

Item H-1

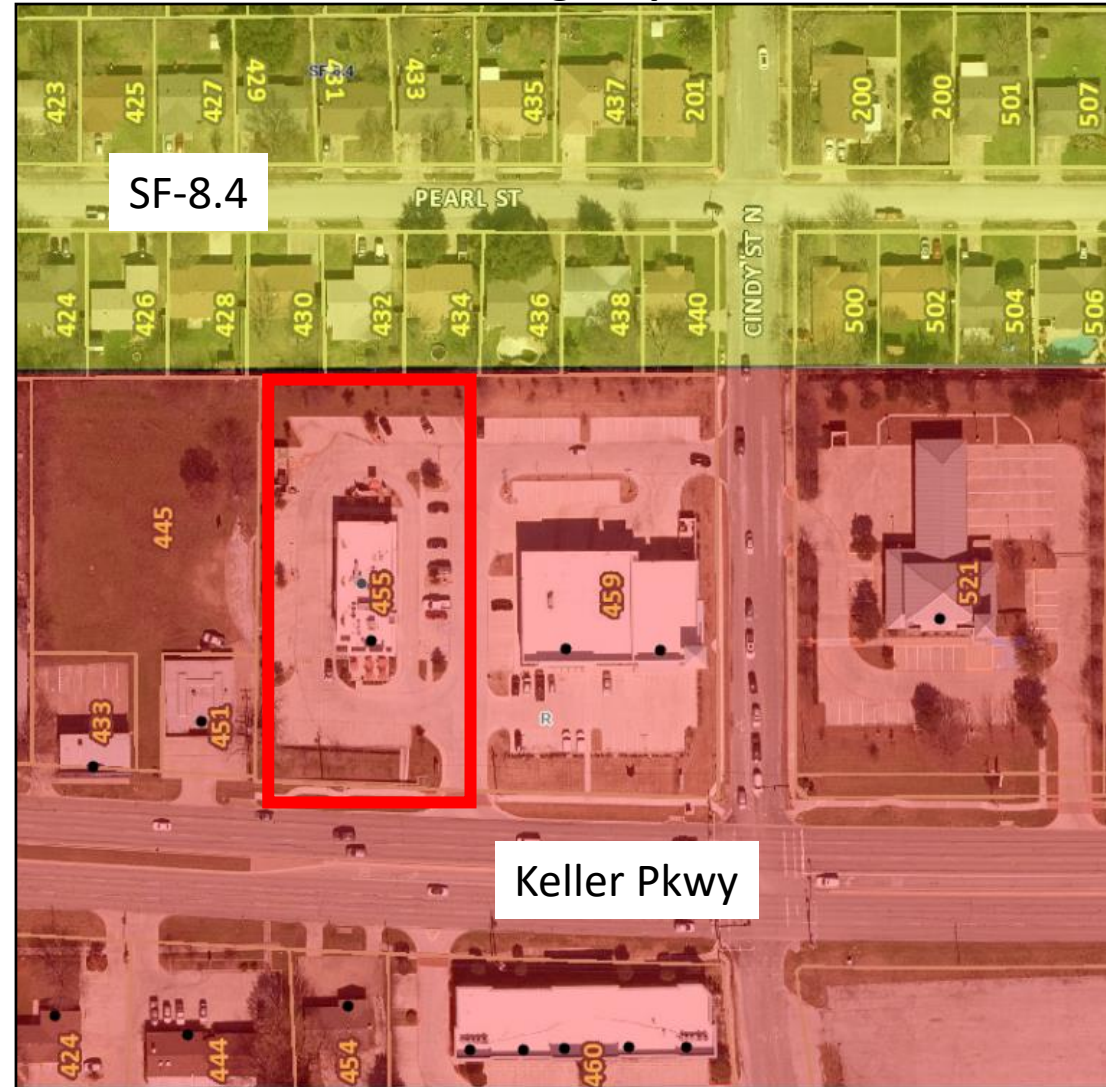
PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for Las Palapas to occupy a 4,065 square-foot restaurant with drive-thru, situated on a 1.16-acre tract of land, located on the north side of Keller Parkway (FM 1709), approximately 250 feet northwest of the intersection of Cindy Street and Keller Parkway, being Lot 1, Block A, Southwest LTC Addition, zoned Retail (R), located at 455 Keller Parkway. Crista Hubbard, owner. Michael Twitchell, L.P., applicant. (SUP-20-0025)

