Board of Adjustment
Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: **A-96-16**

Property Address: 2900 and 2950 E. Millbrook Road

Property Owner: DDR Southeast Capital Crossing, LLC

Project Contact: Michael Birch

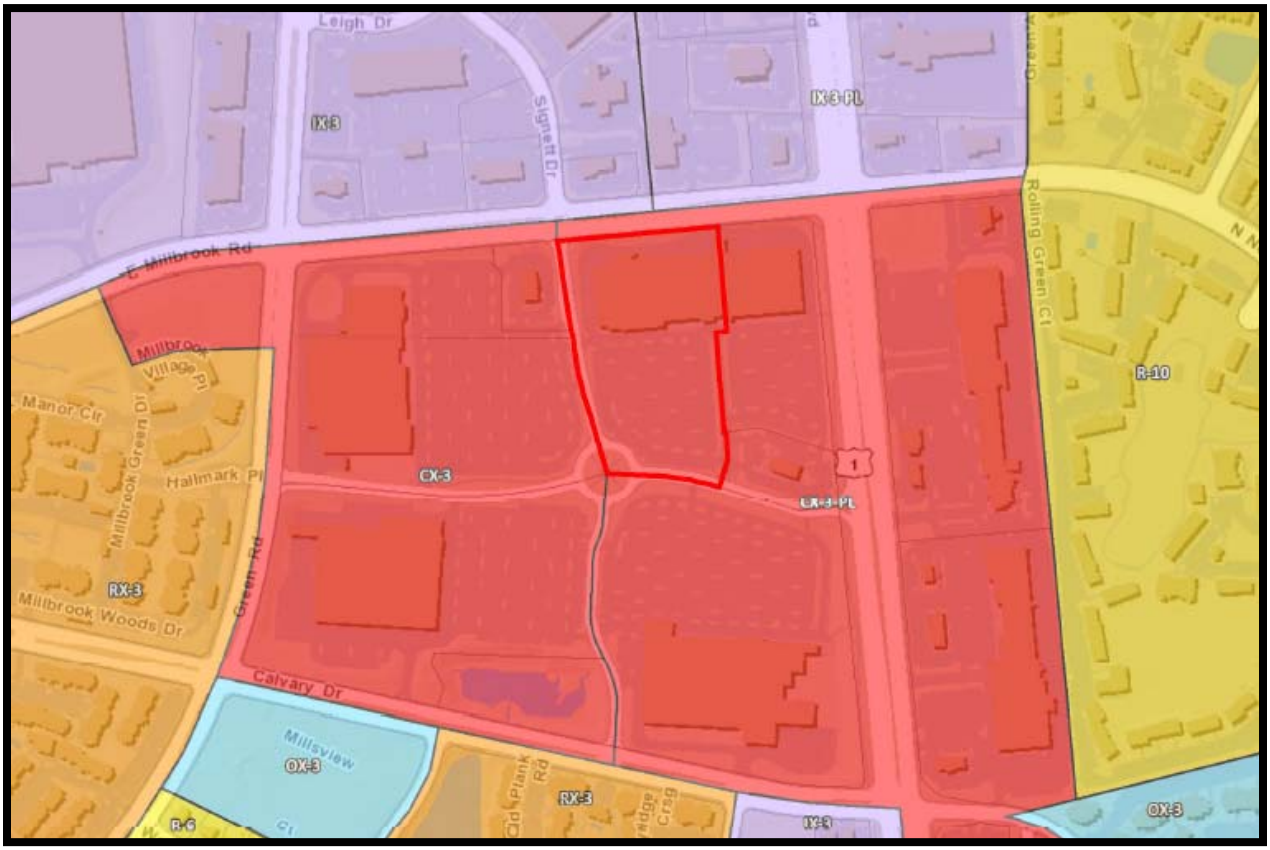
Nature of Case: A request for a 157.22 square foot variance from the maximum wall sign size requirements set forth in Section 7.3.4.D. of the Unified Development Ordinance to allow for the erection of a 197.22 square foot wall sign on a 8.09 acre property zoned Commercial Mixed Use-3-Parking Limited (CX-3-PL)

2900 and 2950 E. Millbrook Road – Location Map

To BOA: 8-8-16

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Commercial Mixed-Use-3 and Parking Limited



2900 and 2950 E. Millbrook Road – Zoning Map

VARIANCE STANDARDS: In accordance with UDO §10.2.10 Variance, before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. **The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.**

4. **The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.**

<u>Section 7.3.4.D. Wall Signs</u>

A. Description
An on-premise sign attached flat to or mounted away from but parallel to the building wall, typically extending no more than 12 inches from the building wall. A sign permit is required for a wall sign.

