

**CITY OF EULESS
PLANNING AND ZONING COMMISSION
MAY 3, 2016
MINUTES**

ITEM 5. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 16-05-SUP AND CONSIDERED A RECOMMENDATION FOR AN ORDINANCE

Chairman McNeese opened the public hearing at 6:46 p.m.

Senior Planner Cook gave a brief description of the case. Mr. Fono has made an application on behalf of the Church of Tonga to renew the Specific Use Permit (SUP) approved by the City Council. The Specific Use Permit was issued for a place of worship and pastoral residence located at 1000 Cresthaven Drive. There were several conditions placed as part of the SUP in order for the church to be issued a Certificate of Occupancy for the site. The property consists of a wood frame structure that is used as a pastoral residence and a 2,100 square foot stucco clad structure that has been converted from a (former) commercial warehouse into a worship center and sanctuary. The conditions of the SUP established a maximum occupancy of 52 people for the worship center.

There is a cultural uniqueness associated with the Church of Tonga, with visits from the church hierarchy that travel from outside of the Fort Worth area, that creates opportunities for specific events to be held at the church that will exceed the typical occupancy of 52. To accommodate these special occasions, the SUP contains a provision that would enable the City Manager to consider providing approval for up to six special events in a 12 month period of time. Favorable consideration of these requests would be based on the ability of the neighborhood to accommodate the on-street parking that would allow normal street operations that provides clear passage of emergency vehicles and enables private property owner's use of their own property without being blocked by the on-street parking.

A condition of the SUP was that a cooperative parking agreement between the Church of Tonga and the property owner of 1002 Cresthaven be signed and recorded with Tarrant County allowing for members of the Church of Tonga to legally park at 1002 Cresthaven, in at least four parking spaces during times of worship. Although the owner of the 1002 Cresthaven property spoke in favor of the SUP in 2015 and agreed to provide such parking, no formal agreement was signed and recorded. The current size of the church's congregation has not created demands for off-site parking. As this situation could change, staff is recommending that the SUP be renewed for one year.

The approval of this SUP would only provide entitlement to the property to be used as a place of worship.

The Development Services Group has certified the application and recommends the following conditions of the Specific Use Permit:

- a. The Specific Use Permit is tied to the Chairperson of the Board of Trustees, Mr. Ofeina Lolohea and to the Rev. Salesi Fono; and,
- b. The Specific Use Permit is tied to the Church Name: Church of Tonga; and,
- c. The parking of the site will show that the property will accommodate six (6) parking spaces.
- d. A cooperative parking agreement between the Church of Tonga and the property owner of 1002 Cresthaven be signed and recorded with Tarrant County allowing for member of the Church of Tonga to legally park at 1002 Cresthaven, in at least four (4) parking spaces during times of worship.
- e. The maximum occupancy of the sanctuary would be capped at fifty-two (52) persons.
- f. The Church of Tonga will be permitted to make application to the City Manager for up to six (6) Special Events per twelve (12) month period of time. During these Special Events it is acknowledged by the City that the six (6) permanent parking spaces will not be adequate to accommodate parking demand. In these Special Event instances, managed on-street parking may be permitted as long as the on-street parking does not interfere with normal street operation;
- g. The residential structure will only be used for housing of the Church pastor or caretaker or to be used for immediate pastoral care and not to be used as a rental residence or used for overnight group housing;
- h. The Specific Use Permit shall be valid for one year; and,
- i. The Specific Use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

Salesi Fono, 1000 Cresthaven Drive, Euless, Texas requested that the one year renewal condition be removed due to the conditions being met throughout the last two years.

Chairman McNeese inquired if Mr. Fono was aware of the conditions prior to this meeting, including the parking agreement to be filed.

Mr. Fono stated that he was not aware of the one year renewal until the pre-session portion of this meeting.

Director of Planning and Economic Development Mike Collins apologized if the conversation prior to this meeting was not fully understood.

Mr. Fono stated that he did understand the renewal during that previous conversation with staff.

Chairman McNeese inquired how the one year renewal would negatively impact Mr. Fono and the church.

Mr. Fono stated that he assumed that the temporary status of his Specific Use Permit would expire upon this renewal, however, he would accept a renewal if the Commission so chose.

Chairman McNeese explained that a Place of Worship was a unique property use for this location and the off-site parking agreement from the previous Permit continues to be unmet.

Mr. Fono inquired if the renewal period of one year could be removed if the parking could be filed prior to this case going to City Council.

Mr. Collins stated that staff continues to recommend the one year renewal.

Chairman McNeese asked to hear from any proponents/opponents wishing to speak.

Seeing none Chairman McNeese closed the public hearing at 6:56 p.m.

There were no questions or comments presented by the Commission.

Commissioner Ellis made a motion to approve Case No. 16-05-SUP for a Specific Use Permit on Cresthaven Addition, Lot 19, Block 1, 1000 Cresthaven Drive for a Place of Worship and Pastoral Residence Use in the Community Business District (C-2) and recommend an Ordinance. Commissioner Dunckel seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman Portugal, and Commission Members: Owens, Olmstead, Dunckel, Ellis, and Brown.

Nays: None

Abstention: None

Chairman McNeese declared the motion carried. (7-0-0)