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Aerial Map



Zoning Map

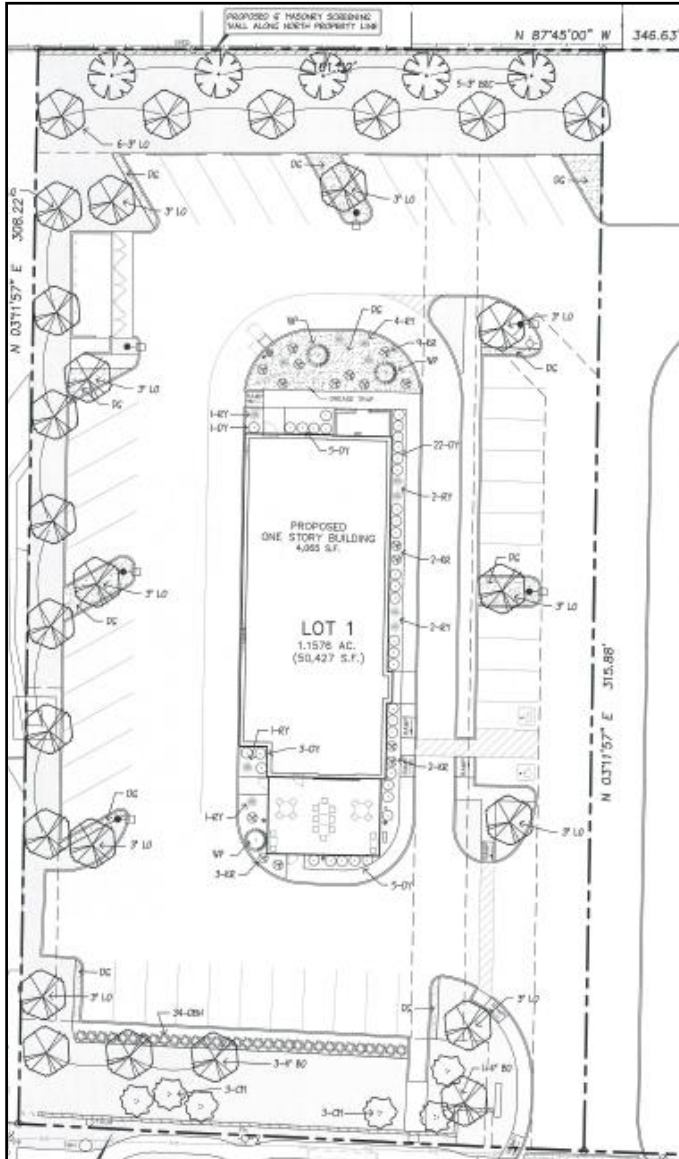


Zoned:
Retail

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- January 2015: Dairy Queen received their Certificate of Occupancy for a drive-thru restaurant. At the time, the Code did not require a specific use permit (SUP) for a drive-thru component.
- July 2015: The Unified Development Code was amended to require an SUP for a drive-thru restaurant.
- December 2019: Dairy Queen vacated the property; it remains vacant today.

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- Las Palapas proposes to occupy the drive-thru restaurant and utilize the drive-thru component.
- The business is planning a significant remodel for the structure.
- The property abuts residential property to the north. The buffer between the parking lot and the neighborhood includes cedar and live oak trees, and an 8-foot masonry screening wall.