B. Sign Area Allocation
Two square feet per lineal foot of each building wall facing a public street or a private drive if lot has no frontage on a public street.

C. Height
1. No portion of a wall sign may extend above the roof line of a building without a parapet wall.
2. No portion of a wall sign may extend 2 feet above the roof line of a building with a parapet wall, provided no portion of the sign extends above the parapet.
3. No wall sign may extend above the lower eave line of a building with a pitched roof. –

D. Frontage Standards
(Parking Limited) PL

D1 Size (max) 40 sf

D2 Height (max) 5'

D3 Projection (max) 12"

D4 Signs per business (max per street frontage) 1

Application for Variance

RCP RALEIGH DEPARTMENT OF CITY PLANNING

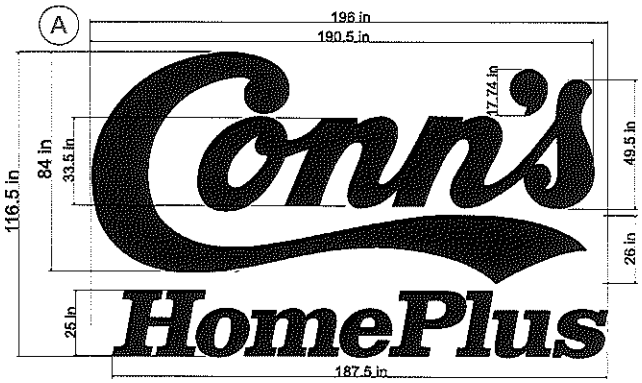
Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): Property owner requests a variance to UDO section 7.3.4.D. in order to permit a wall sign greater than 40 SF in area on property zoned with a Parking Limited frontage.	**Transaction Number** A-96-16
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address 2900 and 2950 E Millbrook Road		**Date**
Property PIN 1726-34-6075	**Current Zoning** CX-3-PL	
Nearest Intersection Millbrook Road and Capital Boulevard		**Property size (in acres)** 8.09 acres
Property Owner DDR Southeast Capital Crossing, LLC	**Phone** 404.460.0993	**Fax** 404.846.7920
Owner's Mailing Address 3300 Enterprise Parkway, Beachwood, OH 44122	**Email** nsanfilippo@ddr.com	
Project Contact Person Michael Birch, Morningstar Law Group	**Phone** 919.590.0388	**Fax**
Contact Person's Mailing Address 1330 St. Mary's Street, Suite 460, Raleigh, NC 27605	**Email** mbirch@morningstarlawgroup.com	
Property Owner Signature	**Email** nsanfilippo@ddr.com	
Notary Sworn and subscribed before me this 6th day of July, 2016	**Notary Signature and Seal** A PAPADAKIS MY COMMISSION EXPIRES NOTARY PUBLIC APRIL 25, 2017 DEKALB COUNTY, GEORGIA A Papadakis July 6, 2016	

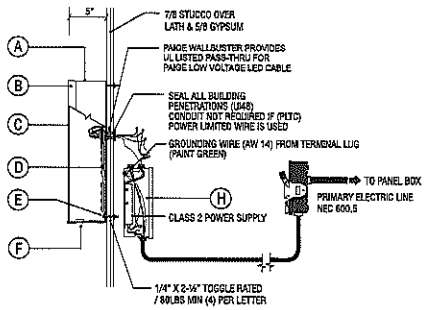
7'- "C" - Conn's channel letter. 158.57 SF



Section Detail for Front Lit Illuminated Channel Letter

Applicable for Sizes 7' and Larger

Not To Scale



Material Key

A	5" DEEP X .050 ALUMINUM RETURNS PAINTED WHITE INSIDE OF LETTERS PAINTED WHITE
B	2" WHITE TRIMCAP ON LETTER "C" 1" WHITE TRIMCAP ON REMAINING LETTERS TRIMCAP FASTENS TO SIDE RETURNS USING SCREWS PAINTED WHITE
C	3/16 #7328 WHITE PLEXIGLASS WITH FIRST SURFACE VINYL TO MATCH 3M 3630-53 CARDINAL RED APPLIED TO FACE
D	GDC-3 SAMSUNG RED LED SPACED EVENLY TO PROVIDE CONSISTENT ILLUMINATION
E	NON-CORROSIVE HARDWARE - USE APPROPRIATE HARDWARE FOR WALL CONDITIONS
F	1/4" DRAIN HOLES MIN TWO PER LETTER
G	.080 ALUMINUM BACK- PAINTED WHITE
H	POWER SUPPLY & ALUMINUM POWER SUPPLY BOX

