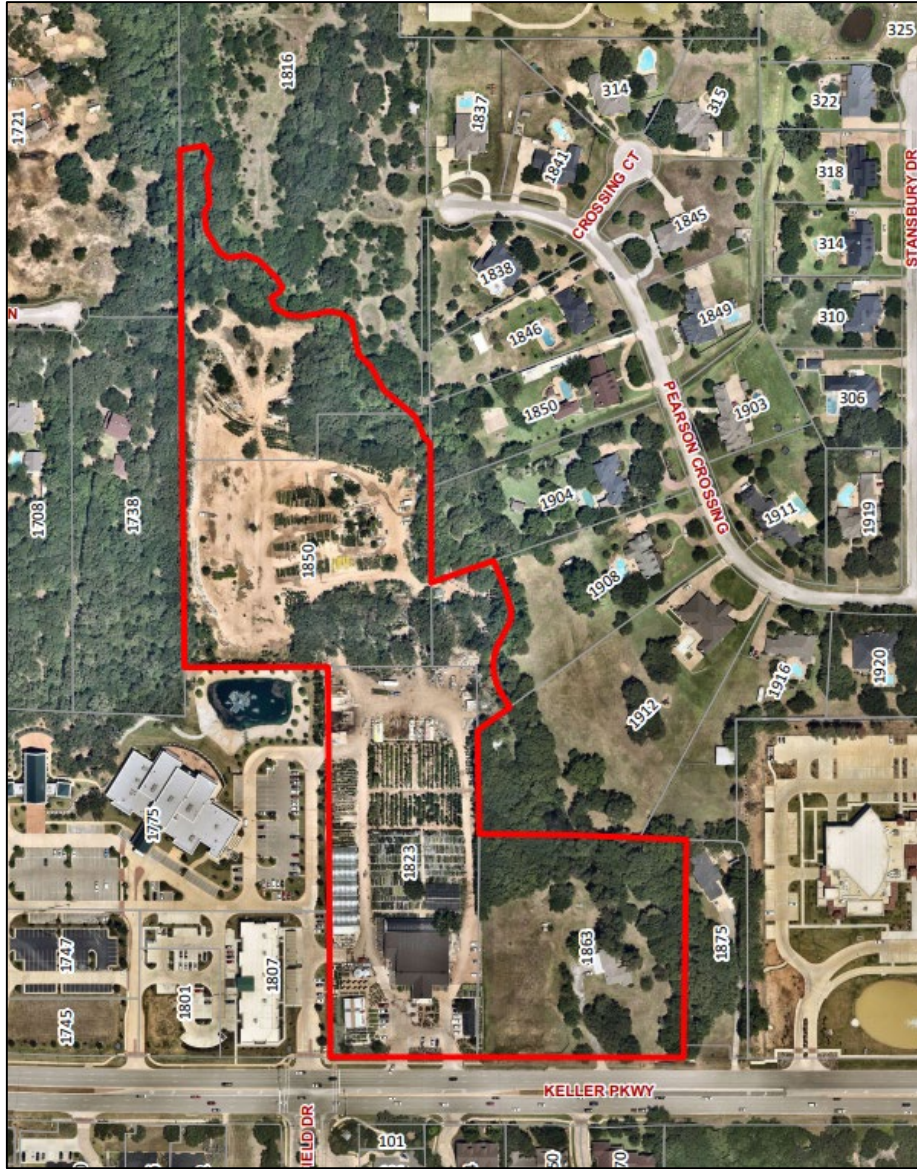


## Item H-4

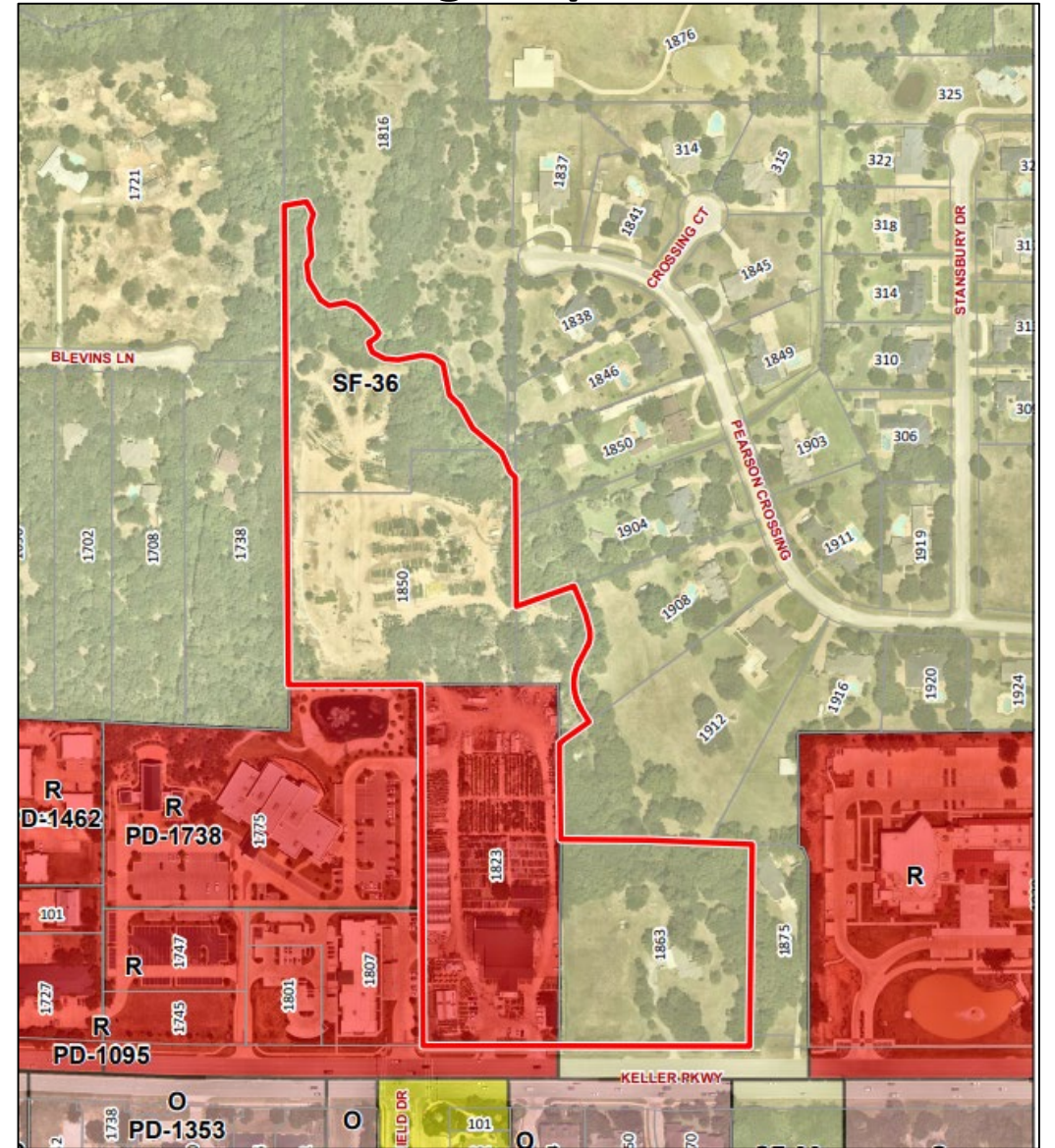
**PUBLIC HEARING:** Consider an ordinance approving three Specific Use Permits (SUPs) for Landscape Systems and B & M Tree Service, for Light Manufacturing, Greenhouses and Nurseries, and outside storage for plant material and vehicles on approximately 17.52 acres, legally described as Tract 1D01B and Tract 1D01A1 of the John Martin Survey, Abstract 1153 (account # 42818999 and 42819014), a portion of Lot 7, Block 1, Pearson Crossing, and Tract 1F, Abstract 1153 (account #: 04069838) of the John Martin Survey, and addressed as 1816 Johnson Road, 1850 Pearson Crossing, 1908 Pearson Crossing, and 1863 Keller Parkway. Ed Ruibal, Landscape Systems, Applicant/Owner; Don Dinger, Owner. James Neill, Owner (SUP-22-0032)



