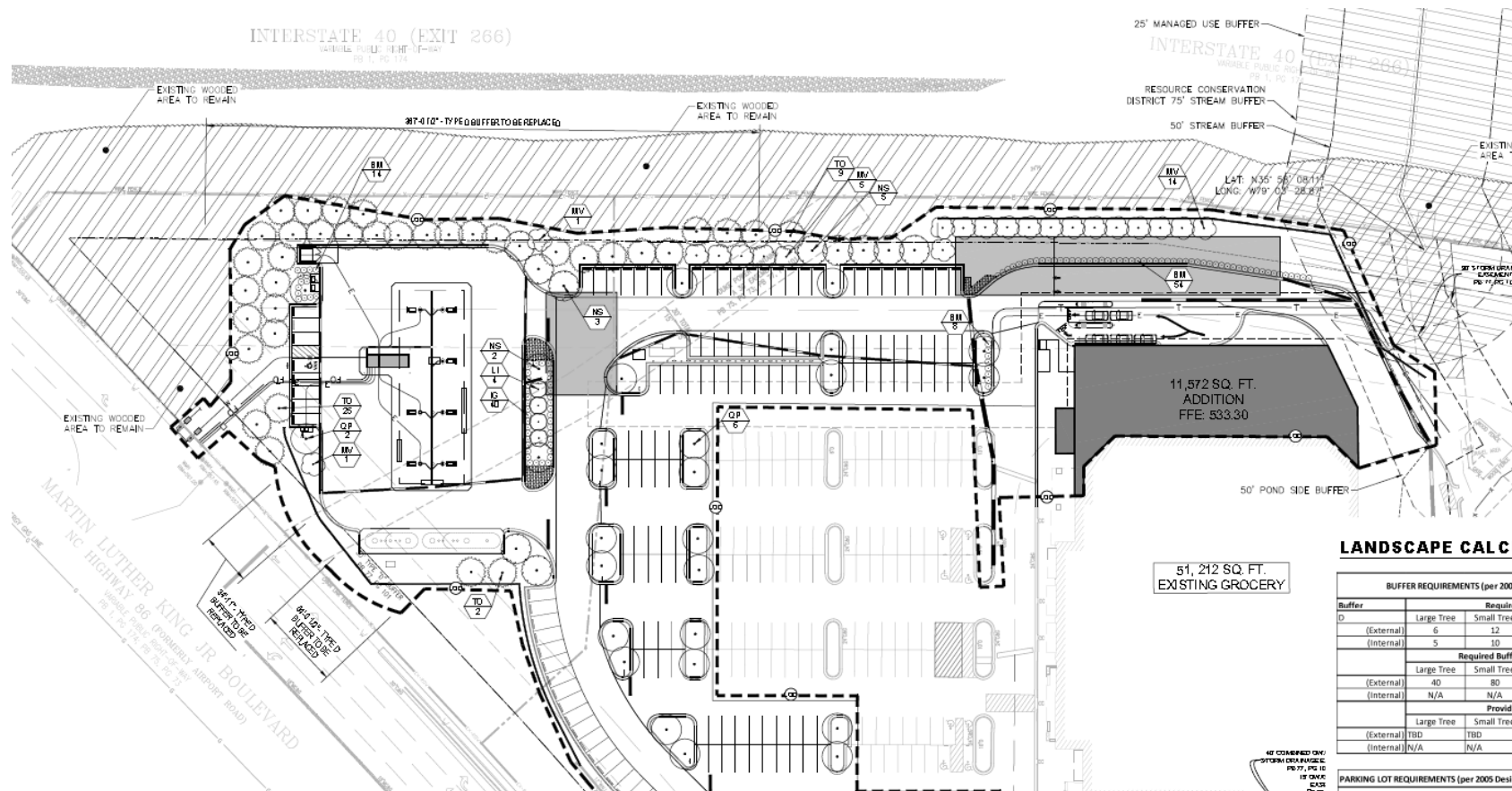
- Extend the SUP to encumber fuel center parcel
- Modify the SUP to allow for pharmacy drive-in and service station





PROPOSED SUP MODIFICATIONS

- Modify the I-40 Buffer from 100 ft Type 'E' to 30 ft Type 'D'





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