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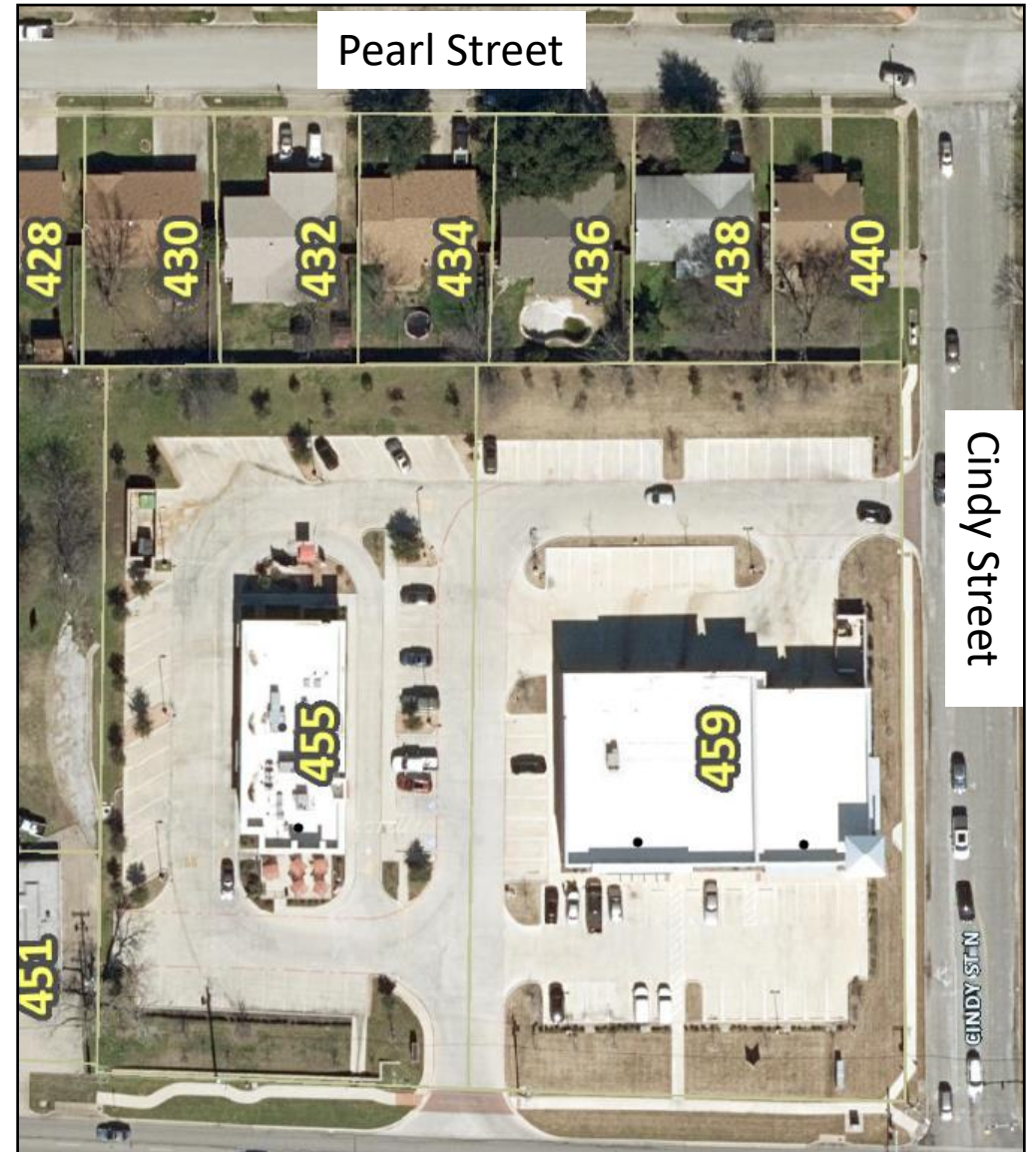
Hours of Operation:

Sunday-Thursday: 6 a.m. to 10 p.m.