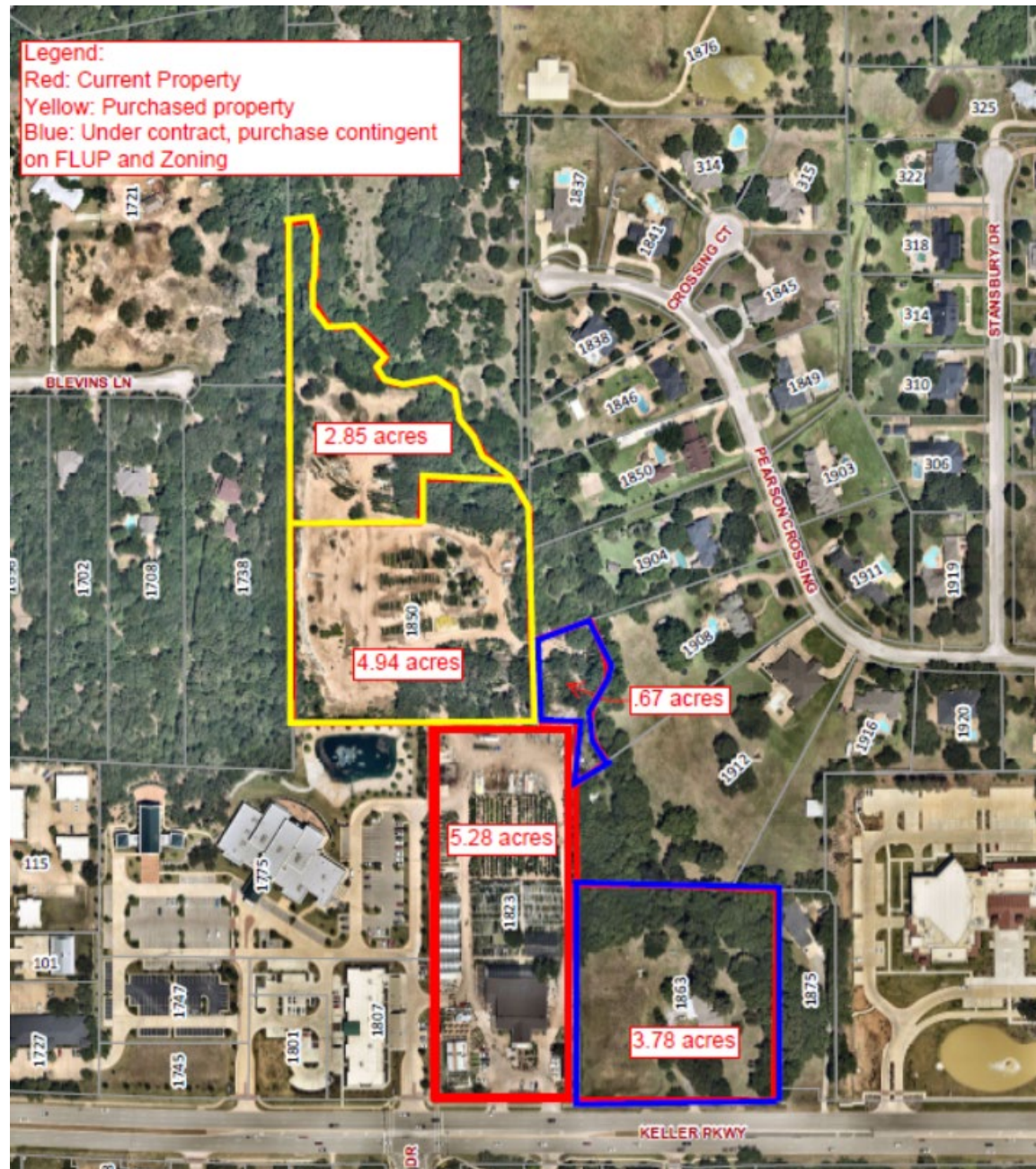
# Item H-4 Aerial Map



# Item H-4 Zoning Map







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## Item H-4

The Applicant is requesting three SUPs required in the Retail Zoning District:

