

Public Hearing continued from September 5, 2024 for Life Church (H-2024-0024) by Ella Passey, Land Group, located at 3323 E. Commercial Court

- A. Request: CPAM to amend the Comprehensive Plan Future Land Use Map (CPAM) to change the future land use designation on 6.72 acres of land from Industrial to Commercial.
- B. Request: Rezone of 6.72 acres of land from Light Industrial (I-L) to General Retail and Service Commercial District (C-G) zoning district for the expansion of Life Church and the operation of Life Bible College.

Lorcher: With that I would like to open Item No. H-2024-0024. Life Church has filed for an amendment for the future land use map and a rezone from light industrial to general retail for the expansion of the church and the operation of the Life Bible College. We will begin with the staff report.

Ritter: Good evening, Chair and Commissioners. So, the applicant is requesting an amendment to the future land use map in the comp plan to change the designation from light industrial to general retail service commercial district to allow for the uses of the Life Church and the Bible college, which would be principally permitted uses. The project site is located at the southeast corner of Eagle Road and East Commerce Court. There are two parcels consisting of 6.72 acres of land that are currently zoned light industrial. The parcels are lots in the Commerce Park Subdivision that was recorded in 1979. In 2011 Life Church requested approval of a conditional use permit for the operation of a church in an existing warehouse building. Although a church is not listed in the Comprehensive Plan as a preferred use in the light industrial areas, it is designated as a conditional use in the Unified Development Code. Because the proposed use will be offset of most of the industrial activity that were occurring in the area and there were staging hours of operation, staff believes the church activities would not interfere with the adjacent uses and, furthermore, the building was currently vacant and being underutilized and the Comprehensive Plan -- excuse me. Wasn't showing my slideshow. Encourage the adaptive reuses of vacant -- of existing developed sites. For these reasons staff found the request generally confirmed -- conformed to the Comprehensive Plan. As a Comprehensive Plan map amendment is needed to rezone the property from industrial to commercial, staff is recommending the applicant enter into a development agreement with the city. The current future land use map designation for the property is general industrial and the zoning is light industrial. The applicant is requesting, again, a Comprehensive Plan map amendment to change this in the future land use map to accommodate the rezone to C-G to allow for the uses of the church and the Bible -- again, which would be principally permitted. Mixed-use regional is adjacent to the property to the west and commercial is adjacent to the south, as you can see on the -- on the document on the screen. So, after reviewing the Comprehensive Plan and the nearby properties, staff believes the requested commercial designation is appropriate given the proximity to the railroad and the surrounding industrial uses. Additionally, the commercial

FLUM designation, which already exists to the south of the property, further supports this recommendation. The Comprehensive -- for industrial the Comprehensive Plan identify industrial land uses and designation that allows for a range of uses that support industrial and commercial activities. Industrial uses may include warehouses, storage units, light manufacturing, flex and incidental retail and office uses. So -- and, again, in addition to that is like light industrial and heavy industrial. For commercial it uses -- the land uses are identified as a designation that will provide a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services and office uses, as well as appropriate public and quasi-public uses. Multi-family residential may be allowed in some cases, but should be carefully -- careful to promote a high quality of life through -- through thoughtful site design, connectivity and amenities. And, again, sample zonings are the C-G, the C-C and the C-N. So, the C-G zone is defined as the largest scale and broad mix of retail, office, service, light industrial uses, which close -- with close approximate -- proximity to interstates or arterial intersections. Staff's analysis of the requests are as follows: Alignment with the existing use of the current use. The church fits better with the commercial destination where such uses are principally permitted. Under the general industrial designations. educational institution -- under the general industrial destination industrial -- educational institutions are prohibited and churches require a CUP. So, compatibility and planning goes under the C-G zone suitable for the larger scale. Again, broad mix of retail, office, service, light industrial uses near Interstate and arterial. Surroundings zones. The properties to the south and northwest are zoned C-G, indicating the change to C-G would be consistent, again, with the land use patterns and zoning designations. So, the commercial designation will facilitate the continued operation and potential expansion of the church and the Bible school, promoting a more coherent and compatible land use pattern. Changing the future land use designation to C-G supports the existing uses on the property and aligns with the surrounding commercial and mixed-use areas. So, this is their map for the rezone. It includes both properties. This is a picture of the extension they would like to do on the church. It is this portion right here. And these are pictures of the existing landscaping along. We did note in looking at this property back when it was approved that there were trees that were supposed to be not removed during construction that were not -- that were -- as you can see taken out. So, with their certificate of zoning compliance we will ask that those trees be replanted. These are the proposed elevations. These are just some existing pictures of the property. The city did receive one written testimony and it was from Tim Wallace and he owns the property that is adjacent to the vacant lot. He wants assurance that after the -- if the map amendment is approved that his property will not be affected and will maintain the same rights they had with the current zoning. He wants to make sure they would not be subject to any new limitations of being next door to the C-G zoned property. The -- the rezoning will allow the church to continue operating as it currently is. There -- from what I understand there won't be any changes to the current operation, so I -- staff does not feel that it would have any effect on the adjacent property. And with that staff recommends approval of the proposed amendment to the future land use map and rezone per the provisions in Section 5 in accordance with the findings in Section 6. And at this time I will stand for any questions you might have.

