

**SUBDIVISION, PLANNING APPROVAL, &  
SIDEWALK WAIVER STAFF REPORT****Date: August 17, 2006****NAME**

Greater Macedonia Baptist Church Subdivision

**LOCATION**1350 Chinquapin Street  
(West side of Peach Street, extending from Spruce Street to  
Chinquapin Street, and South side of Chinquapin Street and  
North Side of Chisam Street, 80' ± West of Peach Street)**CITY COUNCIL  
DISTRICT**

District 2

**PRESENT ZONING**

R-1, Single-Family Residential

**AREA OF PROPERTY**

5.57± Acres

**CONTEMPLATED USE**New fellowship hall and parking lot expansion at existing  
church in R-1, Single-Family Residential district**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediate

**ENGINEERING****COMMENTS**

Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands. **No sidewalk waiver recommended, because no engineering reason presented in support of the waiver request.**

**TRAFFIC ENGINEERING****COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Remove any unused existing driveway cuts.

**URBAN FORESTRY****COMMENTS**

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).

**REMARKS**

The applicant is requesting Planning Approval to allow a new fellowship hall and parking lot expansion at an existing church in an R-1, Single-Family Residential

District; Subdivision approval to create two lots of record from eight lots of record; and Waiver of Sidewalk requirements along all street frontages.

The plat illustrates the proposed 0.9± acre, two-lot subdivision. One proposed lot is located on the West side of Peach Street, extending from Spruce Street to Chinquapin Street; and the other extends from the South side of Chinquapin Street to the North Side of Chisam Street, 80'± West of Peach Street. Chinquapin and Peach Streets each have 50-foot rights-of-way, while Spruce Street has an existing 35-foot right-of-way. The plat indicates that dedication would provide 17.5 between the site and the centerline; however, dedication sufficient to provide 25 feet from the centerline should be required, and that dedication should be noted, as well as illustrated, on the final plat. The plat does not illustrate the right-of-way of Chisam Street; however, this should be shown on the final plat, and, if needed, dedication sufficient to provide 25-feet from its centerline should be required. The spelling of Chinquapin and Peach Streets should also be corrected on the final plat. The 25-foot building setback lines are not shown but also would be required on the final plat. Curb cuts to the site should be limited, as discussed further below.

It should be noted that an existing structure to the West of the site is shown crossing the Western property line of Proposed Lot 1. This structure should either be removed, or the other parcel should be brought into the subdivision to redraw the property lines to eliminate encroachment across the property line and to provide for adequate setbacks.

Regarding the proposed Planning Approval, the site plan shows a fellowship hall to be constructed at the North side of the church (on proposed Lot 1); and additional parking to the East of this proposed addition, as well as on proposed Lot 2, to the South (across Chinquapin Street). The applicant states that the church will accommodate 160 people, and shows 40 spaces to meet the requirements for a church of that capacity. However, there are some issues with the parking layout.

Several required spaces are located in the right-of-way; those are existing, so they may be retained. However, the existing concrete drive should be removed. Due to the angle of the existing parking on Lot 1, cars should enter the lot from Chinquapin Street and exit onto Peach Street, through only one curb cut per street. This will cost the site some required parking spaces, but improving the circulation may take precedence over providing the minimum number of parking spaces, especially given that the overall parking deficit is being reduced for the site.

A result of the existing parking in the right-of-way is that trees cannot be planted along the street frontages, as required by the Zoning Ordinance. The site plan actually shows almost all required trees and landscaping concentrated on the Northwestern portion of proposed Lot 1. While the existing parking need not be removed to make room for landscaping, frontage trees should be provided wherever it is physically possible; those that would have been required where the parking is located may instead be planted in the Northwestern corner of the site, as proposed.

Thus, the site plan should be modified to show revised parking, maneuvering, ingress, and egress, with no more than a single curb cut to each street frontage; and to show that the tree planting and landscaping provisions of the Ordinance are satisfied to the extent that it is possible. It should also be noted, when planning the landscaping, that the site has five street frontages, including Chisam Street, since proposed Lot 2 is a double-frontage lot; trees and landscaping will be required on all frontages.