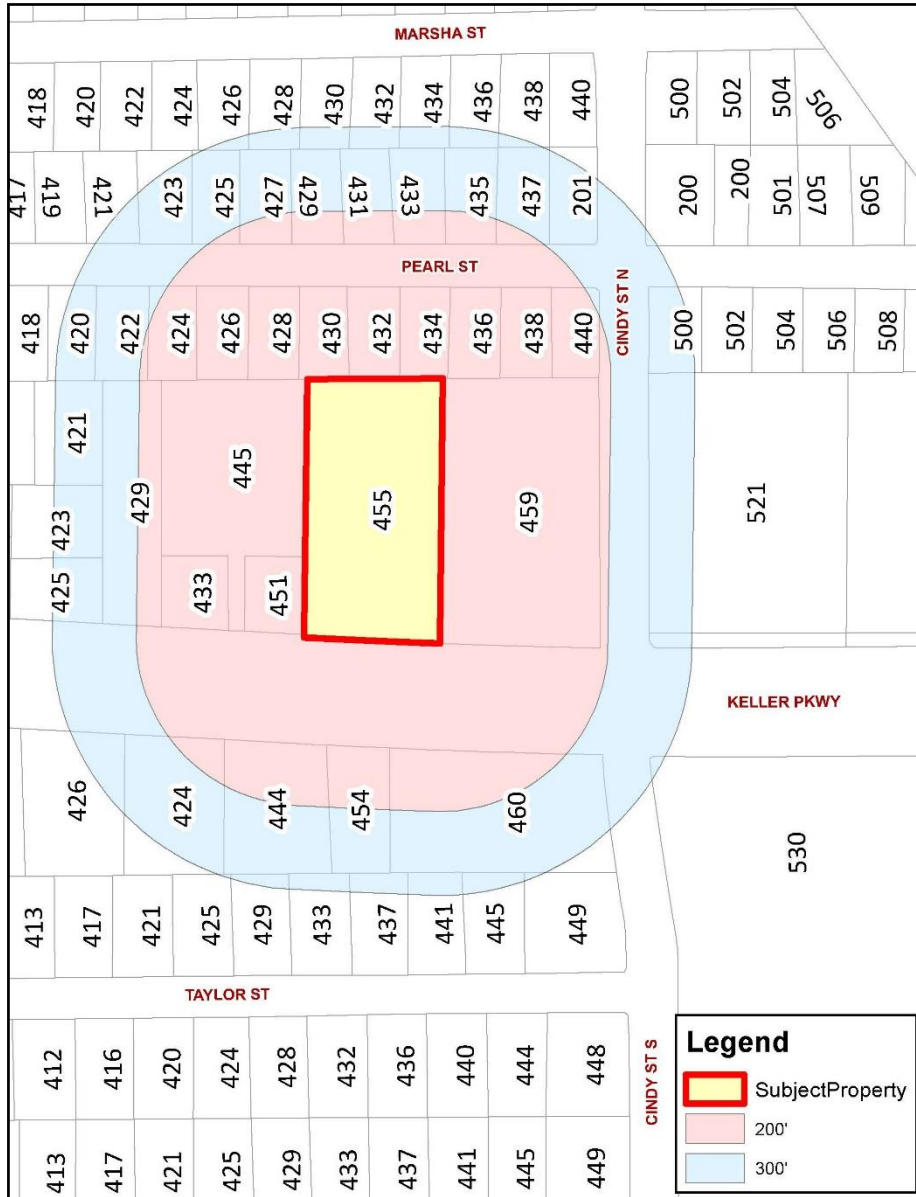
Friday and Saturday: 6 a.m. to midnight

Employees:

The restaurant will employ a maximum 20 people



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On Nov. 25, 2020, the city mailed out 49 letters of notification for this Public Hearing to all property owners within three-hundred feet (300') of the subject site.

A public hearing notice sign was posted on the site.

As of today, staff has not received any comments either in support or opposition from the public.

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On Dec. 8, 2020, the Planning and Zoning Commission recommended approval by a vote of 6-1 with the condition that the times be modified as offered by the business owners to Sunday through Thursday, 6 a.m. to 10 p.m. and Friday/Saturday, 6 a.m. to midnight.

At the public hearing, no person spoke for or against the item.