Electrical Notes

PRIMARY POWER PROVIDED TO POINT OF INSTALLATION BY OTHERS

Class 2 Power Supplies that have NO provisions for attachment of equipment ground on the line side or secondary side requires a metal enclosure.

Primary electric hook-up by sign installer where allowed by local code, provided power is located in the vicinity of the sign at time of install.

LISTED DISCONNECT SWITCH NOT WITHIN SIGHT OF SIGN (MUST BE IN LOCKABLE "OPEN" POSITION - NEC 600.6) REQUIRED FOR ALL REMOTE WIRED CHANNEL LETTERS

1/2" FMC TO ENCLOSURE BRANCH CIRCUIT CONDUCTORS SECURED TO WALL WITH STRAPS.

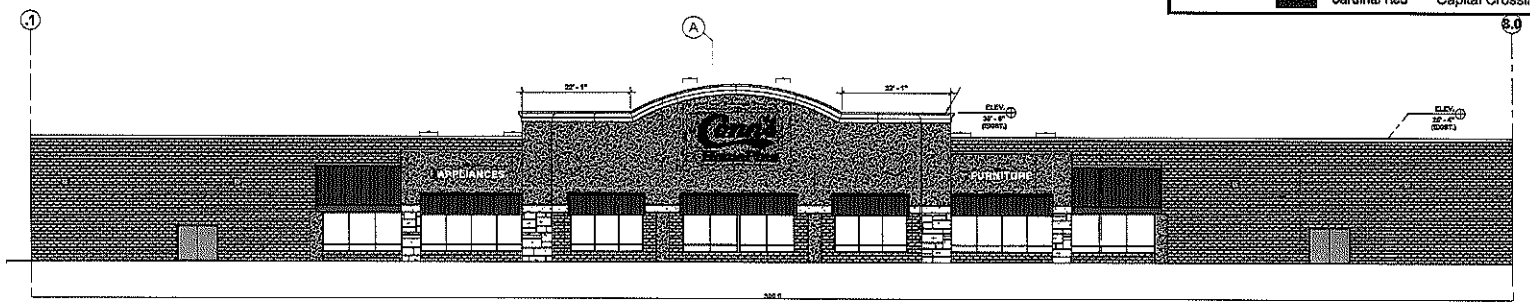
The NEC 2005 Electric code article 250, article 600 and article 725 require that all non-current carrying metal parts including the metal letters a section sign must be grounded. This includes low voltage circuits of LED illuminated signs. Make sure to read and understand these section prior to installation.

Listed Sign or Sign Section NEC 600.3
*ALL electric signs shall be listed & installed in conformance with that listing.
*Channel letters with LED's, power supply and a disconnect switch Acceptable for damp or dry locations.

No. 20000625 SECTION 1 OF 6

Listing Marks shall be on each letter and transformer enclosure
Typical UL label shown...
Sign shall be listed by a qualified electrical testing laboratory

Color Standards Comparison		
3630-33 Red	PANTONE 1797 C	Conn's
3630-53 Cardinal Red	PANTONE 187 C	Capital Crossing



1 A5.0 **FRONT ELEVATION**

Tenant Lease Space = 300 Linear Feet / 63,000 Square Feet

DRY	
DAMP	
WET	X

COMMERCIAL SIGNS, INC.
3548 ATLANTA ROAD
SMYRNA, GA 30080
PH. (770)431-0807
FX 770 431-1611

Celebrating 29 years of Excellence

Underwriters Laboratories Inc.