Lorcher: Thank you very much. Would the applicant like to come forward? Hi.

Thompson: Hi there. Tamara Thompson. I'm with The Land Group. Our offices are at 462 East Shore Drive in Eagle. I'm here tonight representing the Life Church and also with me is Pastor Wade Moore should you have any questions for him. Just know that that he is here. So, before you tonight is a comp plan map amendment from general industrial to commercial for -- and a rezone from light industrial to C-G on two parcels. There are 4.22 acres and 2.5 acres for a total of 6.72 acres. Staff gave you a great overview, so I'm not going to -- to rehash all of that. I just want to reiterate that the church is flourishing in their current location and they wish to expand to the vacant lot that they own to the east of their current site and this will be an additional building for the church. The school has 85 students and they are not expanding the school. The school will stay as is and they -- they attend classes ten and a half hours a week, so it's not -- not a -- you know, it's -- it's not every day and -- and that kind of thing. It's -- it's Tuesday, Wednesday and Thursday from the hours of 9:00 to 11:50 a.m. and, then, one evening they do from 6:30 to 9:20 p.m. So, it's off of the -- the peak hours and it's -- it's a very short time. But just reiterate that the Bible college is not expanding. The expansion is for the church, because it's flourishing. Changing the future land use map and the rezone to C-G supports the existing uses on the property and aligns with the surrounding commercial and mixed-use areas. We have read the staff report and agree with staff's analysis and recommended conditions of approval and we respectfully request your approval tonight and we are here for questions.

Lorcher: Thank you. Commissioners, are there any questions for the applicant before we take --

Garrett: No, I don't.

Lorcher: Okay. Thank you.

Thompson: Thank you.

Lorcher: Madam Clerk, are there -- are there anybody on Zoom or in Chambers that would like to testify?

Lomeli: Madam Chair, Wade Moore signed up.

Lorcher: Pastor, would you like to speak? Okay. Did you have anything else to add? Can I get a motion to close the public hearing?

Smith: So moved.

Garrett: Second.

Lorcher: It's been moved and seconded to close the public hearing -- hearing. All those in favor say aye. Opposed? Okay. The public hearing is closed.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: Well, I for one been very happy with the fact that you took a very vacant building and turned it into something that's thriving. So, you know, I have been here since 1995 and there was a business there a long time ago and it was vacant for a long time and the care and the time that you have taken for that land has -- has absolutely flourished. It looks like the only thing you really need to do is add a few trees. So, that should -- and I think they are all on sale right now, so you should be good. Commissioners, any other comments? Or a motion?

Garrett: I will move. After considering all staff and applicant and public testimony I move to recommend the approval to the City Council of File No. H-2024-0024 as presented in the staff report for the hearing date of September 19th, 2024.

Smith: Second.

Lorcher: It has been moved and a second to approve Life Church rezone. All those in favor say aye. Any opposed? All right. Motion carries. Thank you very much.

MOTION