

ITEM 5 HOLD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 14-16-SUP, AND CONSIDER RECOMMENDATION FOR AN ORDINANCE.

Receive public input regarding the request 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 consider recommendation for an Ordinance.

Chairman McNeese opened the public hearing.

Stephen Cook, Senior Planner, gave a brief description of the case. Rev. Fono has made an application on behalf of the Church of Tonga to renew the Specific Use Permit approved by the City Council on October 22, 2013. The Specific Use Permit was issued for a place of worship 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 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 fifty-two (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 fifty-two (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 (6) special events in a twelve (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 that the SUP be renewed for six (6) months is suggested for the purpose of being able to monitor the church operating under these unique conditions and determine if any issues need to be addressed or mitigated. The approval of this SUP would only provide entitlement to the property to be used as a place of worship and pastoral residence.

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; and,

- 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; and,
- e. The maximum occupancy of the sanctuary would be capped at fifty-two (52) persons; and,
- 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; and,
- 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; and,
- h. The term of this Specific Use Permit shall be granted for a period of six (6) months in order to gauge the further appropriateness of the use at the specific location; 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.

Chairman McNeese asked if there were any proponents/opponents.

Pastor Salesi Fono, 1000 Cresthaven Drive, Euless, TX, stated that he does have a concern as it pertains to the above listed condition D. Pastor Fono stated that the verbiage stating "times of worship" appears to allow for Sunday morning services and their church and culture meets for worship more than just Sunday morning.

Mike Collins, Director of Planning and Economic Development, stated that this condition was written with the intent of allowing for worship and church functions as they pertain to worship and not just focused on Sunday morning. The Commission has agreed to change condition d as follows:

- 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 **and other church functions**; and,

Mr. Louis Bellot of Bellot Engineering located at 1002 Cresthaven, Euless, TX, stated that Salesi is a fantastic neighbor and the church is more than welcome to continue using his parking for their church events.

Mr. Harry Powell, 1003 Cresthaven, Euless, TX, stated that the Church of Tonga is always cooperative and very good to the neighbors. He has been at this location for fifteen (15) years and the area has never looked better.

Mr. Tim Rusher, 913 Cresthaven & 1001 Cresthaven, Euless, TX, stated that this church should be supported. Salesi is a friend and there is good work going on at this location.

Chairman McNeese asked if there were any other proponents/opponents. Seeing none, the public hearing was closed.

Commissioner Ellis asked Mr. Bellot how many parking spaces are available for the church to use.

Mr. Louis Bellot stated that there are 8 to 10 spaces they can use at any one time. He only requires one space if he is at his office, but they usually do not coincide.

Chairman McNeese asked if there were any other proponents/opponents. Seeing none, the public hearing was closed.

There were no further questions or comments presented by the Commission.

Commissioner Olmstead made a motion to approve case #14-16-SUP with conditions as modified in section d. Motion seconded by Commissioner Dunckel. The vote was as follows:

Ayes: Chairman McNeese, Commissioners Olmstead, Portugal, Dunckel, Ellis, and Brown

Nays: None

Abstention: None

The motion carried: (6-0-0)