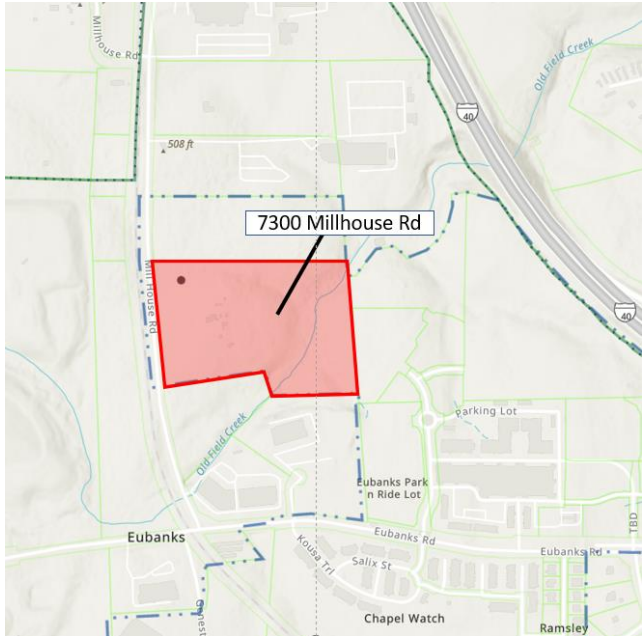




# MODIFICATION TO CONDITIONAL ZONING AT 7300 MILLHOUSE ROAD (PROJECT CZD-23-5)

## STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
 Britany Waddell, Director  
 Judy Johnson, Assistant Director  
 Tas Lagoo, Senior Planner

<b>PROPERTY ADDRESS</b> 7300 Millhouse Road	<b>DATE</b> June 6, 2023	<b>APPLICANT</b> Jessica Hardesty, McAdams on behalf of Merritt CP1 LLC
<b>STAFF RECOMMENDATION</b> That the Planning Commission review the proposed modification and submit a recommendation to the Town Council prior to the June 21, 2023, Town Council meeting.		
<b>PROCESS</b> <p>Major modifications to an approved Conditional Zoning Ordinance may be approved by the Town Council.</p> <p>Because the subject property is zoned Light Industrial – Conditional Zoning District (LI-CZD), the Town Council may hold the legislative hearing and act on the modification request on the same day.</p>	<b>DECISION POINTS</b> <p><u>New Uses:</u> Add the following new uses to the existing LI-CZD:</p> <ul style="list-style-type: none"> <li>(1) Supply yard</li> <li>(2) Recreation facility</li> <li>(3) Public use facility</li> <li>(4) Place of worship</li> <li>(5) Place of assembly</li> <li>(6) Maintenance/storage facility</li> <li>(7) Child day care</li> </ul> <p><u>Modification to Regulations:</u> Modify signage rules to allow for a 17 ft wide by 7 ft tall development identification sign.</p>	
<b>PROJECT OVERVIEW</b> <p>Town Council rezoned the approximately 19.5-acre property to Light Industrial – Conditional Zoning District (LI-CZD) on June 20, 2018.</p> <p>The entitlement authorizes the construction of up to 110,000 square feet of floor area and the following uses:</p> <ul style="list-style-type: none"> <li>(1) Office,</li> <li>(2) Light manufacturing, and</li> <li>(3) Research activities.</li> </ul> <p>The requested modification would allow a broader range of uses on the site and provide the property owner more flexibility regarding the type of signage that can be used to identify the site.</p>	<b>PROJECT LOCATION</b> 	
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Resolution A (Resolution of Reasonableness and Consistency)</li> <li>2. Ordinance A (Approving the Application)</li> <li>3. Resolution B (Denying the Application)</li> <li>4. Applicant Materials</li> </ol>	



# TECHNICAL REPORT

## PROPOSED MODIFICATIONS TO REGULATIONS

- 1) Section 5.14.7: Permitted Signs.** The applicant proposes a modification to allow a development identification sign measuring approximately 7 ft tall by 17 ft wide. The allowable sign area (i.e., the portion of the sign that includes text and graphics) is proposed to be a maximum 212 square feet across both faces of the sign. Development identification signs are typically limited to a maximum sign area of 80 square feet or less and are not typically allowed in the LI-CZD district.

*Staff Comment:* The intent of the LI-CZD is to facilitate commercial development and entrepreneurship through less proscriptive development rules and processes. Staff find that the proposed modification is reasonable because easing sign regulations in a part of town in which there are fewer compelling aesthetic concerns and an interest in encouraging business activity appears to further the intent of the LI-CZD. Regardless of the proposed modifications to regulations, any signage on the site will be required to conform with safety-related rules that prohibit placement of signs within vehicular site-triangles.

**Council Findings and Public Purpose:** The Council has the ability to modify the regulations according to Section 4.4.7 of the LUMO. Staff believes that the Council could modify the regulations if it makes a finding in this particular case that public purposes are satisfied to an equivalent or greater degree. If the Council chooses to deny a request for modifications to regulations, the developer's alternative is to revise the proposal to comply with the regulations.