CLIENT

Conn's HomePlus

LOCATION

Capital Crossing
2900-2950 East Mill Brook Rd.
Raleigh, NC 27613

SALESPERSON

Jeff Kendrick

DESIGNER

KS

WORK ORDER

REVISIONS

NO.	BY	DATE
1	CB	3/23/16
2	CB	4/21/16
3	CB	5/10/16
4	CB	5/18/16
5	CB	6/9/16

APPROVED BY

Date:

FILE NAME

Customer File/Conn's /Conn's Raleigh, NC Exterior Elevations

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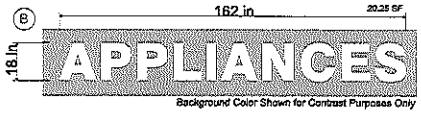
18" Channel letter SUB Copy 38.65 SF Total



Background Color Shown for Contrast Purposes Only

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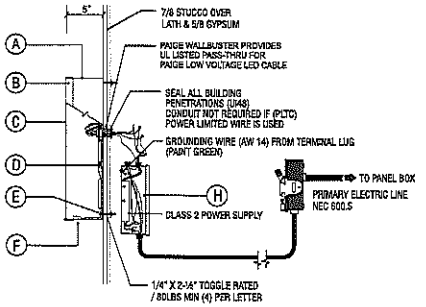

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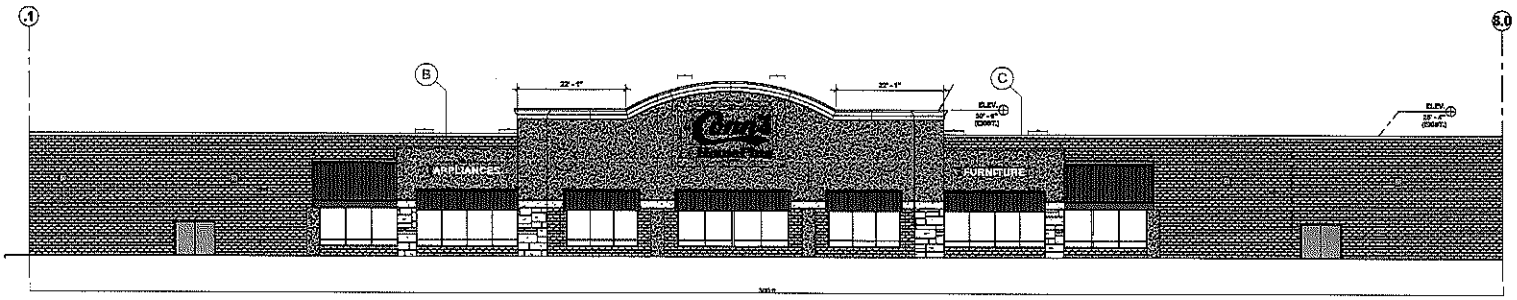

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WAKE COUNTY NORTH CAROLINA

Home

Wake County Real Estate Data
Account Summary

iMaps
Tax Bills

Account Search

Real Estate ID **0190902** PIN # **1726346075**

Location Address
2950 E MILLBROOK RD

Property Description
BLDPRCL 4 BM1994-1665

Pin/Parcel History Search Results New Search

Account | Buildings | Land | Deeds | Notes | Sales | Photos | Tax Bill | Map

Property Owner	Owner's Mailing Address	Property Location Address
DDR SOUTHEAST CAPITAL CROSSING LLC (Use the Deeds link to view any additional owners)	**3300 ENTERPRISE PKWY** **BEACHWOOD OH 44122-7200**	**2950 E MILLBROOK RD** **RALEIGH NC 27604-2816**

Administrative Data		Transfer Information		Assessed Value	
Old Map #	410--				
Map/Scale	1726 14	Deed Date	4/20/2007	Land Value Assessed	$3,216,002
VCS	CBRA001	Book & Page	SEC O F ST	Bldg. Value Assessed	$2,172,580
City	RALEIGH	Revenue Stamps			
Fire District		Pkg Sale Date	3/6/2003		
Township	NEUSE	Pkg Sale Price	$7,760,000	Tax Relief	
Land Class	COMMERCL	Land Sale Date	12/30/1994		
ETJ	RA	Land Sale Price	$2,564,000	Land Use Value	
Spec Dist(s)				Use Value Deferment	
Zoning	SC	**Improvement Summary**		Historic Deferment	
History ID 1				Total Deferred Value	
History ID 2		Total Units	0		
Acreage	8.09	Recycle Units	0		
Permit Date	6/30/2016	Apt/SC Sqft	19,945	Use/Hist/Tax Relief Assessed	
Permit #	0000130653	Heated Area	19,945	Total Value Assessed*	$5,388,582

*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.

