

**PLANNING APPROVAL &
SUBDIVISION STAFF REPORT****Date: May 17, 2007**

<u>DEVELOPMENT NAME</u>	Mt. Zion Baptist Church (Ben Cummings, Agent)
<u>SUBDIVISION NAME</u>	Mt. Zion Subdivision, Unit One & Two
<u>LOCATION</u>	1001, 1007, 1009, & 1012 Adams Street and 263 North Pine Street (Southwest corner of Adams Street and North Pine Street & North side of Adams Street, 120'± West of North Pine Street, extending West to Kennedy Street and North to Basil Street)
<u>CITY COUNCIL DISTRICT</u>	District 2
<u>PRESENT ZONING</u>	R-2, Two-Family Residential
<u>AREA OF PROPERTY</u>	2 lots / 1.8± Acres
<u>CONTEMPLATED USE</u>	Planning Approval to allow expansion of an existing church, and Subdivision approval to create two lots.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Not provided.
<u>ENGINEERING COMMENTS</u>	Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.
<u>TRAFFIC ENGINEERING</u>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.
<u>URBAN FORESTRY COMMENTS</u>	Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).
<u>FIRE DEPARTMENT COMMENTS</u>	No comments.
<u>REMARKS</u>	The applicant is seeking Planning Approval to allow expansion of an existing church in an R-2, Two-Family Residential District, and Subdivision

approval to create two lots. The Zoning Ordinance requires Planning Approval for the location and/or expansion of a church in residential districts. The site is located in Council District 2, and the applicant states that the site is served by public water and sanitary sewer facilities.

The applicant states that the addition to the church “*will consist of a double-sided, hospital size elevator to be able to hold caskets,*” and bathroom facilities. The Subdivision will consolidate multiple parcels and lots into two lots.

The site is bounded to the South, West, and North by residences and another church, and to the East by a facility associated with Bishop State Community College.

The review required for Planning Approval examines the applicant’s location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district. It is very important to note that the Planning Approval review is site plan specific; therefore, any future changes to the site plans, as approved, by current or future applicants must be submitted for Planning Approval review.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The plat illustrates the proposed 1.8-acre \pm , 2-lot subdivision, which is located in the area bounded by Basil Street to the North, Kennedy Street to the West, Pine Street to the East, and bisected by Adams Street. All streets are minor streets with adequate rights-of-way.

Access management is a concern due to the fact that Lot 1 of Unit One, the main church site, has frontage onto three streets, while Lot 1 of Unit Two has frontage onto two streets. It is recommended that Lot 1 of Unit One be limited to the three existing curb-cuts onto Adams Street, and denied access to Kennedy and Basil Streets. Lot 1 of Unit Two should be limited to one curb-cut either onto Pine or Adams Street, with the size, design and location to be approved by Traffic Engineering.

The 25-foot minimum building setback line from all street frontages is not shown on the preliminary plat or Planning Approval site plan but would be required on the final plat and site plan, if approved.

Section V.D.6. of the Subdivision Regulations states that “*where necessary by reason of curb radii, property lines at street intersection corners shall be arcs having radii of at least 10 feet, or shall be chords of such arcs.*” The Subdivision plat and Planning Approval site plan should be revised to reflect this requirement of the Subdivision Regulations.

Regarding the existing church site, it appears that the site currently has approximately 10,000 square feet of building footprint, thus the proposed 620 square foot \pm addition will be minimal. No information was provided regarding the number of seats in the church sanctuary, nor other uses that occur on the site. Some paved parking is provided on site, but no information was

provided regarding the number of spaces. It also appears that the site does not comply with the tree and landscaping requirements of the Zoning Ordinance, however, there are several large trees on the site, and the limited nature of proposed improvements would not normally trigger compliance with the tree and landscaping requirements.

