



CITY COUNCIL COMMUNICATION

April 28, 2009

SUBJECT: HOLD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 09-01-SUP, AND CONSIDER FIRST AND FINAL READING OF ORDINANCE NO. 1845

SUBMITTED BY: Mike Collins, Director of Planning and Development

REFERENCE NO: 09-01-SUP

ACTION REQUESTED:

Receive public input regarding the request for a Specific Use Permit on Kitty House Survey, A-678, Tract 1B03 for a Church in TX-10 (Texas Highway 10 Multi-Use District) zoning on 2215 W. Pipeline Road and approve Ordinance No. 1845, concurring with the Planning and Zoning Commission's 6-0 recommendation on April 7, 2009.

ALTERNATIVES:

1. Open the Public Hearing and continue it to the next meeting.
2. Open, conduct, and close the Public Hearing.
3. Approve the request – *simple majority*
4. Approve the request with modifications – *simple majority*
5. Deny the request – *simple majority*

SUMMARY OF SUBJECT:

Faith By Grace Family Worship, represented by Pastor Denorvice Howard, is seeking to lease space within an existing structure located at 2215 W. Pipeline Road in order to establish a place of worship use. The property is located within the TX-10 (Texas Highway 10 Multi-Use District) zoning district, which requires the approval of a Specific Use Permit (SUP) for the establishment of that use.

The proposed use would occupy lease space within the existing building adjacent to a pet crematorium use approved by Specific Use Permit (06-08-SUP) by the City Council in August 2006.

Due to the potential parking demand that is generated by this type of assembly use, the Unified Development Code requires Specific Use Permits within the TX-10 zoning district in order to assure proper vehicular access and the ability to provide adequate off-street parking.

The applicant has indicated that the number of parishioners for this congregation is very small and would have a maximum of 40 seats. The UDC requires a ratio of 1 parking space per every 4 seats within a place of worship. The site plan submitted by the applicant indicates there is adequate parking, with 10 parking spaces provided on the site. If the site was not able to adequately park the demand (overflow parking on adjacent properties, parking in public right-of-way) the use would be in violation of the conditions of the SUP and may be cited for that violation.

If approved, the applicant would be required to submit building permit applications for the renovation of the interior of the building to be utilized by the church.

The Development Review Committee (DRC) has determined that the application is in substantial compliance with all technical requirements and recommends approval. The Planning and Zoning Commission recommends approval with the following conditions:

- 1) Tied to the pastor, Denorvice Howard; and
- 2) Tied to the church, Faith By Grace Family Worship.

SUPPORTING DOCUMENTS:

- Ordinance No. 1845
- SUP Form
- Exhibit
- Draft Minutes – P & Z
- Application
- Map 1, Map 2, and Map 3

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **SC** _____

City Secretary's Office