Real Estate ID **0190902** PIN # **1726346075**

Account Search

Location Address
2950 E MILLBROOK RD

Property Description
BLDPRCL 4 BM1994-1665

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Building Location Address	Building Description	Card **01** Of **01**
2950 E MILLBROOK RD	**CAPITAL CROSSING-STAPLES**	

Bldg Type	**56 Junior Anchor**	Year Blt **1995**	Eff Year **1995**	Base Bldg Value	**$2,002,682**
Units		Addns	Remod	Grade	**20.71 130%**
Heated Area	**19,945**	Int. Adjust.		Cond %	**B 74%**
Story Height	**1 Story**			Market Adj.	
Style	**Conventional**	Other Features	**Sprinkler Syste**	Market Adj.	
Basement	**Crawl Space**			Accrued %	**74%**
Exterior	**Cinderblock**			Incomplete Code	
Const Type	**Exposed Steel**			**Card 01 Value**	**$2,172,580**
Heating	**Central**			All Other Cards	
Air Cond	**Central**			Land Value Assessed	**$3,216,002**
Plumbing	**Adequate**			Total Value Assessed	**$5,388,582**

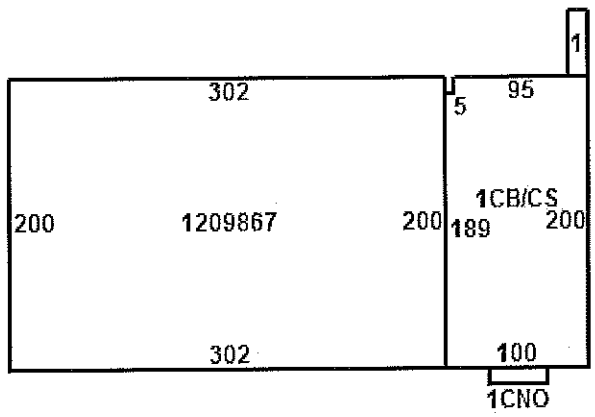
Main and Addition Summary

	Story	Type	Code	Area	Inc
M	1	CB/CS		19945	
A	1		0328	644	
B	1	CN O	0310	440	
C	1	209867	#	60400	
D					
E					
F					
G					
H					

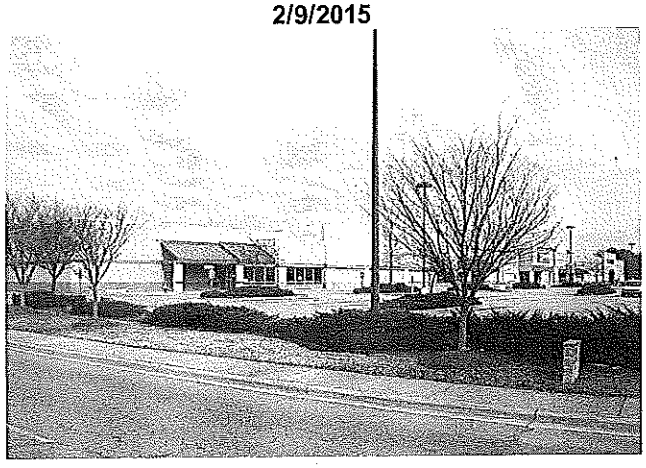
Other Improvements

Units	DesItem	Code	Year	%ADJ	Inc	Value
198784	SF PAVASPH	0028	1995	45		246000
14	UN LIGHTMED	REF	1995	100		0

Building Sketch



Photograph
2/9/2015



0190902 02/09/2015

Wake County Real Estate Data
Account Summary

Real Estate ID **0209867** PIN # **1726346075**

Location Address
2900 E MILLBROOK RD

Property Description
LEASEHOLD IMPS FOR LOWES FOODS

Property Owner	Owner's Mailing Address	Property Location Address
DDR SOUTHEAST CAPITAL CROSSING LLC (Use the Deeds link to view any additional owners)	**3300 ENTERPRISE PKWY** **BEACHWOOD OH 44122-7200**	**2900 E MILLBROOK RD** **RALEIGH NC 27604-2816**

