



Legislation Text

File #: 24-030, **Version:** 1

Minor Modification of a Special Use Permit-A

PURPOSE: Town Council is asked to consider approving a resolution authorizing a change to the front façade of the building at 203 West Weaver Street.

DEPARTMENT: Planning

CONTACT INFORMATION: Marty Roupe, Development Review Administrator, 919-918-7333, mrroupe@carrboronc.gov

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☒ Other

This item relates to the town's Land Use Ordinance. Racial Equity pocket questions have been answered and are included as an attachment.

INFORMATION: Yaniv and Meitali Cohen, new owners of 203 West Weaver Street, have applied for a Minor Modification to the previously approved Special Use Permit-A. The permit was originally issued in April 2002, allowing for a restaurant / bar / nightclub use, with outside service and consumption (Attachment B and Item D.1 at http://www01.townofcarrboro.org/BoA/Agendas/2002/04_16_2002.htm). A permit modification was approved in May 2013 to allow changes in the outdoor seating area, including the addition of a pergola, <https://carrboro.legistar.com/LegislationDetail.aspx?ID=1429132&GUID=9F69E624-D12E-4499-9517-3A3DC950B128&Options=&Search=>> .

The requested modification, if approved, will allow for a change to the front façade involving the removal of existing windows and wall and installation of larger window panels, called bifolding windows (Attachments C and D). The proposed windows span the entire façade, top to bottom.

The new owners are working toward opening a bakery in the space, which is consistent with the existing use category for the site, so the only modification requested at this time involves a change to the façade to allow for the new window panels.

The building is located within the B-2 zoning district, which encourages preservation of the existing character and appearance of the area while balancing that with ensuring that residential structures can be converted and adapted to commercial use. The zoning district description for B-2, Fringe Commercial, is provided below and Council should consider the request accordingly:

B-2 Fringe Commercial. *This district is a transitional district which is designed to accommodate commercial uses in areas that formerly were residential but that now may be more desirable for commercial activities due to high traffic volumes and proximity to other nonresidential districts. At the same time, continued residential use of existing and nearby structures, and preservation of the existing character*

and appearance of this area is encouraged. Accordingly, however, whenever the use of the land in this district is changed to commercial, it is intended and desired that existing residential structures be converted and adapted to commercial use rather than new buildings constructed, and to encourage this, the regulations for this district allow development at a lower density than is permitted in the B-1 districts and permit uses that tend to generate minimal traffic. In this way, the B-2 district should provide a smoother transition from the more intensively developed B-1 areas to residential areas. Any development within the B-2 district shall comply with the following requirements: (AMENDED 9/06/88; 6/20/06).

- a. To the extent practicable, development shall otherwise retain, preserve and be compatible with the residential character of the older homes within and immediately adjacent to this district;*
- b. To the extent practicable, vehicle accommodation areas associated with uses on lots in this district shall be located in the rear of buildings so that parking areas are not readily visible from the streets*

Also of note is that the building is included in the Carrboro, N.C. Architectural & Historical Inventory. The page containing information about this building is attached for your consideration while reviewing the requested change to the façade.

The Land Use Ordinance does not have explicit standards describing how a change of this nature should be viewed beyond the guidance provided above. Since it involves a visual change to the building, it is considered a minor modification to the permit, which requires that the request be brought before Town Council for a decision.

A public hearing is not required for this request. However, the Town Council has the discretion to hold one if they deem it necessary to gather additional public input before deciding.

FISCAL IMPACT: Application fees are paid by the applicant. No other fiscal impacts are noted.

RECOMMENDATION: Staff recommends that Town Council consider the request and decide whether to adopt the attached resolution (Attachment A), authorizing the minor modification to the Special Use Permit-A.