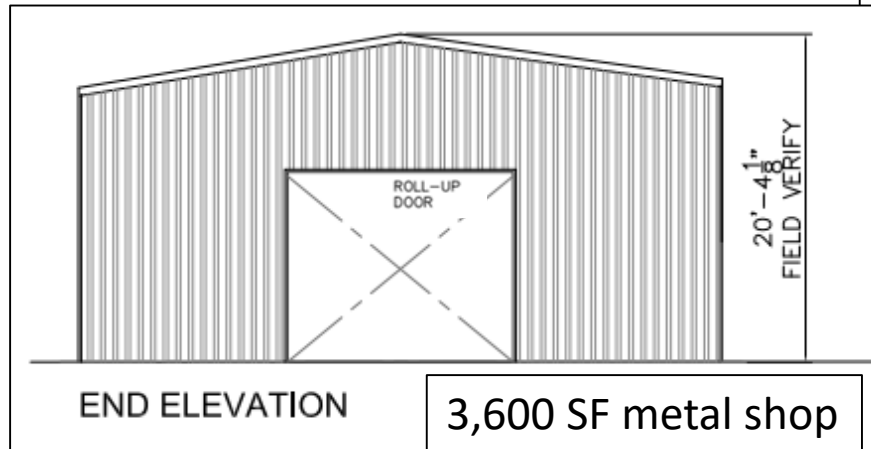
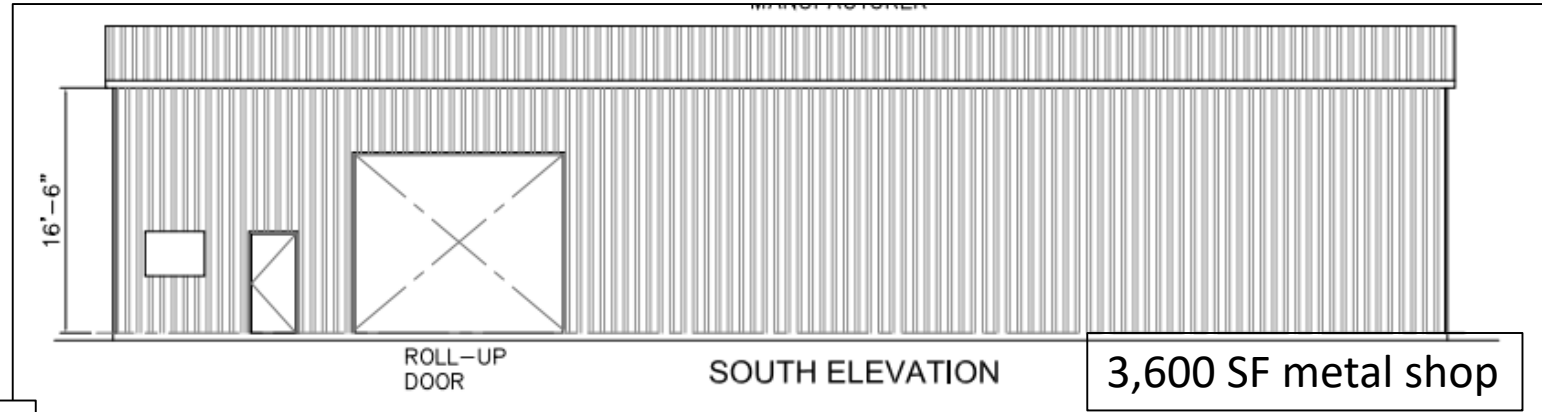
**1) Light manufacturing wholly enclosed within a building:** The Applicant proposes to relocate his light manufacturing business (furniture fabrication and assembly) from the existing structure to an area no more than 1,200 SF within the proposed 3,600 SF metal structure north of the existing site. The remainder of the building would be utilized as a maintenance facility for their equipment.





