

RESOLUTION A

(Approving the Special Use Permit Modification Application)

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT MODIFICATION FOR THE 137 E FRANKLIN ST INNOVATION HUB (PROJECT #20-027)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit modification application, proposed by George Retschle of Ballentine Associates, located at 136 E Rosemary St & 137 E Franklin St on property identified as Orange County Property Identifier Number 9788-37-7517, if developed according to the plans dated March 2, 2020 and last revised April 3, 2020 and the conditions listed below 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 with 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 REGULATIONS

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that it finds, in this particular case, that the proposed development with the following requested modifications to regulations satisfies public purposes to an equivalent or greater degree:

Section 3.8.2 Maximum Setback Height Modification: To modify the maximum setback height from 44 feet at the setback line to 93 feet.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges the existing building exceeds the maximum setback height and no changes to the existing height are proposed.

STIPULATIONS SPECIFIC TO 137 E FRANKLIN ST INNOVATION HUB

1. Construction Deadline: That construction begin by _____ (two years from the date of approval) to be completed by _____ (four years from the date of approval). [LUMO 4.5.5]
2. Land Use Intensity: This Special Use Permit Modification authorizes the following:

Use: Commercial/Office/Retail/Restaurant	
Number of Buildings	2
Gross Land Area	31,720 sq. ft.
Maximum Floor Area	126,600 sq. ft.
Total Impervious Surface	31,720 sq. ft.

3. Building Elevations: This Special Use Permit Modification authorizes a new curtainwall glass and panel system mainly encompassing the 136 E Rosemary St building as well as a new glass and panel cladding on the 137 E Franklin St building (facing 136 E Rosemary St).
4. Detailed Site Plan: A site plan shall be submitted as part of the Final Plans Zoning Compliance Permit application that shows compliance with the Land Use Management Ordinance and Orange County Solid Waste requirements.
5. Existing Permit: The existing Special Use Permit Modification dated _____, on file at the Town of Chapel Hill Planning Department, remains in effect except as modified by these stipulations.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit Modification for 137 E Franklin St Innovation Hub.

This the _____ day of _____ 2020.