



## Legislation Details (With Text)

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|-----------------------|---|----------------------|---|-------------------|--|
| <b>File #:</b>        | 21-331  | <b>Version:</b>      | 1 | <b>Name:</b>      |  |
| <b>Type:</b>          | Agendas   | <b>Status:</b>       |   | Agenda Ready      |  |
| <b>File created:</b>  | 9/29/2021   | <b>In control:</b>   |   | Board of Aldermen |  |
| <b>On agenda:</b>     | 10/5/2021   | <b>Final action:</b> |   |                   |  |
| <b>Title:</b>         | Request for a CUP Permit Extension for 300 East Main<br>PURPOSE: Town Council is asked to review and consider approving a request for an extension of the date when a Conditional Use Permit would otherwise expire for the 300 East Main CUP.                      |                      |   |                   |  |
| <b>Indexes:</b>       |   |                      |   |                   |  |
| <b>Code sections:</b> |   |                      |   |                   |  |
| <b>Attachments:</b>   | 1. Attachment A - Resolution, 2. Attachment B - Letter From Applicant, 3. Attachment C - Excerpt From March 16, 2021 Town Council Meeting Minutes, 4. Attachment D - CUP Document, 5. Attachment E - LUO Section15-62, 6. Attachment F - Permit Extension Worksheet |                      |   |                   |  |

| Date | Ver. | Action By | Action | Result |
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### TITLE:

Request for a CUP Permit Extension for 300 East Main

**PURPOSE:** Town Council is asked to review and consider approving a request for an extension of the date when a Conditional Use Permit would otherwise expire for the 300 East Main CUP.

**DEPARTMENT:** Planning Department

**CONTACT INFORMATION:** Marty Roupe, Development Review Administrator, 919-918-7333, or [mroupe@townofcarrboro.org](mailto:mroupe@townofcarrboro.org) <<mailto:mroupe@townofcarrboro.org>>

**INFORMATION:** Laura Van Sant, on behalf of East Main Square, LLC, has requested a two year extension of the date on which a previously issued Conditional Use Permit (CUP) will otherwise expire (Attachment B). When the request was taken to Town Council in March 2021, Council members voted to grant a six month extension during which the property should address specific requests from Town Council as reflected in the meeting minutes. Agenda materials from the March meeting may be viewed here: [Town of Carrboro - File #: 21-81 \(legistar.com\) <https://carrboro.legistar.com/LegislationDetail.aspx?ID=4835811&GUID=728FBEB2-60DF-4022-A0DA-9ACB8F67A32F&Options=&Search=>](https://carrboro.legistar.com/LegislationDetail.aspx?ID=4835811&GUID=728FBEB2-60DF-4022-A0DA-9ACB8F67A32F&Options=&Search=>), and the meeting minutes are included as Attachment C.

The applicant's letter explains what they have and have not been able to do in the previous six months, and requests that the permit be extended for two years. If this item is approved, the new expiration date will be October 9, 2023. The permit still allows for construction of multiple new five-story buildings that have not yet been built. The CUP document is included for reference as Attachment D.

About item 3 in the minutes, regarding placing bicycle racks in the East Main Street public right-of-way, staff has consulted with NCDOT and determined it is not feasible at this time to do so. NCDOT requires six feet of clearance between a travel lane and where a physical structure such as a bicycle rack can be placed, and this location the right-of-way only extends approximately five feet from the edge of the travel lane.

Permit extensions are regulated by Section 15-62 of the LUO (Attachment E). Also attached is a permit extension worksheet (Attachment F). A resolution approving the request is provided as Attachment A, should Council choose to adopt it.

**FISCAL & STAFF IMPACT:** The applicant has paid the applicable fee associated with this request. No other impact is noted.

**RECOMMENDATION:** Town Council is asked to consider the information provided and decide whether to approve the permit extension request. If adopted, the new expiration date for the permit will be October 9, 2023.