It should be noted that a Variance is required to allow the off-site parking, and the applicant is seeking that approval from the Board of Adjustment. Planning Approval cannot be considered final until and unless the Board of Adjustment grants Variance approval for the off-site parking.

As the site adjoins residential property, a buffer should be required in compliance with Section IV.D.1 of the Zoning Ordinance.

The applicant is also requesting a waiver of sidewalk construction requirements, citing as justification the absence of sidewalks in the area, topography, economics, and existing improvements. However, no cross-sections have been submitted to justify the topographic reasoning.

It should be noted that the Commission has rarely allowed the absence of sidewalks in an area as justification for waiving sidewalk construction requirements. Further, it has been the policy of the Commission to approve sidewalk waivers only in cases where there was an engineering reason or physical barrier that made installation of the sidewalk impracticable.

While it is true that there are few sidewalks in the area, this is precisely the type of facility that encourages foot traffic. Furthermore, as properties in the area are redeveloped, sidewalks will be required, and this site should not be a missing link in that network. While some parking is located in the right-of-way and may present an obstacle to sidewalk construction, this is certainly not the case for the entire site. Regarding trees and topography, these claims should be supported by evidence including cross-sections of the areas of concern. The site plan only shows three trees that might impact the right-of-way (two to the North of proposed Lot 2 and one at its southern property line with Chisam Street). Revisions should also illustrate the right-of-way and any potential obstacles along Chisam Street.

### **RECOMMENDATION**

**Subdivision** Based on the preceding, this application is recommended for Holdover to the September 21<sup>st</sup> meeting, to allow the applicant to submit revised materials illustrating the Chisam Street right-of-way, as well as revised site plans for the accompanying PUD and Sidewalk Waiver applications. Revisions should be received by August 28<sup>th</sup>.

**Planning Approval:** Based upon the preceding, this request is recommended for Holdover to the September 21<sup>st</sup> meeting, to allow the applicant to submit revised materials illustrating revised parking, maneuvering, ingress, egress, and landscaping; and showing fewer curb cuts; and illustrating the Chisam Street frontage and right-of-way. Revisions should be received by August 28<sup>th</sup>.

**Sidewalk Waiver** Based on the preceding, this application is recommended for Holdover to the September 21<sup>st</sup> meeting, to allow the applicant to submit revised materials illustrating the Chisam Street frontage, including cross-sections for each street that a waiver is being requested for. Cross-sections should also be provided for any additional obstacles that would impede sidewalk construction. Revisions should be received by August 28<sup>th</sup>.

*Revised for the September 21<sup>st</sup> meeting:*

*This application was held over from the August 17<sup>th</sup> meeting, to allow the applicant to submit revised plans and a revised plat illustrating the Chisam Street right-of-way and revised parking, maneuvering, access, landscaping, and additional dedication. Based on the pattern of development in the surrounding area, a waiver of the radius dedication requirement is recommended.*

*The applicant has submitted a revised plat and site plan showing the recommended changes for the Planning Approval and Subdivision applications. No cross-sections have been received in support of the Sidewalk Waiver request.*

