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3Cups coffee shop faces eviction

Long-running feud over parking precedes the move by the owner of The Courtyard

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CHAPEL HILL - A popular Franklin Street coffee shop is packing up and moving after its landlord filed eviction papers.

Lex Alexander, the owner of 3Cups, a small shop specializing in gourmet coffee, has been feuding with landlord Spencer Young over parking since last year.

On Wednesday, Young's attorney filed to have 3Cups evicted.

Young owns The Courtyard, a collection of small restaurant and office spaces in the 400 block of West Franklin Street. But most of the parking that's attached to the center by a special zoning permit is owned by Chapel Hill landowner P.H. Craig.

Young won't pay Craig rent for the spaces, and Craig won't sell the lot to Young. Since the middle of 2007, Craig has blocked off his portion of the lot with railroad ties and piles of gravel, cutting the available spaces from 79 to 23.

And that's not enough to support a business, Alexander said.

"We're coming up on a year of this parking fiasco," he said. "I've lost most of my customers who were in their 40s, 50s, 60s, 70s."

Alexander said students and younger customers have kept the business going with walk-in traffic, but he said he has had to cancel lucrative evening wine tastings because of the parking.

Alexander blamed the town of Chapel Hill for not enforcing the conditions of The Courtyard's special use permit. The permit dictates how much parking should be available.

"I'm really disappointed with the city's inability to take any action," Alexander said.

Public officials have tried to help. They bagged 35 parking meters on nearby Cameron Avenue for Courtyard employees.

Business leaders also intervened. The Chapel Hill Downtown Partnership even paid for legal mediation between Young and Craig, to no avail.

Because of the parking dispute, 3Cups and its sister business SandwHich have been paying their rent into an escrow account, instead of to Young or his management company. Last month, Young had the locks changed on both businesses, locking them out for a day.

Young's lawyer said Wednesday that his client will continue to seek back rent from Alexander. "Their view of what they owe as rent ... is a lot different from our view, and we were unable to settle it," Reef Ivey II said.

"Mr. Alexander has not paid his rent, contrary to his lease, since September of 2007," Ivey said. "Apparently we cannot negotiate with him."

Feuds With Everyone

Lousy Landlord

The Town and others have tried to help

Feuds With Everyone



The parties were in court Tuesday over an extension to a temporary injunction that among other things would keep Young from locking out the business. The judge ruled in favor of 3Cups but said it would have to post a \$35,000 bond in case a future court ruling finds in Young's favor, Ivey said.

Lousy Landlord



On Wednesday, Ivey filed a summary eviction notice.

"We're not going to fight it," Alexander said, though he added his lawyer was trying to work out a settlement for 3Cups to leave on its own terms. But one way or another, 3Cups is moving, he said.

Alexander has signed a new lease on Elliott Road near the Whole Foods, he said. "We hope to open in the early fall." The location is near where Alexander ran the Wellspring grocery before selling it to Whole Foods.

Alexander said it's not clear when 3Cups will shut its doors on Franklin Street. Efforts to reach SandwHich's owners were unsuccessful.

"The thing I'll miss the most is the West End. There are just so many interesting, talented great owner-operators of businesses in the West End," Alexander said. "I'll miss those folks."

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