Administrative Data		**Transfer Information**		**Assessed Value**	
Old Map #	**410-00000-0000**				
Map/Scale	**1726 14**	Deed Date	**4/20/2007**	Land Value Assessed	
VCS	**CBRA001**	Book & Page	**SEC O F ST**	Bldg. Value Assessed	**$3,378,163**
City	**RALEIGH**	Revenue Stamps			
Fire District		Pkg Sale Date			
Township	**NEUSE**	Pkg Sale Price		Tax Relief	
Land Class	**LEASED**	Land Sale Date			
ETJ	**RA**	Land Sale Price		Land Use Value	
Spec Dist(s)				Use Value Deferment	
Zoning	**SC**	**Improvement Summary**		Historic Deferment	
History ID 1				Total Deferred Value	
History ID 2		Total Units	**0**		
Acreage	**.00**	Recycle Units	**0**		
Permit Date	**8/20/2002**	Apt/SC Sqft	**62,181**	Use/Hist/Tax Relief	
Permit #	**0000021314**	Heated Area	**62,181**	Assessed	
				Total Value Assessed*	**$3,378,163**

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Account Search

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2900 E MILLBROOK RD

Property Description
LEASEHOLD IMPS FOR LOWES FOODS

Pin/Parcel History Search Results New Search

Account | Buildings | Land | Deeds | Notes | Sales | Photos | Tax Bill | Map

Building Location Address	Building Description	Card **01** Of **01**
2900 E MILLBROOK RD	**CAPITAL CROSSING-LEASEHOLD LOWES FOODS**	

Bldg Type	**49 Super Market**	Year Blt **1995**	Eff Year **1995**	Base Bldg Value	**$3,511,604**
Units		Addns	Remod	Grade	**20.71 130%**
Heated Area	**62,181**			Cond %	**B 74%**
Story Height	**1 Story**	Int. Adjust.		Market Adj.	
Style	**Conventional**			Market Adj.	
Basement	**Crawl Space**	Other Features	**Sprinkler Syste**	Accrued %	**74%**
Exterior	**Cinderblock**			Incomplete Code	
Const Type	**Exposed Steel**			**Card 01 Value**	**$3,378,163**
Heating	**Central**			All Other Cards	
Air Cond	**Central**			Land Value Assessed	
Plumbing	**Adequate**			Total Value Assessed	**$3,378,163**

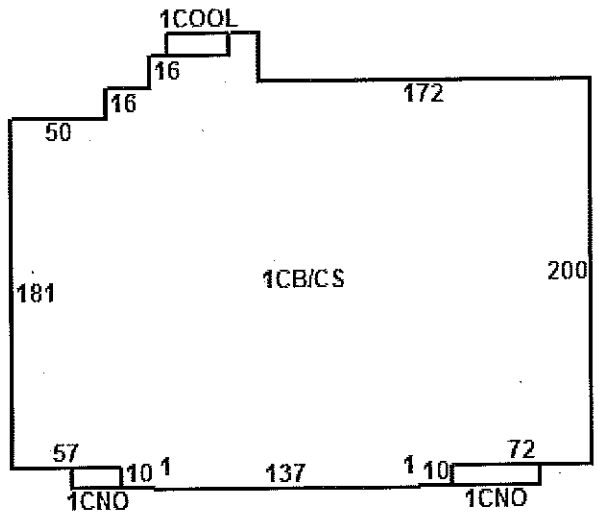
Main and Addition Summary

	Story	Type	Code	Area	Inc
M	1	CB/CS		62181	
A	1	CN O	0310	260	
B	1	COOL	#	384	
C	1	CN O	0310	450	
D					
E					
F					
G					
H					

Other Improvements

Units	DesItem	Code	Year	%ADJ	Inc	Value

Building Sketch



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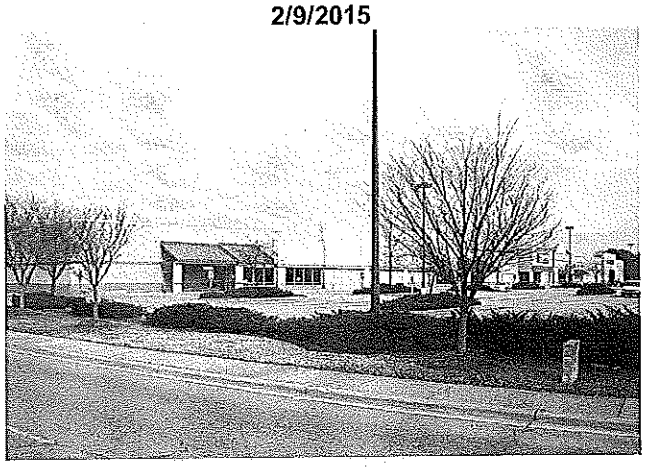

0209867 02/09/2015