



SUMMARY OF BICYCLE AND PEDESTRIAN ADVISORY BOARD ACTION

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

Meeting Date: March 23, 2004

Recommendation: The Bicycle and Pedestrian Advisory Board recommends that the Council approve Resolution A, with the following revised and additional stipulations. Revisions are shown in bold.

Revised Stipulation # 3: Elimination of Curb-Cut and Gravel Drive in NCDOT Right-of-Way (along Fordham Boulevard): That prior to the issuance of a Certificate of Occupancy, the applicant shall:

- a. Abandon the eastern Willow Drive curb cut and construct approximately 60 feet of new curb, gutter, a 5-foot wide sidewalk and handicapped ramp, along the south side of Willow Drive, between Fordham Boulevard and the existing curb; and
- b. Remove the gravel lane, **excepting as may be agreed in order to comply with stipulation #4 Encroachment Permit**, re-grade the area and establish a vegetative ground cover. Upon completion of this improvement, use of the Fordham Boulevard right-of-way for parking shall be prohibited.

The final plans for the reconstruction and vegetation of the area along Fordham Boulevard, and the design and length of the new curb, gutter sidewalk and handicapped ramp along the south side of Willow Drive shall be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit

Revised Stipulation # 4: Encroachment Permit: prior to issuance of a Zoning Compliance Permit, the applicant shall secure and provide an encroachment agreement from the North Carolina Department of Transportation for all work, removal of the gravel lane and installation of plant materials, within the Fordham Boulevard right-of-way. **The agreement shall include if possible the partial retention of the existing gravel lane in order to provide a 10 foot bicycle and pedestrian facility in this location parallel to Fordham Boulevard with a view to continuing such a facility southwards in future to Estes Drive using the existing Fordham Boulevard right-of-way.**

Revised Stipulation # 6: Reconfigured Driveway and New Access on University Mall Site. That the applicant shall provide plans for the redesign of the University Mall driveway into a drive with striped left and right turn lanes exiting the site, and one lane entering the site. The redesign shall also include new ingress from the University Mall driveway to the Church's north property line and associated egress drive. **A sidewalk shall be constructed along the east side of the new egress drive up to the northernmost parking space.**

- a. Easements on Church Property: The applicant shall identify all applicable easements (including construction, access, maintenance) necessary on the Church property authorizing the adjacent property owner (University Mall) to reconstruction the Mall driveway into a three lane cross-section. Said easements must be review and approved by the Town Manager and recorded prior to the issuance of a Zoning Compliance Permit.
- b. Easements on University Mall Property: The applicant shall submit applicable ingress, egress and regress easement, whereby the University Mall property owner(s) permit vehicular travel by church members and other associated parties, upon that portion of the reconfigured Mall driveway between Willow Drive and the new access drive described above. The easement shall be reviewed and approved by the Town Manager prior to the commencement of the construction activity for the shared driveway.

Revised Stipulation # 7b:

Demolish that portion of the existing western driveway on the Church property, between Willow Drive and the new access from the University Mall-Harris Teeter driveway. **Construct a five foot walkway connecting Willow Drive to the new northern access and regrade the remainder of this area and establish ground cover.** Following the completion of this work the use of this area for parking shall be prohibited.

The final plans for the regrading/vegetation **and walkway** of this area, and the design and length of the new curb, gutter and sidewalk along the south side of Willow Drive shall be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit.

Additional Stipulation

The proposed meandering sidewalk from Willow Drive to the existing sanctuary shall be omitted. Instead the proposed new sidewalk on the west side of the new access drive shall be extended to Willow Drive.

Vote: 6 – 0.

Aye: Jed Dube (Chair), Wayne Pein, Kate Millard, Heidi Perry, Nicholas Lurie and Rich Killingsworth.

Prepared by: Jed Dube, Chair, Bicycle and Pedestrian Advisory Board
Gordon Sutherland, Principal Planner

