

## 02-22-2023 Town Council Meeting Responses to Council Questions

### **ITEM #16: Open an Evidentiary Hearing for an Application for a Special Use Permit Modification for 1507 & 1509 E. Franklin Street**

**Council Question:**

How many non-bank drive-thrus do we currently have in Chapel Hill and where are they located? The Sunrise Biscuit Kitchen to the west of this site on Franklin often has cars from its drive-thru spilling out onto Franklin. What measures is the current applicant planning to prevent this from happening at their site?

**Staff Response:**

*Special Use Permits are reviewed during quasi-judicial proceedings. Per the guidance of the Town Attorney, staff cannot answer questions regarding the applicant's proposal as the evidentiary hearing is the appropriate venue for questions.*

**Council Question:**

Can our staff provide testimony as to the impact a drive-through would have on our community's public health and safety, specifically, the Town's Climate Action Plan goals re GHG emissions and our Complete Community goals re walkability and pedestrian safety?

**Staff Response:**

*No, the Town is not a party to the quasi-judicial proceeding and the Town staff's role is administrative. Therefore, staff do not have legal standing to provide testimony outside of the presentation of the facts of the case and application submitted .*