

**ZONING COMMITTEE
RECOMMENDATION
February 28, 2007**

Rezoning Petition No. 2007-004

Property Owner: Freedom House Church

Petitioner: Freedom House Church

Location: Approximately 26.63 acres located on the east side of Salome Church Road south of Mallard Creek Road

Request: R-3, single family residential to INST (CD), institutional conditional district

Action: The Zoning Committee unanimously recommended **APPROVAL** of this petition with the following contingencies and modifications:

- All CDOT and buffer fencing issues will be resolved prior to the final vote by City Council.
- The existing house will meet buffer requirements unless a variance is granted.
- The petitioner will provide a minimum of 10% tree save area which is equal to 2.6 acres
- Accessory church uses will be permitted as allowed by zoning ordinance.
- Pedestrian scale lighting will be added along Salome Church Road as part of the Phase 2 development.
- Predominate building materials will be brick and stone with other materials and the building fronts along Salome Church Road will not be steel.

Vote:

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

Summary of Petition

This petition proposes to rezone approximately 26.63 acres in order to develop a church with associated office and ministry facilities. The site plan associated with this petition indicates the following:

- The maximum building area is 200,000 square feet including the existing house which will remain as church offices.
- Phase 1: sanctuary and parking along Salome Church Road
- Phase 2: a new sanctuary, additional parking to the rear and along Salome Church Road

- Phase 3: accessory church uses
- A recreational area is shown to the rear of the site and buffers are provided on all sites.
- The existing pond is to remain.
- One of the existing buildings is to be removed.

Zoning Committee Discussion/Rationale

Keith MacVean reviewed the petition and noted that the petitioner had addressed many of the outstanding site plan comments. Planning staff asked for details on the design of the fence within the buffer and this was not provided. He also noted that CDOT requested a traffic impact study which was received, reviewed and comments were forwarded to the petitioner. CDOT did not have adequate time to review the revised site plan. Mr. MacVean stated that staff is comfortable with moving forward on the petition pending the resolution of these issues prior to the City Council's decision.

The Commissioners briefly discussed a possible deferral and suspended the rules. Troy Maxwell, Senior Pastor for Freedom House Church was asked if a 30-day deferral would have an impact on the development. Mr. Maxwell responded that the church is currently renting offices and they would like to work out the issues and keep on schedule so they could move to the property.

Statement of Consistency

Upon a motion made by Carter and seconded by Loflin the Zoning Committee unanimously found this petition to be consistent with the North East District Plan and to be reasonable and in the public interest.

Vote

Upon a motion made by Carter and seconded by Sheild the Zoning Committee voted unanimously to recommend approval of this petition with the noted modifications and provided that all CDOT and buffer fencing issues are resolved prior to the final vote by City Council.

Staff Opinion

Staff agrees with the Zoning Committees recommendation.