# Item H-4

## Elevations:



# Item H-4

## LEGEND:

- Proposed greenhouses



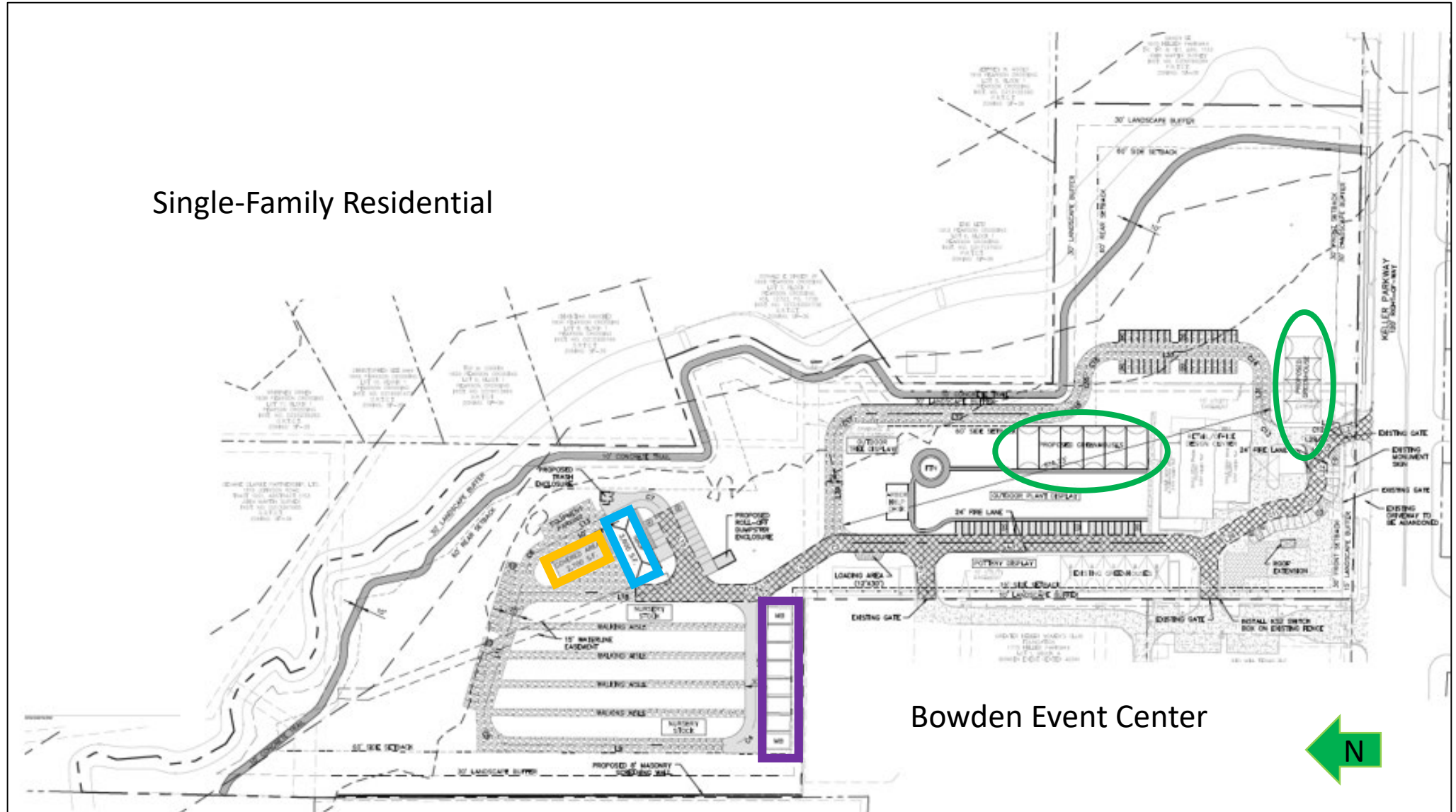
- Proposed 3,600 SF metal shop



- Proposed 2,700 SF metal covered area



- Proposed Mulch Bin location



## Item H-4

Three SUPs as required in the Retail Zoning District, con't.:

**2) Greenhouses and nurseries (commercial retail):** The Applicant proposes to continue to operate a nursery with greenhouses (and expand the operations to the east, north and northeast), as well as continue to operate a tree trimming service from this location.