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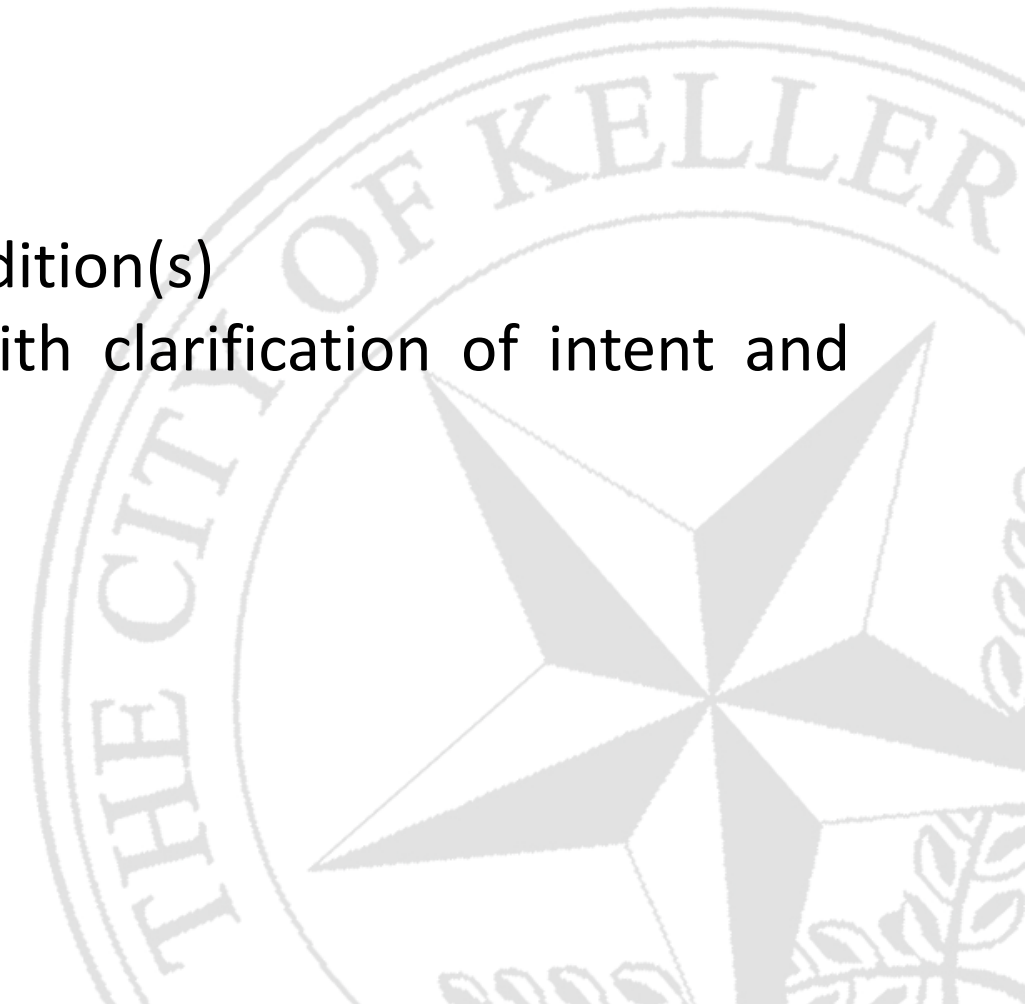
Section 8.02 (F)(2) of the UDC states that when considering a SUP request, the Planning and Zoning Commission and City Council shall consider the following factors:

1. The use is harmonious and compatible with surrounding existing uses or proposed uses;
2. The activities requested by the applicant are normally associated with the permitted uses in the base district;
3. The nature of the use is reasonable and appropriate in the immediate area;
4. Any negative impact on the surrounding area has been mitigated; and
5. That any additional conditions specified ensure that the intent of the district purposes are being upheld.

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The City Council has the following options when considering a Specific Use Permit:

- Approve as submitted
- Approve with modifications or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny





Questions?
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