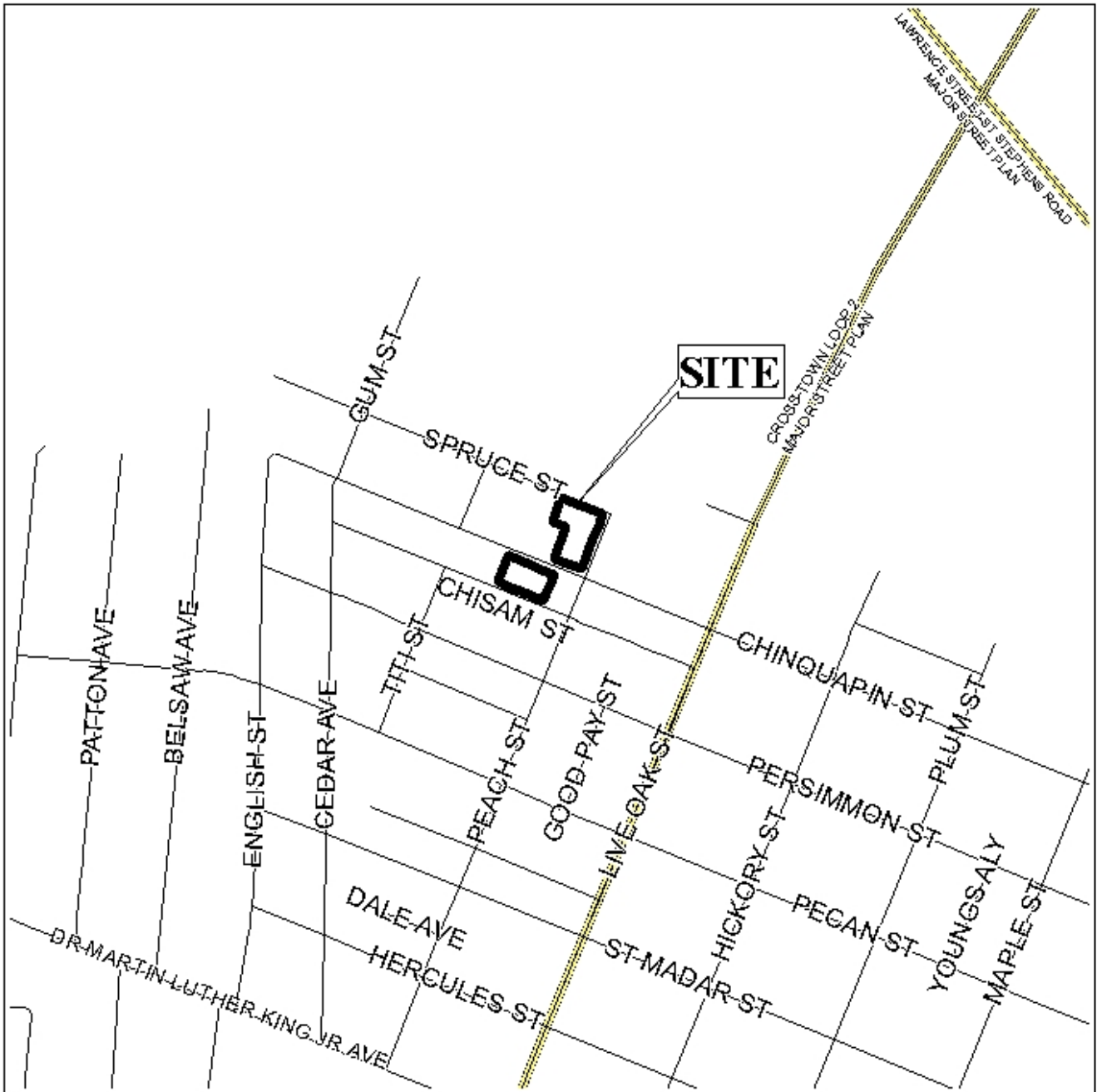
*Since the meeting, the Variance request for off-site parking was approved by the Board of Adjustment.*

***Subdivision***    *Based on the preceding, this application is recommended for Tentative Approval, subject to the following conditions: 1) the placement of the 25-foot building setback lines on the final plat; and 2) dedication of right-of-way as shown on the plat submitted.*

***Planning Approval***    *Based on the preceding, this application is recommended for Approval, subject to the following conditions: 1) that landscaping and tree planting be coordinated with Urban Development; and 2) full compliance with all other municipal codes and ordinances.*

***Sidewalk Waiver***    *Based on the preceding, this application is recommended for Denial, because the applicant failed to show an engineering reason that sidewalks could not be constructed.*

