

Montgomery City Council
AGENDA REPORT

Meeting Date: July 27, 2021	Budgeted Amount: N/A
Department: Admin	Prepared By: Dave McCorquodale

Subject

Consideration and possible action regarding a variance request to Section 78-96(b) of the City Code requiring all parking lots to be paved with asphalt or concrete as submitted by Cornerstone Community Church for 14740 Liberty Street.

Recommendation

Consider the request and supporting information and either approve or deny the variance request. Any approval may be contingent on criteria set by the City Council as it deems appropriate.

Discussion

Cornerstone Community Church has recently purchased the China Chapel property at 14740 Liberty Street and plans to use the facility as their new church home. The previous occupant was a non-profit organization who utilized the facility for several years as a counseling center. The parking lot has been gravel/crushed concrete for a number of years and does not appear to have ever been a paved surface. Included for your review are site photos and a survey of the property showing where the church plans to position their parking lot, which is mostly where the existing parking lot is located.

The property has generally mild cross-slopes, but none that would present a unique situation that other developments in the City do not have to deal with. In conversations with the applicant, City staff feels the primary reason for the request is an economic one. For reference, the criteria for granting a variance to the Subdivision Ordinance is included below:

Sec. 78-28. - Variances.

When a subdivider or developer can show that a provision of this Chapter would cause unnecessary hardship if strictly adhered to, or where because of some condition peculiar to the site or the unique nature of the development compliance with this chapter is not consistent with or required by good engineering and planning practices, and if in the opinion of the City Council, Planning and Zoning Commission and the City Engineer, a departure from this Chapter may be made without destroying the intent of this Chapter, the City Council may authorize a variance.

The Planning & Zoning Commission recommends approval of the request per their attached report. The City Engineer does not recommend approval of the variance per their attached report. Because economic hardship is not identified as a criterion for granting a variance, City staff does not find a justifiable reason outlined in the City Code to recommend the variance be granted.

Approved By

Asst. City Administrator	Dave McCorquodale	Date: 07/22/2021
City Administrator	Richard Tramm	Date: 07/22/2021