

**ZONING COMMITTEE
RECOMMENDATION
July 26, 2006**

Rezoning Petition No. 2006-99

Property Owner: Greater Bethel AME Church

Petitioner: Diamond Oak Development, Inc.

Location: Approximately 0.46 of an acre on the southeast corner of Grandin Road and W. 4th Street

Request: Change from R-5 (single family residential) to MUDD (CD) (conditional mixed-use development district) (both in a historic overlay district)

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Vote:

Yeas:	Carter, Cooksey, Loflin, Ratcliffe, Sheild, and Simmons
Nays:	None
Absent:	None

Summary of Petition

This petition seeks to convert a church and parsonage to 15 multi-family units, including an addition to the parsonage and the construction of one new 3 ½-story building.

Zoning Committee Discussion/Rationale

Staff reviewed the petition, noting that the proposed density was far greater than that recommended by adopted plans for the area. Staff also emphasized their belief that the proposed new building was out of character with the historic church being preserved. One member of the Committee asked the staff if other parties had contacted the staff with opposition to this proposal. Staff replied that no other interested parties had expressed opposition. Another Committee member asked the staff what density they thought was appropriate. Staff replied that their opposition was not focused on the density. Their greatest concern was the scale and mass of the proposed building and how it competed with the existing church. The Committee then asked Mr. Loflin, who is the Planning Commission's representative on the Historic District Commission (HDC), to summarize the HDC's discussion of this project. He stated that the proposal has the merit of preserving an historic church and that the majority of the HDC felt the mass and scale were appropriate. While they had concerns over architectural details, the HDC would get those

worked out to their satisfaction. The petitioner's agent was asked if they could reduce the number of units and he replied that since the sanctuary had to be kept intact, only the additional units in the new building made the project feasible. When asked what the relationship was to nearby single family homes, the agent said there was a "significant transition" to them.

Consistency

Upon a motion by Mr. Simmons, seconded by Mr. Loflin, the Zoning Committee unanimously found that although the proposal was inconsistent with the Wesley Heights Neighborhood Plan (1999), the proposal was reasonable and in the public interest.

Vote

Upon a motion by Mr. Loflin, seconded by Mr. Sheild, the Zoning Committee voted unanimously to recommend approval of this petition.

Staff Opinion

Staff disagrees with the Zoning Committee. We respectfully disagree with the HDC on the compatibility of a 3 ½ story residential building connected to this historic church. We also believe that the 3 ½ story building is out of scale with the surrounding 1 ½ story residences. Lowering the building height by 1 ½ stories makes the structure more compatible, reduces the density, and eases the lack of parking for the project.