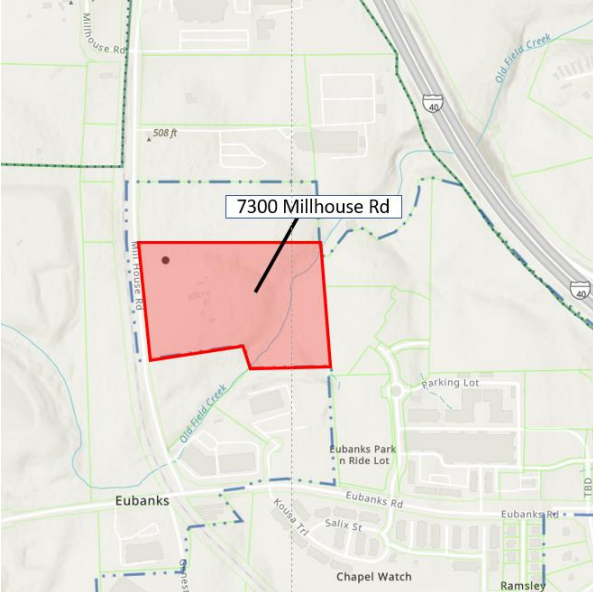




OPEN THE LEGISLATIVE HEARING AND CONSIDER A MODIFICATION TO CONDITIONAL REZONING AT 7300 MILLHOUSE ROAD (PROJECT CZD-23-5)

STAFF REPORT

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

PROPERTY ADDRESS	DATE	APPLICANT
7300 Millhouse Road	June 21, 2023	Jessica Hardesty, McAdams on behalf of Merritt CP1 LLC
TOWN MANAGER’S RECOMMENDATION That the Council (1) open the legislative hearing, receive comments on the proposed modification to the Conditional Zoning Ordinance; (2) close the legislative hearing; and (3) approve the proposed modification.		
PROCESS Major modifications to an approved Conditional Zoning Ordinance may be approved by the Town Council. 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 at the same hearing.	DECISION POINTS <u>New Uses:</u> Add the following new uses to the existing Light Industrial–Conditional Zoning District (LI-CZD) entitlement: (1) Supply yard (2) Recreation facility: commercial (3) Recreation facility: non-profit (4) Public use facility (5) Place of worship (6) Place of assembly, up to 2,000 seating capacity (7) Maintenance/storage facility (8) Child day care <u>Modification to Regulations:</u> Modify signage rules to allow for a 17 ft, 1 in wide by 7 ft, 1 in tall development identification sign.	
PROJECT OVERVIEW Town Council rezoned the approximately 19.5-acre property to Light Industrial – Conditional Zoning District (LI-CZD) on June 20, 2018. The entitlement authorizes the construction of up to 110,000 square feet of floor area with the following uses: (1) Office, (2) Light manufacturing, and (3) Research activities. 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.	PROJECT LOCATION 	
ATTACHMENTS	1. Technical Report 2. Draft Staff Presentation 3. Resolution A (Resolution of Reasonableness and Consistency) 4. Ordinance A (Approving the Application) 5. Resolution B (Denying the Application) 6. Draft Applicant Presentation 7. Applicant Materials	



TECHNICAL REPORT

OVERVIEW OF NEW USES

This Conditional Zoning Modification would add several permitted uses to the existing conditional zoning district for 7300 Millhouse Road. These new uses include:

- (1) Supply yard
- (2) Recreation facility: commercial
- (3) Recreation facility: non-profit
- (4) Public use facility
- (5) Place of worship
- (6) Place of assembly, up to 2,000 seating capacity
- (7) Maintenance/storage facility
- (8) Child day care

The addition of new uses to the site is consistent with the general goal of allowing for a variety of businesses in this area of Town. The maintenance/storage facility and supply yard uses are subject to additional regulations found in Land Use Management Ordinance (LUMO) Section 6.22.

PROPOSED MODIFICATIONS TO REGULATIONS

- 1) Section 5.14.7. Permitted Signs.** The applicant proposes a modification to allow a development identification sign measuring 7 feet, 1 inch tall by 17 feet, 1 inch 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. Under current LUMO regulations, development identification signs are limited to a maximum sign area of 80 square feet or less and are not allowed in the Light Industrial – Conditional Zoning District (LI-CZD) district.

Staff Comment: The intent of 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 with fewer compelling aesthetic concerns and an interest in encouraging business activity appear to further the intent of 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.