

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

A regular meeting of the Planning and Zoning Commission was called to order by Chairman Richard McNeese at 5:30 p.m. on May 3, 2016 in the Pre-Council Conference Room of City Hall, 201 North Ector Drive. Those present included Chairman Richard McNeese, Vice Chairman LuAnn Portugal, and Commission Members: Eric Owens, Kenny Olmstead, Ronald Dunckel, Steve Ellis and David Brown.

During the Pre-Session Meeting:

- Senior Planner Stephen Cook reviewed the regular agenda.
- Director of Planning and Economic Development Mike Collins presented the Development Update including Glade Parks, Glade Parks South, Mid-Town, Gala at Oak Crest and Riverwalk!

PLANNING AND ZONING CONSIDERATION OF SCHEDULED ITEMS – COUNCIL CHAMBERS

The Eules Planning and Zoning Commission continued their meeting in the Council Chambers at 6:31 p.m. for consideration of scheduled items.

STAFF PRESENT:

Mike Collins, Director of Planning and Economic Development
Hal Cranor, Director of Public Works
Paul Smith, Fire Marshall
Don Sheffield, Building Official
Stephen Cook, Senior Planner
Mollie Snapp, Administrative Secretary

VISITORS:

David Auginbaugh
Sabino Arizpe
Nedal Darsalem
Carl Commander
Salesi Fono

INVOCATION

Commissioner Owens gave the invocation.

THE PLEDGE OF ALLEGIANCE

Commissioner Olmstead led the pledge of allegiance.

ITEM 1. APPROVED PLANNING AND ZONING MINUTES

Commissioner Dunckel made a motion to approve the minutes for the regular meeting of April 19, 2016. Commissioner Owens seconded the motion. The vote was as follows:

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

Nays: None

Abstention: Commission Member Brown.

Chairman McNeese declared the motion carried. (6-0-1)

ITEM 2. CONSIDERED A REQUEST FOR SITE PLAN CASE NO. 16-01-SP

Senior Planner Cook gave a brief description of the case. On April 5, 2016 the Planning and Zoning Commission held a public hearing for the subject property to be rezoned and subsequently a site plan and preliminary plat were considered. Adjacent property owners had the opportunity to discuss the proposed development. In consideration of the comments made by adjacent property owners, Lennar homes proposes a modification to the site plan. The builder/developer proposes this subdivision to be integrated into the Dominion at Bear Creek subdivision located to the east and be fully marketed as such. The streets will be publically maintained.

Site Layout. This property is located within the T4a transect sub-zone, which permits single-family detached. The developer is proposing to develop R5 type lots with a single-family detached product. The subdivision will contain 65 residential lots and three open space lots. This represents a reduction from the original site plan of two lots. The most significant change in the layout is the addition of a 100' wide open space on the south end of the development. One of the three entrances to the subdivision from Fuller-Wiser Road was eliminated that would have lined up with Amy Way to the west. The 100' wide open space will be modified in the Planned Development proposed zoning and will be indicated as a non-residential zoned area that will remain as open space. This will allow the undeveloped property currently owned by the Federation of State Medical Boards located to the south to maximize its' full development potential, while still maintaining a reasonable buffer to the residential development.

The Development Services Group has certified that the project is compliant with these standards. Staff recommends approval of the site plan.

Vice Chairman Portugal complimented the cooperative efforts of staff, community and developer on the proposed modifications.

Director of Planning and Economic Development Mike Collins stated that David Auginbaugh with Lennar Homes deserves all the credit and thanked Mr. Auginbaugh for his work.

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

Vice Chairman Portugal made a motion to approve Case No. 16-01-SP for a Site Plan for Single Family Residential Development proposed to be located on 16.162 acres of the Adam Bradford Survey, Abstract No. 152, Midway Square Addition Block B, Part of Lot 2 located at the southeast corner of Midway Drive and Fuller-Wiser Road to be platted as The Dominion at Bear Creek, Phase 5, Block A, Lots 48R, and 50R; Block R, Lots 1-27, A; Block S, Lots 1-17, A; Block T, Lots 1-19, A. Commissioner Owens 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)

ITEM 3. CONSIDERED APPROVAL OF PRELIMINARY PLAT CASE NO. 16-03-PP

Senior Planner Cook gave a brief description of the case. The applicant proposes to preliminary plat 16.162 acres for the development of 65 single family detached dwelling units and three open space lots. The lots have been reconfigured to accommodate adjacent property owner feedback as to buffer between residential and commercial development.

The technical aspects of the subdivision, including setback distances, placement of easements, and street alignment, are in compliance with the regulations of the Planned Development zoning district and the City of Eules Unified Development Code.

Staff is requesting that the Planning and Zoning Commission consider a conditional approval of the Preliminary Plat based on the City Council approval of the Planned Development zoning case 16-01-PD. If upon approval of the zoning case, the preliminary plat will be effectively approved.

The Development Services Group has reviewed the proposed Preliminary Plat and has certified that it meets the technical standards of the City of Eules. Staff recommends approval.

There were no questions or comments presented by the Commission.

Commissioner Brown made a motion to approve Case No. 16-03-PP for a Preliminary Plat of 16.162 acres of the Adam Bradford Survey, Abstract No. 152, Midway Square Addition Block B, Part of Lot 2 located at the southeast corner of Midway Drive and

Fuller-Wiser Road to be platted as The Dominion at Bear Creek, Phase 5, Block A, Lots 48R, and 50R; Block R, Lots 1-27, A; Block S, Lots 1-17, A; Block T, Lots 1-19, A. Commissioner Ellis 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)

ITEM 4. CONSIDERED A REQUEST FOR SITE PLAN NO. 16-02-SP

Senior Planner Cook gave a brief description of the case. McDonald's Inc. intends to demolish and reconstruct a restaurant at the above described location. The property has been affected by the right-of-way acquisition for the expansion of W. Airport Freeway. Thereby, with the modification to the property, McDonald's will be reconstructing the restaurant further to the south on the property, also incorporating a lot which faces W. Eules Boulevard.

