

# BOARD OF ALDERMEN

ITEM NO.: **D(3)**

## AGENDA ITEM ABSTRACT

MEETING DATE: JUNE 1, 2004

**TITLE: MINOR MODIFICATION TO THE CONDITIONAL USE PERMIT FOR 201 NORTH GREENSBORO STREET**

<b>DEPARTMENT:</b> PLANNING DEPARTMENT	<b>PUBLIC HEARING:</b> YES ___ No <u>X</u>
<b>ATTACHMENTS:</b> A. LAND USE PERMIT APPLICATION B. PROJECT PLAN/TOWER RENDITION C. RESOLUTION D. RECOMMENDATION OF APPEARANCE COMM. E. ORIGINAL CUP F. LETTER FROM APPLICANT DEALING WITH SCREENING	<b>FOR INFORMATION CONTACT:</b> JAMES THOMAS, 918-7335

### PURPOSE

Ruffin Slater, representing Public Gallery of Carrboro/WCOM Radio, has submitted an application (see **attachment A**) for a minor modification to an existing Conditional Use Permit (CUP) (see **attachment E**) to allow: 1.) erection of a lattice-type antenna fifty (50) feet tall associated with Public Gallery of Carrboro/WCOM Radio 2.) enclosure of old drive thru area to house radio station and 3.) creation of natural space within the northeastern parking area at 201 North Greensboro Street. Pursuant to Section 15-64(b) of the Town of Carrboro Land Use Ordinance, a minor modification to a CUP is permissible with the approval of the Board of Aldermen. The Administration requests that the Board review, deliberate and make a decision regarding the minor modifications to the existing CUP.

### INFORMATION

The CUP for the property at 201 North Greensboro Street was originally issued on September 24<sup>th</sup>, 1991. The application currently before you amounts to a minor modification to the existing CUP. Per the Table of Permissible Uses, the proposed use will be considered a "Combination Use (27.000)"- consisting of uses 2.110, 3.120 and 18.100. If approved, the minor modification would allow: 1.) erection of a lattice-type antenna fifty (50) feet tall associated with the Public Gallery of Carrboro/WCOM Radio to be placed adjacent to the northern portion (old drive thru area) of the building 2.) enclosure of old drive thru area to house the radio station and 3.) creation of natural area within the northeastern parking area at 201 North Greensboro Street.

## **Additional Information Related to Antenna Addition**

### **Background**

Ruffin Slater, representing Public Gallery of Carrboro/WCOM Radio, approached the town about erecting a lattice-type tower fifty (50) tall, use #18.100, to be placed near the northern portion of the building or adjacent to the old drive thru portion of the building. The old drive thru area will be enclosed with metal type siding with glass windows along the North Greensboro Street (**see attachment B**). This lattice-type tower and drive thru enclosure will be associated with Public Gallery of Carrboro/WCOM Radio. It should be noted that Section 15-176 of the LUO is not applicable in this case due to the proposed tower not exceeding fifty (50) in height.

### **Creation of Natural Area**

The northeastern parking area that consisted of five (5) parking spaces and one (1) motorcycle pad has been mulched over in order to create a natural area. A stone walkway has been created within this mulched in area to the front door of the building. Caution has been taken to restrict this mulch from entering the catch basin at the corner of North Greensboro Street and West Weaver Street.

### **Parking**

The reduction in parking due the to the creation of the natural area will delete five (5) parking spaces and one (1) motorcycle pad. This reduction of five (5) parking spaces and one (1) motorcycle pad still exceeds the required parking spaces for this combination use due to the twenty-six (26) parking spaces adjacent to this building. No additional parking spaces are required with the addition of the tower.

### **Screening Requirements**

Per Section 15-308 "Table of Screening Requirements" of the LUO, a type "A" screen is required along all property lines with the addition of the proposed antenna. A type "A" screen is only provided along the northern property line.

Per a text amendment adopted by the Board of Aldermen on May 25<sup>th</sup>, 2004, the Board may choose to approve the minor modification even though the prescriptive screening is not in place. In this case, it is not possible to install the prescriptive screening due to the presence of existing pavement.

### **Appearance Commission Review**

The Appearance Commission reviewed the proposed fifty (50) foot lattice-type antenna and drive thru enclosure for the property at 201 North Greensboro Street at their May 6<sup>th</sup>, 2004 meeting (**see attachment D**) and recommended approval as presented.

### **Public Hearing**

It is within the purview of the Board of Aldermen to call a public hearing before rendering a decision on the requested changes. Specifically, with regard to Minor Modification requests, Section 15-64(b) of the LUO states the following: "Unless it is requested by the permit issuing authority, no public hearing shall be required for such minor modification."

**RECOMMENDATION**

The Administration recommends that the Board of Aldermen adopt the attached resolution approving the Minor Modification to the Conditional Use Permit for the property at 201 North Greensboro Street, which would allow: 1) erection of a lattice-type antenna fifty (50) feet tall associated with the Public Gallery of Carrboro/WCOM Radio 2) enclosure of old drive thru area to house the radio station; and 3) creation of natural area within the northeastern parking area.