

ITEM 2 CASE #09-06-SUP – HOLD PUBLIC HEARING REGARDING A SPECIFIC USE PERMIT AND CONSIDER A RECOMMENDATION FOR AN ORDINANCE

Receive public input regarding a request for a Specific Use Permit on Park Center Addition, Tract 1 for Public Assembly and Place of Worship in TX-10 (Texas Highway 10 Multi-Use District) zoning, and consider a recommendation regarding an Ordinance. This property is located in the 2200 block of W. Eules Boulevard.

Chairman McNeese opened the public hearing.

Chris Barker, Director of Planning and Development, gave a brief description of the case. Dr. Murali Adhikari representing the Nepali Cultural & Spiritual Center is requesting a Specific Use Permit (SUP) for a Place of Worship, Assembly Use located at 2219 Eules Boulevard. The property is zoned "TX-10" (Texas Highway 10 Multi-Use District). The applicant intends to construct a multipurpose community center, a Pashupati Nath Temple, a Buddha Nath Temple and required supportive facilities at the location. The site currently is undeveloped and contains an access drive to The Right Step assistance facility. The Right Step is located on the adjacent parcel to the south of the subject property and would maintain an Emergency Access, Drainage and Utility Easement (EADUE) through the subject property to provide cross access to their facility. Places of worship and assembly uses are required to be considered for Specific Use Permits within the Texas 10 zoning district to allow the City to consider the impact of the development, affects of the development on the transportation system and to ensure adequate parking and site circulation will be maintained for the intended use. The applicant has provided a cover letter regarding the proposed uses and the phasing of the construction of the uses. Similarly to construction schedules for other volunteer organizations and places of worship, the full construction of the site will be conducted as donations and funding become available over time. The initial phase will develop the entire tract, construct the primary phase of the assembly use and install the infrastructure, parking and landscaping required of the site. The expansion of the assembly use, the two temples and worship garden would be further developed in future phases. This process is also similar to a multi-phase retail development which would have the base infrastructure and landscaping installed, but leave pad sites out for future development. The site will be initially developed with adequate parking for the assembly use and all required access drives and EADUEs to serve the structures. A decorative tubular steel fence with masonry columns will be installed along the outer perimeter of the site as well as along the internal EADUE. A six (6') foot masonry wall will be constructed along the rear of the property between this use and The Right Step facility. The existing access drive to the site is located at a median opening on SH 10. The configuration and size of the median opening is adequate to handle the additional traffic that the site would generate. Dissimilar to other places of worship the Nepali community does not have a regularly scheduled set time for a call for worship, therefore there is not a particular peak time period during a normal week in which traffic demand will be placed on the site. However, for special events such as weddings, annual

celebrations, special classes and similar events, peak time period usage could be anticipated. Staff believes that the total of two-hundred (200) parking spaces and access to a state highway will allow for adequate traffic ingress and egress flow from the site. The three proposed structures on the site will exhibit culturally significant architecture in the form of sloping and curved rooflines as well as statuary. The structures will be required to meet the masonry standards of the City of Euless. Landscaping will come in the form of trees lining SH 10, along the internal access easement, as required within the parking areas, along the perimeter boundaries of the property, and as a reflection worship garden adjacent to the temples. If approved, the next steps in the development process for the applicant will be to submit a site plan for the development of the site and a replat of the property in order to set required new easements for access, drainage and utilities. Staff has discussed with the applicant and is recommending the following conditions for the approval of the SUP:

1. The SUP would be tied to the Nepali Cultural and Spiritual Center.
2. All required infrastructure will be required to be installed with the initial development of the site.
3. All parking required to adequately serve the assembly use will be required to be installed with the initial phase of the development.
4. All parking, street tree and landscaping associated with the assembly use will be required to be installed with the initial phase of the development.

Mark Riddle, 420 Johnson Road #303, Keller, Texas, stated he would stand by for any questions from the Commission.

Chairman McNeese asked for any proponents/opponents to come forward for any comments. Seeing none the public hearing was closed.

Chairman McNeese asked the Commission to consider Section 84-153 "Conditions of Permit Approval" from the Unified Development Code when discussing and voting on this case.

Vice Chairman May made a comment to the applicant's representative that the Commission acts as an advisor and City Council has the final determination. He asked Mark Riddle where the design of the temples came from.

Mark Riddle stated it is a design from Nepal.

Vice Chairman May asked what color the temple would be.

Mark Riddle stated it would be white to off-white. There is a Hindi temple in Irving that is similar and the color is white.

Chairman McNeese stated that there is not a requirement to have color renditions presented to the Commission but he feels it would be of benefit to have them.

Commissioner Mennis stated his concern for the safety of pedestrians crossing the street since the driveway leads to the Indian Center (The Right Step) and if there was an overflow of parking. He stated the elevations are unique and it may not be compatible with nearby development.

Commissioner Portugal stated her concern that the site would be created from donations. She asked if it would be possible to put a time frame on the Specific Use Permit like we do with other Specific Use Permits.

Chris Barker stated the history of setting time limits for businesses usually coincides to the amount of time on their lease. Considering this property would be purchased and significant capital would be invested, it would be difficult for the applicant to purchase the property having a time limit attached.

Vice Chairman May stated his concern for the site to be built upon donations. He asked the applicants representative about how much would the site cost to be built out.

Mark Riddle stated he does not have the answer but his guess would be maybe 2 or 3 million. He also stated that if it would be helpful he could get color renditions for the City Council to view.

Chairman McNeese restated Section 84-153 and read conditions #8, #3, #2.

Vice Chairman May made a motion to deny case #09-06-SUP based on Section 84-153.

Chairman McNeese asked Vice Chairman May if he would consider revising his motion to include any conditions from Section 84-153 for the basis of his denial.

Vice Chairman May declined to list any conditions to his motion.

Commissioner Mennis seconded the motion. The vote was as follows:

Ayes: Chairman McNeese, Vice Chairman May, Commissioners Huffman and Mennis

Nays: Commissioner Portugal

Abstention: None

The motion carried (4-1-0)