

PRE-HEARING STAFF ANALYSIS

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

Summary

This petition proposes to rezone approximately 26.63 acres in order to develop a church with associated office and ministry facilities.

Consistency and Conclusion

The *Northeast Area Plan* recommends residential uses for the petitioned site. Churches are considered compatible with residential uses and are not a specified land use in the area plans. Therefore, this petition is considered consistent with the adopted plans and appropriate for approval upon the resolution of all outstanding site plan issues.

Existing Zoning and Land Use

The properties to the north and south of the site are zoned R-3 and are either vacant or are developed with single-family homes. Across Salome Church Road the properties are zone MX-2 and CC and are vacant or single family in nature. A small amount of R-12 MF is at the intersection of Mallard Creek Road and Salome Church Road. To the east of the site, several properties are zoned and used for industrial purposes.

Rezoning History in Area

The properties to the west across Salome Church Road were rezoned from MX-2 and CC in 1999 (99-33C) for 1172 attached housing units and 107,000 square feet of retail/office space with an overall residential density of 9.89 units per acre.

Public Plans and Policies

The *Northeast Area Plan* recommends residential land uses, up to 4 dwelling units per acre for this and surrounding parcels. The *General Development Policies* do not apply to parcels within the *Northeast Area Plan* because the plan sets residential densities,

Proposed Request Details

This petition proposes to develop the site as a church with associated 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: ministry facilities (for short term housing/accommodations to support ministry functions)
- 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.

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 770 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 1,800 trips per day on a weekday and 2,700 trips per day on a weekend. This will have a significant impact on the surrounding thoroughfare system.

Therefore, we request that the developer submit a Traffic Impact Study (TIS) in order to evaluate the effect that site generated traffic will have on the thoroughfare system in the vicinity. The preparer of the TIS must contact Matt Magnasco (704-336-3368) of the Charlotte Department of Transportation (CDOT) prior to beginning the TIS to determine the study requirements. Since access is proposed to an NCDOT-maintained roadway, they may also require a TIS as part of their driveway permit approval process. They may have additional or different requirements for their approval than what is identified in this rezoning process. The developer/petitioner is recommended to meet with NCDOT early in the development process to identify any issues that they may have. CDOT specific comments that are critical to their support of this rezoning petition are attached.

CATS. CATS is requesting 50 non-exclusive park and ride spaces within the site. Further, CATS requests a waiting pad as per CATS Development Standards 60.01A on Salome Church Rd (across from Mallard Roost Rd. intersection).

Storm Water. The petitioner shall remove notes #2 and #3 under “Storm Water” and replace with the notes on the attached memo.

School Information. This petition will not affect the school system.

Outstanding Issues

Land Use. Churches are considered compatible with residential land uses and the proposal is consistent with the residential land use recommendation of the *Northeast Area Plan*.

Site plan. The following site plan issues are outstanding:

- The existing house must be outside of the buffer area.
- The proposed private drive across from Mallard Roost Road should be a public street.
- Provide 6-foot sidewalk and 8-foot planting strip along Salome Church Road.
- Show the details of the privacy fence.
- Show proposed lighting for recreational area.
- Provide 17.5 % tree save area.
- Provide building elevations and maximum building height.
- Explain the “short term housing/accommodations” in the ministry facilities area. The institutional zoning district does not allow housing.
- The buffers between existing neighborhoods should be undisturbed and noted on the plan
- All buildings should be moved to the street with parking located behind or at a minimum eliminate parking between the building and the street.
- All lights should be fully shielded.
- The corner parcel should be occupied by the Phase 2 Proposed Sanctuary.
- The Phase 1 sanctuary should be located closer to the existing pond and oriented to address the pond.
- Parking along public streets should be well screened with landscaping and decorative masonry walls.
- Provide pedestrian scale lighting along Salome Church Road.
- Label tree save areas.
- Add the following specific language to your note 7 under General Provisions:
"Where conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the stricter condition or existing requirements shall apply."
- Add the following note to rezoning petition site plan:
"Location, size, and type of any Stormwater Management Systems depicted on rezoning site plan is subject to review and approval with full development plan submittal and is not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual stormwater treatment requirements and natural site discharge points."
- The possibility of wetlands and/or jurisdictional streams has been determined. Please add a note to the plans that reads: "Any jurisdictional wetlands or streams, if present, need to be protected or proper environmental permits obtained prior to their disturbance. For 401 permits contact DEHNR. For 404 permits contact the Army Corps of Engineers."
- A tree survey of the setbacks is required WITH the rezoning petition. Site will have to comply with Tree Ordinance.

- We request that any revisions or changes be submitted to the Land Development after zoning approval, pre-submittal meetings are available to discuss specific requirements.