With regard to the general compatibility, the church use has existed at this site for many years, and the proposal would only minimally expand the existing facility to the rear to include a hospital-sized elevator to facilitate the transfer of caskets during funeral events, and new restrooms for the church facility. Thus the expansion would not result in any expansion of sanctuary area, and the improvements would not change any other aspect of the existing site. Because churches occur in residential areas through Planning Approval, however, some buffering from adjacent residential uses is normally required. It is recommended that a buffer that complies with Section V.A.7. of the Subdivision Regulations and Section 64-4.D.1. of the Zoning Ordinance be provided along the property boundary immediately behind the existing and proposed church facilities.

Although the addition will be rather small, compliance with the Engineering Department's storm water regulations may be required for the new construction.

It should be noted that for any future application for Planning Approval, information regarding number of seats in the sanctuary, number and location of parking spaces, existing trees and landscape area, and any other information about other uses of the site (day care, classrooms, etc) should be provided with the application. The applicant should anticipate that future Planning Approval applications may require that the site be brought into some level of compliance with the Zoning Ordinance, including the tree and landscaping requirements.

The Zoning Ordinance only allows vehicular parking within paved parking areas for commercial and institutional uses, thus if any of the grassed areas associated with the site, or on the vacant lot across the street (which is part of the Subdivision but is assumed not to be part of the Planning Approval because it is not shown on the site plan) are used for church-related parking, the applicant should either apply for a variance to allow such parking, or those parking areas should be indicated on a new application for Planning Approval, and should be designed to city standards.

Finally, the labeled scale on the site plan does not reflect the actual scale of the drawing. Subsequently, several dimensions are incorrect. The scale labels should be corrected and the dimension corrected as needed.

RECOMMENDATION

Planning Approval: Based on the preceding, it is recommended that this application be approved subject to the following conditions:

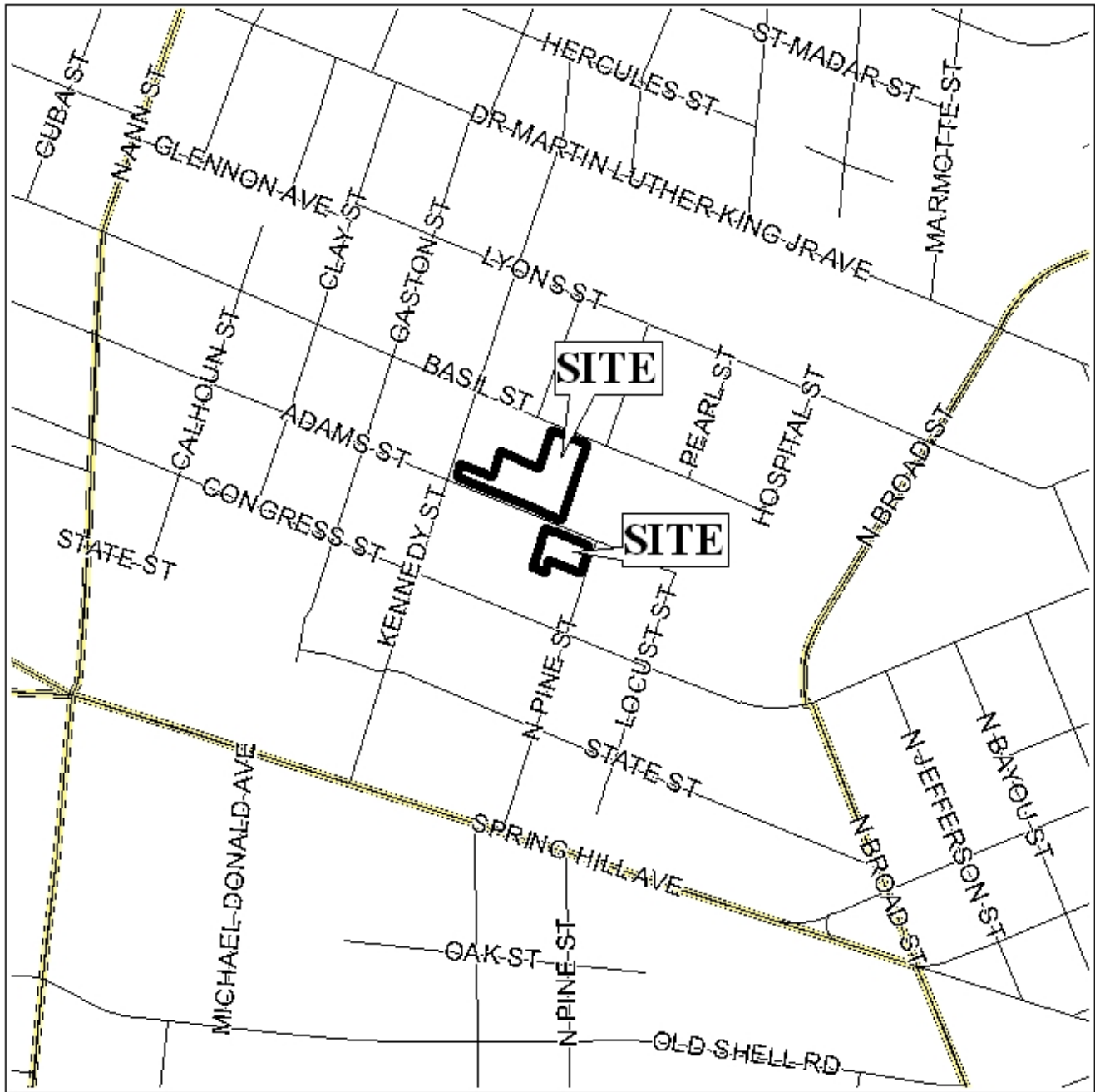
- 1) completion of the Subdivision process;
- 2) placement of a note on the site plan stating that the site is limited to the three (3) existing curb-cuts onto Adams Street;
- 3) revision of the site plan to show compliance with Section V.D.6. of the Subdivision Regulations;