Access – The site will maintain access from the W. Airport Freeway frontage road. There is also a mutual access easement to the east connecting the property to N. Main Street. Lastly, the connectivity to W. Eules Boulevard will allow further visibility and connectivity to the surrounding traffic patterns. Similarly to the original store layout, the new store site plan will incorporate a dual lane drive through to provide access and efficiency to the internal traffic pattern and high drive through demand this particular restaurant location accommodates.

Parking – The site contains 54 parking spaces.

Landscaping – Landscaping will be placed primarily to the front streetyard to W. Airport Freeway. There will be landscaped areas on the south side of the building as well to maintain a dual frontage view.

Exterior – McDonald's will be constructing a newer prototype store than what exists there today. The store will be more linear in nature and have a smaller play place for children. Exterior facades are in compliance with the masonry requirements of the City of Eules.

The Development Services Group has certified that the site plan is in accordance with the requirements of the Glade Parks Planned Development Ordinance.

Commissioner Dunckel inquired if the entry off of West Eules Boulevard would be shifted.

Mr. Cook confirmed that it would be shifted slightly to the east to assist in the dual drive-thru access.

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

Commissioner Brown made a motion to approve Case No. 16-02-SP for a Site Plan for Commercial Development proposed to be located on 1.216 acres of the James P Halford Survey, Abstract No. 711, Part of Lot 2R, Tract D, J.P. Halford Addition and 0.171 acre unplatted tract located at 105 W. Airport Freeway. Vice Chairman Portugal 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)

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)

ITEM 6. HELD PUBLIC HEARING FOR SPECIFIC USE PERMIT CASE NO. 16-07-SUP AND CONSIDERED A RECOMMENDATION FOR AN ORDINANCE

Chairman McNeese opened the public hearing at 6:58 p.m.

Senior Planner Cook gave a brief description of the case. Mr. Darsalem is seeking a renewal for a Specific Use Permit for an Automotive Services at 316 N. Main Street. The use of the building has been an auto-related use for many years including a service station, auto wrecking service, and auto repair. Mr. Darsalem owns another auto service center in Irving and is seeking to expand his business to a second location.

He has leased the building.

The applicant will operate his business consistent with the typical automotive service related conditions that the City of Euless places as part of the issuance of the Specific Use Permit (SUP). All activity will be internal to the building.

The owner of this property, Sal Alfieri, represents that the lease of the building for automotive services is short term. Due to the expected impacts of the Airport Freeway (Segment 2E) widening project and specifically the condition that will result from the 18-month closure of the Main Street bridge over the highway, there is a reluctance to make a significant investment in a major remodel of the property for a retail or restaurant type use. Access to North Main Street will be impacted after the bridge is removed and before it is rebuilt. The Main Street bridge is tentatively scheduled to be brought out of service in June 2016. Staff believes that the date the construction activity will be substantially completed on the Main Street bridge can be more accurately determined in 12 months. Therefore, staff is recommending that the SUP be renewed for another year to June 2017. Mr. Alfieri's intent is that he will not lease the building out for automotive services when the highway construction is completed.

Staff recommends approval with the following conditions:

- a. Tied to the business owner, Nedal Omar Darsalem; and,
- b. Tied to the business name, NK Entire Auto Lube, Inc dba Entire Auto Center; and,
- c. All repair of vehicles, including but not limited to: tire repair, mechanical repair and maintenance operations will be conducted within the building. No work will be conducted exterior to the building; and,
- d. Outdoor storage of vehicles or merchandise is not permitted within view of the public right-of-way; and,
- e. All tires stored on site whether new or used, shall be stored in a manner that is screened from public view from the right-of-way and shall be stored under cover so as to not allow the collection of rainwater in the tires; and,

- f. The services allowed at this facility are as follows: Oil change; Air Filter Change; Coolant Flush; Transmission Flush; Tire Replacement; Light Mechanical including brakes, shocks, struts, spark plugs, Wheel Alignment; Air Conditioning Service. Auto Services not listed here are thereby prohibited; and,
- g. The term of this Specific Use Permit shall be granted for a period beginning at the date of adoption and to be renewed to June 2017 in order to determine an accurate date of the substantial completion of the Main Street bridge reconstruction and to gauge the further appropriateness of the use at the specific location; and,
- h. 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.

Sabino Arizpe, 316 N. Main Street, Euless, Texas, gave an overview of their success at the current location.

Chairman McNeese thanked Mr. Arizpe on meeting all conditions.

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

Seeing none Chairman McNeese closed the public hearing at 7:00 p.m.

Commissioner Dunckel complimented Mr. Arizpe on the aesthetic improvements of the property and wished him continued success.

Commissioner Ellis seconded Commissioner Dunckel's comments.

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

Mr. Collins reminded the commission that the property owner's vision differs from that of the current use that this Specific Use Permit grants. The renewal date is set to revisit this use once highway construction is complete.

Commissioner Olmstead made a motion to approve Case No. 16-07-SUP for a Specific Use Permit for Automotive Services proposed to be located on Euless Gardens, Block 3, Lot 1B at 316 N. Main Street recommend an Ordinance. Commissioner Brown 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)

ITEM 6. ADJOURN

There being no further business, the meeting was adjourned at 6:49 p.m.

Chairman Richard McNeese

Date