

**BOARD OF ALDERMEN**

**ITEM No. A(2)**

**AGENDA ITEM ABSTRACT**

**MEETING DATE JANUARY 24<sup>TH</sup>, 2012**

**SUBJECT: REQUEST FOR CONDITIONAL USE PERMIT FOR RESTAURANT WITH OUTSIDE SERVICE/CONSUMPTION (LOOKING GLASS CAFÉ) AT 601 WEST MAIN STREET**

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| <b>DEPARTMENT: PLANNING DEPARTMENT</b>  | <b>PUBLIC HEARING: YES X NO</b>                           |
| <b>ATTACHMENTS:</b><br>A. CUP PLANS<br>B. STAFF REPORT<br>C. PLANNING BOARD JOINT REVIEW COMMENTS<br>D. NEIGHBORHOOD MEETING DOCUMENT<br>E. LAND USE APPLICATION FORM<br>F. ORIGINAL ZONING PERMIT FOR RESTAURANT<br>G. CUP WORKSHEET | <b>FOR INFORMATION CONTACT:</b><br>JAMES THOMAS, 918-7335 |

**PURPOSE**

Carolyn Griggs and Susan Manring have submitted an application for a Conditional Use Permit (CUP) to allow for a restaurant with outside service/consumption at an existing commercial building located at 601 West Main Street. Prior to reaching a decision on a request for a CUP, the Board of Aldermen must hold a public hearing to receive input. Town staff recommends that the Board of Aldermen hold a public hearing and consider issuing the requested Conditional Use Permit.

**INFORMATION**

Carolyn Griggs and Susan Manring have submitted an application for a restaurant with outside service/consumption at an existing commercial building at 601 West Main Street. The applicants currently run an existing restaurant there called The Looking Glass and received a Zoning Permit on January 29<sup>th</sup>, 2009 for this use.

Please note that the applicants are requesting a Conditional Use Permit due to Section 15-147(i) of the Land Use Ordinance that requires this type of permit once the proposed use exceeds 1,500 square feet.

The existing condition of the site contains a +/- 7,500 square foot one story masonry building that houses an architectural firm in the rear portion of the building while the existing café houses the front portion of the building, but intends to expand with the approval of the Conditional Use Permit into the old Cycle 9 Bike Shop space. The present café is 1,495 square feet and the proposed new café will be 3,370 square feet, of which 2,700 square feet will be for tables and chairs.

Please note, there will be no additional construction or grading of the existing lot with the approval of the Conditional Use Permit.

The subject property is zoned General Business (B1-G). It contains .756 acres and is listed Parcel Identification Number 9778-67-3394.

**STAFF RECOMMENDATION**

Town staff recommends that the Board of Aldermen approve the Conditional Use Permit for 601 West Main Street for a Restaurant with Outside Service/Consumption (Use# 8.200) with the relief and conditions listed below.

If the Board finds the applicant's justification for the non-conforming-situations-to-remain and the parking deviation, acceptable, then the following additional conditions are recommended:

1. That the Board hereby grants a deviation from the presumptive parking requirements of Section 15-291 based upon the justification provided by the applicant.
2. That the deviation from the paving of the parking lot per Section 15-296(a) be waived per the justification provided by the applicant.
3. That the 10' sidewalk width requirement of Section 15-221(f) be waived based on the applicant's justification that the non-conformity of the existing sidewalk be allowed to remain.
4. That, per the provisions of Section 15-309 of the Carrboro Land Use Ordinance, the screening requirements of Section 15-308 as they are applied to all property lines are waived based upon the applicant's justification.
5. That, per Section 15-317 of the Land Use Ordinance, the 20% percent shading requirement for the parking lot be waived based upon the applicant's justification.

In addition, Town Staff would recommend that the following conditions be part of the approval of the Conditional Use Permit:

1. That the parking spaces be demarcated per Section 15-296(c) of the Land Use Ordinance prior to the release of the Certificate of Occupancy.
1. That the paving of the two existing driveways entrances on West Poplar Avenue will be completed per Section 15-296(b) of the LUO prior to the release of the Certificate of Occupancy.