

SUMMARY OF COMMUNITY DESIGN COMMISSION ACTION

Subject: Olin T. Binkley Memorial Baptist Church - Application for Special Use Permit

Meeting Date: March 17, 2004

Recommendation: That the Council approve the Special Use Permit for the Olin T. Binkley Memorial Baptist Church with adoption of Resolution A, as recommended in the Staff Report dated March 17, 2004, subject to the following changes (changes shown in bold text).

1. Construction Completion Date (stipulation #1): Since the applicant anticipates a long build out schedule, change construction completion date from three years to **ten years** after approval date.
2. Elimination of Curb-Cut and Gravel Drive in NCDOT Right-of-Way (along Fordham Boulevard) (stipulation #3): Stipulate that the improvements within NCDOT right-of-way shall be constructed, **if the applicant can obtain an encroachment agreement from NCDOT.**
3. New Curb-Cut on Willow Drive (stipulation #5): Allow full access at the new curb cut by replacing the current stipulation with the following text: **That the new curb-cut on Willow Drive shall be designed and constructed for full access initially. Prior to the issuance of a Zoning Compliance Permit, the design and construction details of this new access shall be reviewed and approved by the Town Manager. The Town Manager shall conduct a before/after traffic analysis two years after completion of the construction of the driveway and, if deemed necessary by the Town Manager, the applicant shall revise the driveway access to a right-in/right-out only driveway. The design and construction details of the right-in/right-out driveway shall be reviewed and approved by the Town Manager.**
4. Elimination of the Curb-Cut and Driveway near University Mall Driveway (stipulation #7): Permit greater flexibility to the applicant's construction timetable by stipulating that installation of new curb, gutter and sidewalk near the University Mall Driveway shall occur within 6 months after the reconstructed Mall driveway is completed or **within 2 years of Council approval date, whichever occurs later.**
5. Stormwater Management Plan (stipulation #22): Permit construction of the proposed rain gardens within the Significant Tree Stand area by replace the last sentence in the first paragraph with the following statement: **That except for land disturbance associated with the installation of the proposed rain gardens, as shown by Attachment #16, land disturbance associated with stormwater management, within the Significant Tree Stand area approved on the Final Plans, shall be prohibited.**

Vote: 10-0

Aye: George Cianciolo, Dale Coker, Chris Culbreth, Thatcher Freund, Laura King Moore, Charlotte Newby, Glenn Parks, Scott Radway, Amy Ryan, Polly Van de Velde.

Nay: None

Prepared by: Charlotte Newby, Chair *CN by GP*
Gene Poveromo, Staff