

**Public Hearing continued from September 5, 2024 for Calvary Chapel
(H-2024-0020) by Calvary Chapel Meridian, located at 2600 W. Nelis
Dr.**

- A. Request: Rezone of 8.41 acres of land from the I-L to the C-C zoning district

Lorcher: The next item on the agenda is Calvary Chapel has filed for a rezone from light industrial to community business. We will begin with the staff report.

Allen: Thank you, Madam Chair. The next application before you is a request for a rezone. This site consists of 8.41 acres of land, zoned I-L, located at 3600 West Nelis Drive. This property is part of the larger McNelis Subdivision that was annexed back in 2004 with a development agreement and a preliminary plat. A final plat was later approved and recorded that included this property as Lot 4, Block 2, McNelis Subdivision. The development agreement was later amended in 2011. A conditional use permit was approved in 2018 for a church use in the I-L, light industrial zoning district on the subject property. A certificate of zoning compliance and design review application was approved in 2020 for a two story church on this site, as approved with the conditional use permit. A subsequent certificate of zoning compliance and design review application was approved earlier this year for additional structures on the east side of the church to be used for youth and adult ministry and an office and a storage building at the northwest corner of the site. The Comprehensive Plan future land use map designation is mixed-use nonresidential. The applicant is requesting a rezone of 8.41 acres of land from the I-L, light industrial, to the C-C, community business zoning district as shown in the exhibit on the left. No new development is proposed with this application. The applicant has been operating a private education institution, i.e., a Christian school for pre-kindergarten through 11th grade out of the existing church and plans to move it to the new buildings east of the church in the future once they are constructed. Eventually once funds are raised a new school is planned for construction in the area to the west of the existing church. The existing I-L zoning district prohibits private education institutions. The proposed C-C zoning district will accommodate the church use, as well as the private education institution and is consistent with the underlying future land use map designation of mixed-use nonresidential for the property. As a provision of the proposed rezone staff recommends a new development agreement for the subject property that accommodates the proposed C-C zoning and the church and private education institution uses. The new development agreement will only be for this property and the property will no longer be subject to the existing development agreement and addendum for McNelis Subdivision. No written testimony has been received from the public on this application. The applicant did submit a letter saying that they are in agreement with the staff report provisions. Staff is recommending approval. Staff will stand for any questions.

Lorcher: Okay. Thank you very much. Would the applicant like to come forward? Good evening.

Drake: Hello there. I'm Troy Drake, the lead pastor of Calvary Chapel.

Lorcher: Okay.

Drake: And I just came up because I felt like I had to. I don't really have anything to add, just -- I was just going to concur with the staff analysis and the -- you know, the -- the thorough work that they did. So, I'm just here for questions -- answer questions or -- and just to acknowledge that we agree with it.

Lorcher: Okay. Thank you. Commissioners, do we have any questions for the applicant at this time?

Garrett: No.

Lorcher: Okay. Thank you.

Drake: All right.

Lorcher: Madam Clerk, do we have anybody here to testify?

Lomeli: Thank you, Madam Chair. No one has indicated they wish to testify.

Lorcher: All right. And, the applicant, you are -- you are good? No other comments that you would like to make? All right. May I have a motion to close the public hearing?

Smith: So moved.

Garrett: Second.

Lorcher: It's been moved and seconded to close the public hearing. All those in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Lorcher: Commissioners, anything to say on Calvary Chapel?

Garrett: No.

Lorcher: It looks like it's really more of an administrative function than anything, so that you can continue to carry on the work that you are doing there since you have been there and possible expansion in the future. Any opportunity for a motion?

Smith: Madam Chair?

Lorcher: Commissioner Smith.

Smith: After considering -- after considering all staff, applicant and public testimony I move to recommend approval to the City Council File No. H-2024-20 -- sorry. 2024-0020 as presented in the staff report.

Lorcher: Do I have a second?

Garrett: Second.

Lorcher: It's been moved and seconded to approve Calvary Chapel. All those in favor say aye. Any opposed? All right. Motion carries. Thank you very much.