- 4) depiction of the required 25-foot minimum building setback line from all street frontages
- 5) depiction and provision of a 6-foot high (minimum) wooden privacy fence or vegetative buffer that complies with Section 64-4.D.1. of the Zoning Ordinance along the 159-foot \pm wide property line behind the existing and proposed church structures;
- 6) placement of a note on the site plan stating that a new application for Planning Approval will be required for any future changes to the site plan, including the use of the grassy areas or adjacent lots for parking;
- 7) revision of the site plan to show the correct scale of 1 inch equals 20 feet, and correction of the dimensions as necessary; and
- 8) provision of a revised Planning Approval site plan to the Planning Section of Urban Development prior to the signing of the final plat

Subdivision: The plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval subject to the following conditions:

- 1) placement of a note on the final plat stating that Lot 1 of Unit One is limited to the three existing curb-cuts onto Adams Street and denied access onto Kennedy and Basil Streets, and that Lot 1 of Unit Two is limited to one curb-cut either onto Pine or Adams Street, with the size, design and location to be approved by Traffic Engineering;
- 2) revision of the plat to comply with Section V.D.6. of the Subdivision Regulations;
- 3) depiction of the required 25-foot minimum building setback line from all street frontages on the final plat;
- 4) depiction and labeling on the plat of a buffer along the 159-foot \pm wide property line behind the existing and proposed church structures in compliance with Section V.A.7 of the Subdivision Regulations;
- 5) revision of the plat to show each lot area in square feet rather than or in addition to acres; and
- 6) provision of a revised Planning Approval site plan to the Planning Section of Urban Development prior to the signing of the final plat.

LOCATOR MAP



APPLICATION NUMBER 21 & 22 DATE May 17, 2007

APPLICANT Mt. Zion Subdivision, Unit One & Two

REQUEST Subdivision, Planning Approval



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single family residential units and duplexes are to the north, south, and southeast of the site. A church and apartments are to the west and a college is to the east.