# Item H-4

Elevations:





# Item H-4

## LEGEND:

- Proposed greenhouses



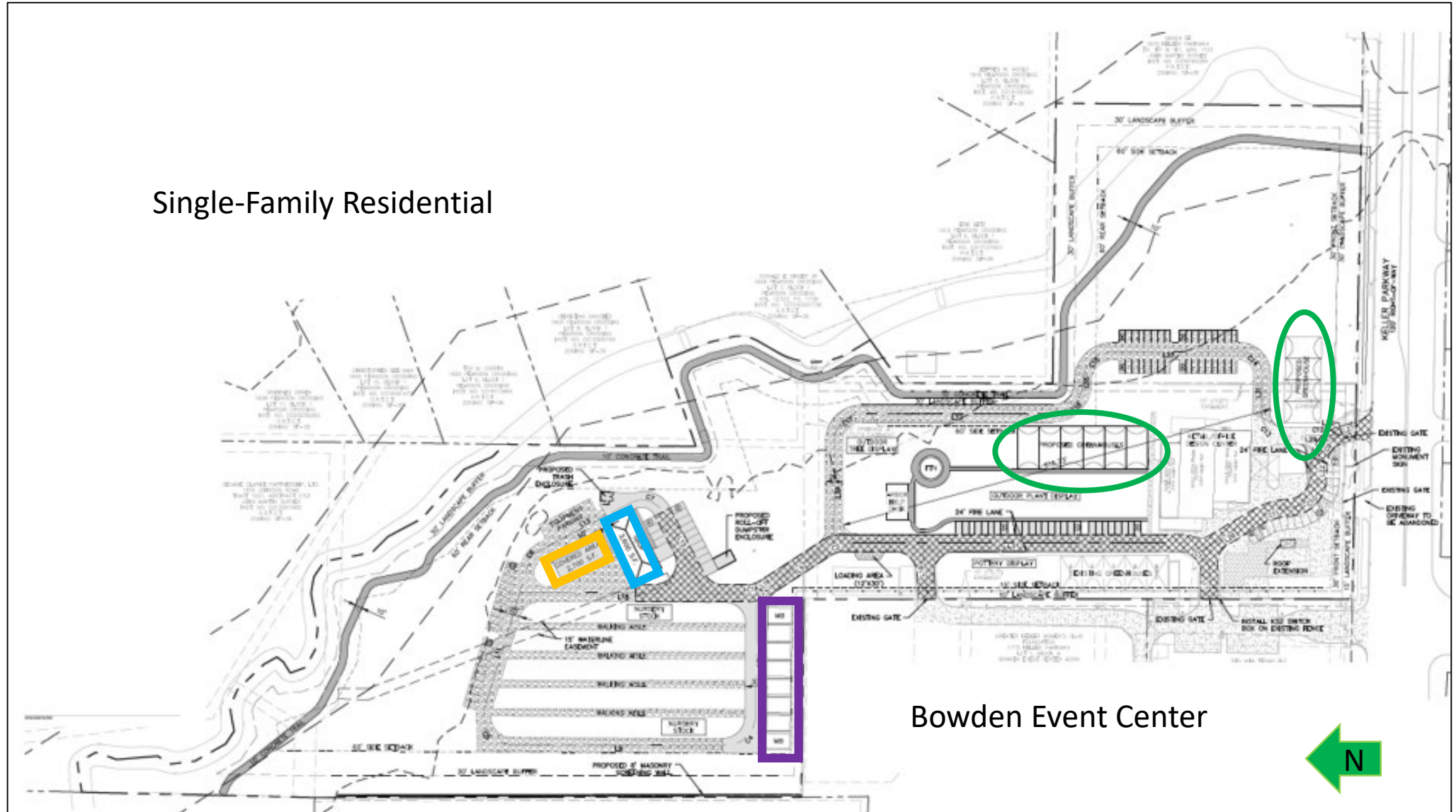
- Proposed 3,600 SF metal shop



- Proposed 2,700 SF metal covered area



- Proposed Mulch Bin location



## Item H-4

Three SUPs as required in the Retail Zoning District, cont'd.:

