



1721 E. Franklin Street – Special Use Permit Modification
Staff: Britany Waddell, Corey Liles, Charnika Harrell
Meeting Date: November 12, 2025

Project Overview

- Network Towers, LLC, on behalf of House Harris Holdings, LLC (Owner), requests a Special Use Permit (SUP) Modification to allow the construction of a new non-concealed wireless telecommunications tower.
- The proposed tower is 195 feet tall.
- The property is encumbered by an existing SUP for the two existing broadcast towers that was granted on June 13, 1966, and last modified on April 12, 1976.
- The existing broadcast towers are both 203 feet tall.

Staff Recommendation

Staff finds that the project, with the requested modifications to regulations and subject to the stipulations in the Resolution, can comply with all regulations of the Land Use Management Ordinance.

Staff recommends Council evaluate the requested special use permit modification using the applicable Findings of Fact.

Staff Analysis

A Special Use Permit (SUP) is a permit allowing for the establishment of certain uses, in certain districts, which require special review for design, location, and impact. Review of a SUP application is a quasi-judicial development decision. It requires an evidentiary hearing during which Council hears sworn testimony and gathers competent, material, and substantial evidence regarding the specific item before Council. Applicants and those with standing may speak or present evidence regarding the application during the hearing.

Section 4.5.2(a) of the Land Use Manage Ordinance (LUMO) requires Council make four Findings of Fact to grant a SUP. Council must make each finding and determine whether the SUP can be granted based on the competent, material, and substantial evidence gathered during the hearing. The applicant bears the burden of producing evidence. If the applicant presents evidence that the proposed special use meets each finding of fact, then the applicant is entitled to approval of the SUP, barring other competent, material, and substantial evidence demonstrating the opposite.

1. Findings of Fact. Council must make the following findings to approve an SUP:

- *Finding #1:* That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.
- *Finding #2:* That the use or development complies with all required regulations and standards of this chapter, including all applicable provisions of articles 3 and 5, the applicable specific standards contained in the supplemental use regulations (article 6), and with all other applicable regulations.

- *Finding #3:* That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity.
- *Finding #4:* That the use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.

Evidence offered in support: The applicant has submitted written evidence indicating that the use can meet the four findings. See applicant's responses in the Statement of Justification and materials published with the packet. Additional sworn testimony may be presented during the evidentiary hearing.

For Finding #2, staff find that the application can comply with regulations of the Land Use Management Ordinance, subject to approval of all requested modifications to regulation.

- 2. Modifications to Regulations:** Council must make a finding that public purposes are satisfied to an equivalent or greater degree to approve a requested modification to regulation.

The applicant requests the following modifications to regulations:

	LUMO requirement	Requested modification
Modification #1	30% tree canopy coverage	25% tree canopy coverage
Modification #2	1 parking space required within equipment compound area	Allow required parking space to be outside the equipment compound area
Modification #3	10-foot-wide planted buffer along site perimeter	Replace planted buffer with a fence
Modification #4	Maximum tower height of 120 feet, excluding lightning rod	Maximum tower height of 199 feet, excluding lightning rod

Regarding Modification #1 and Modification #3, staff advised the applicant to minimize disturbance within the floodplain. In response, the applicant requested to modify planting requirements to minimize floodplain disturbance. See Requested Modifications to Regulations for more information.

Staff believe that Council can find that public purposes are satisfied to an equivalent or greater degree for the requested modifications to regulations. See the Resolution for more information on requested modifications and proposed findings.

Summary of Comprehensive Plan Consistency

Viewed through the holistic lens of the [Complete Community Strategy](#), this project **meets applicable goals** of the Town's strategy for growth. No single issue raised below should be considered in isolation.



Consistent



Somewhat Consistent



Not Consistent

N/A Not Applicable



Chapel Hill will direct growth to greenways, transit corridors, large infill sites with existing infrastructure, and smaller infill sites.

- The site is located near an existing transit corridor and greenway. The project is for a new non-concealed tower and equipment compound area on a lot that has two existing broadcast towers.



Goal 1: Plan for the Future Strategically

Associated Comp. Plan Elements:

- [Future Land Use Map](#)
- [Shaping Our Future](#)

- The site is in the North 15-501 Focus Area of the Future Land Use Map (FLUM).
- The FLUM shows the site as Future Parks and Open Space and within the 100-Year Floodplain.

N/A

Goal 2: Expand and Deliver New Greenways for Everyday Life

Associated Comp. Plan Elements:

- [Mobility & Connectivity Plan](#)
- [Connected Roads Plan](#)

- The project is located near the Booker Creek greenway. The location of the tower and equipment compound area will not interfere with the existing greenway.
- No additional greenway facilities are needed to provide consistency with plans.



Goal 3: Be Green and Provide Housing

Associated Comp. Plan Elements:

- [Climate Action & Response Plan](#)

- The tower and equipment compound area are sited to minimize the footprint in the floodplain and limit disturbance of environmentally sensitive areas.

N/A

Goal 4: Plan for Excellence in the Public Realm and Placemaking

- The tower is located outside the public realm.

Public Engagement

Staff provided mailed notice to abutting property owners and other notifications according to LUMO requirements.

Project Location