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LEGEND

R-1

R-2

R-3

R-A

R-B

H-B

B-1

LB-2

B-2

B-3

B-4

B-5

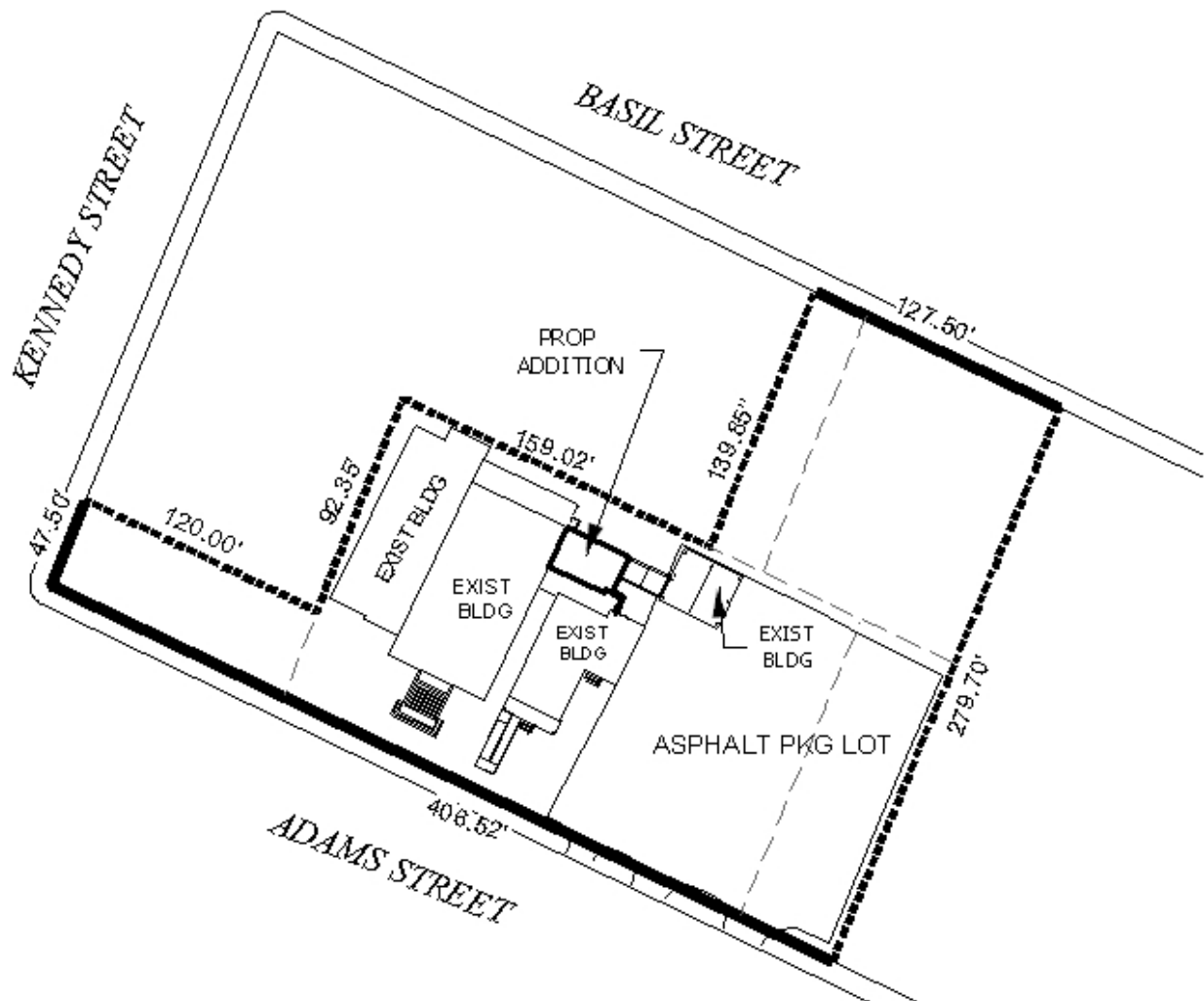
I-1

I-2



NTS

SITE PLAN



The proposed addition, existing buildings, and parking lot are represented in the site plan.

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NTS