## LOCATOR MAP



APPLICATION NUMBER Holdover DATE September 21, 2006  
APPLICANT Greater Macedonia Baptist Church  
REQUEST Subdivision, Sidewalk Waiver, Planning Approval



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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units

APPLICATION NUMBER Holdover DATE September 21, 2006 N

APPLICANT Greater Macedonia Baptist Church

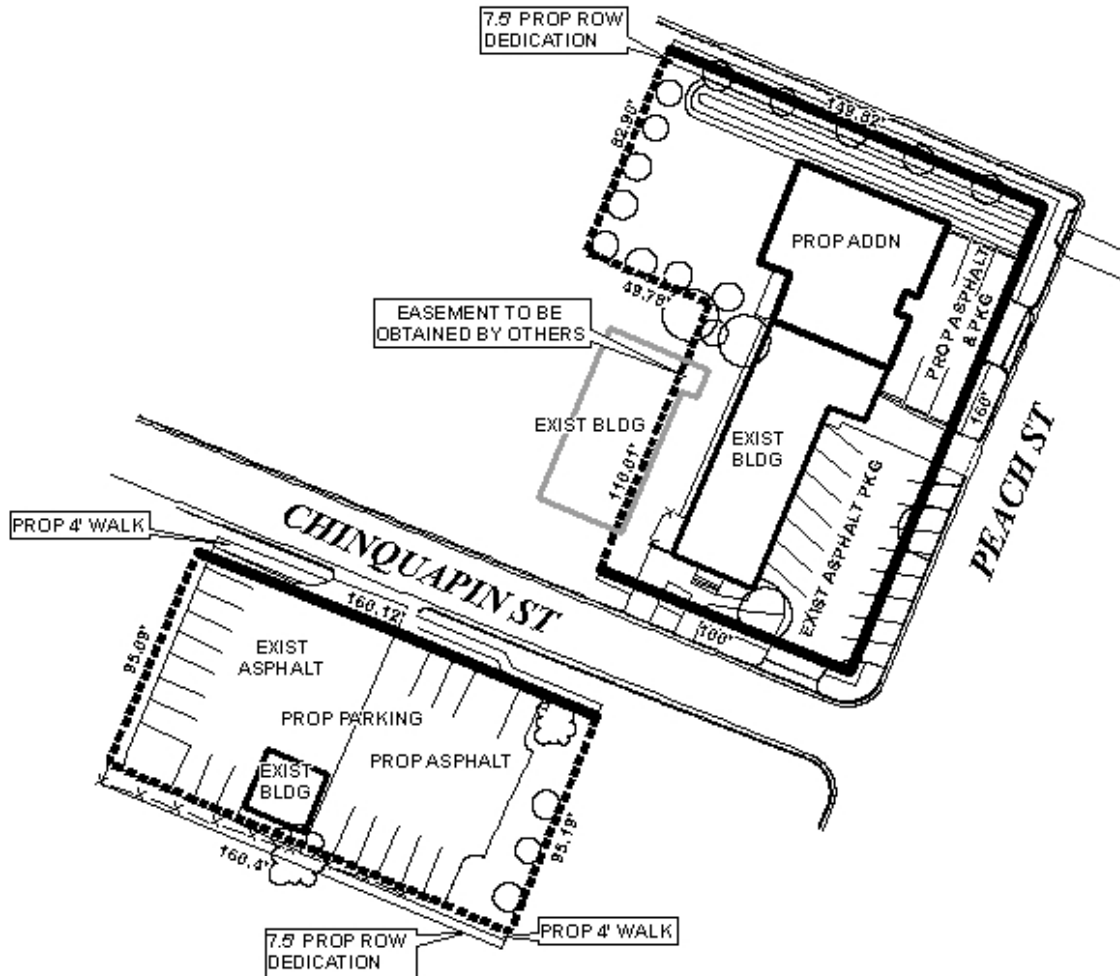
REQUEST Subdivision, Sidewalk Waiver, Planning Approval

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
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# SITE PLAN



The site plan illustrates the existing buildings, parking, along with the proposed buildings, and parking

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