**3) Outside Storage/Display:** The Applicant proposes outside displays and storage for plant material and vehicles.





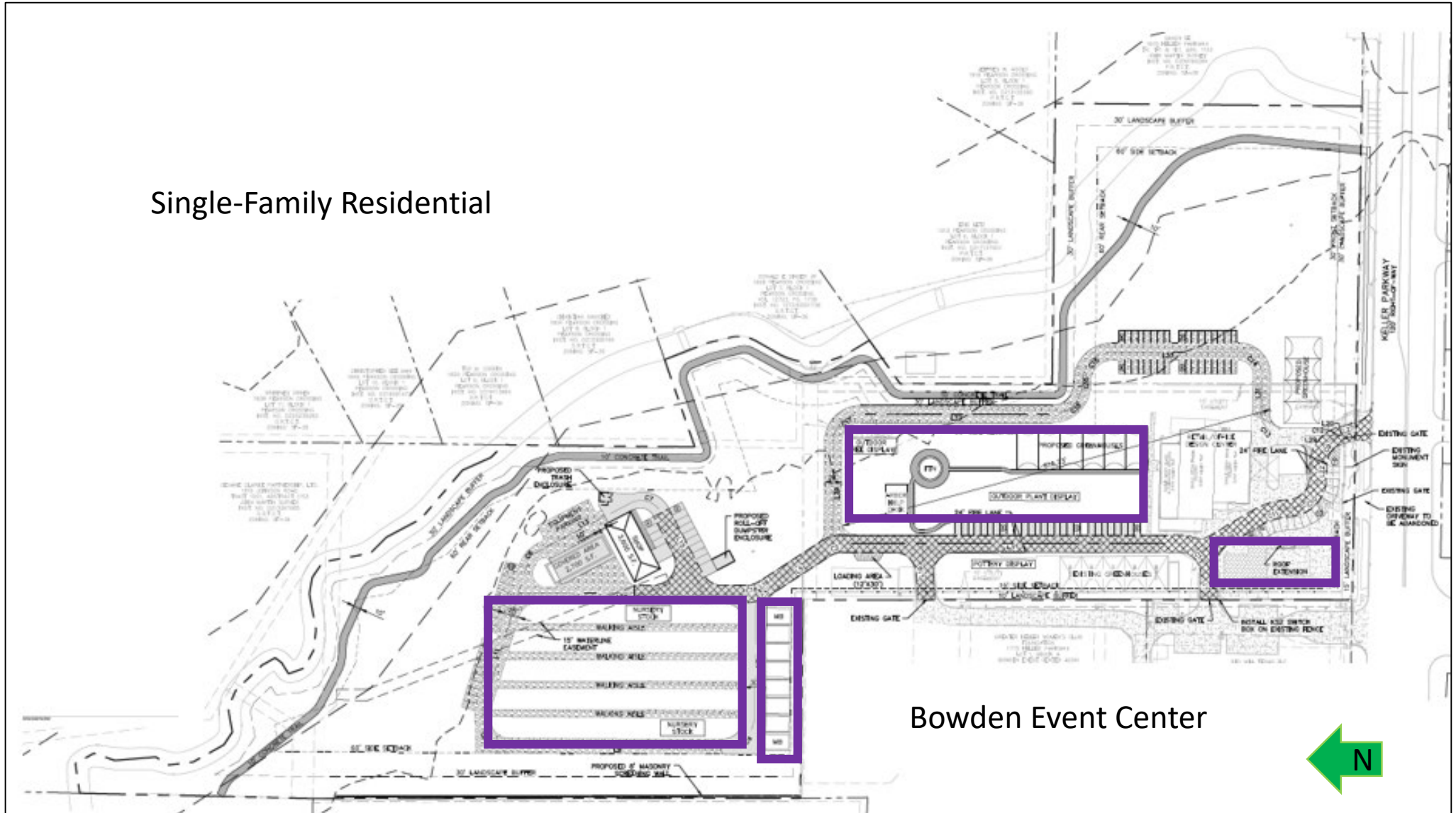
# Item H-4

## LEGEND:

Outside storage/display



Single-Family Residential



Bowden Event Center





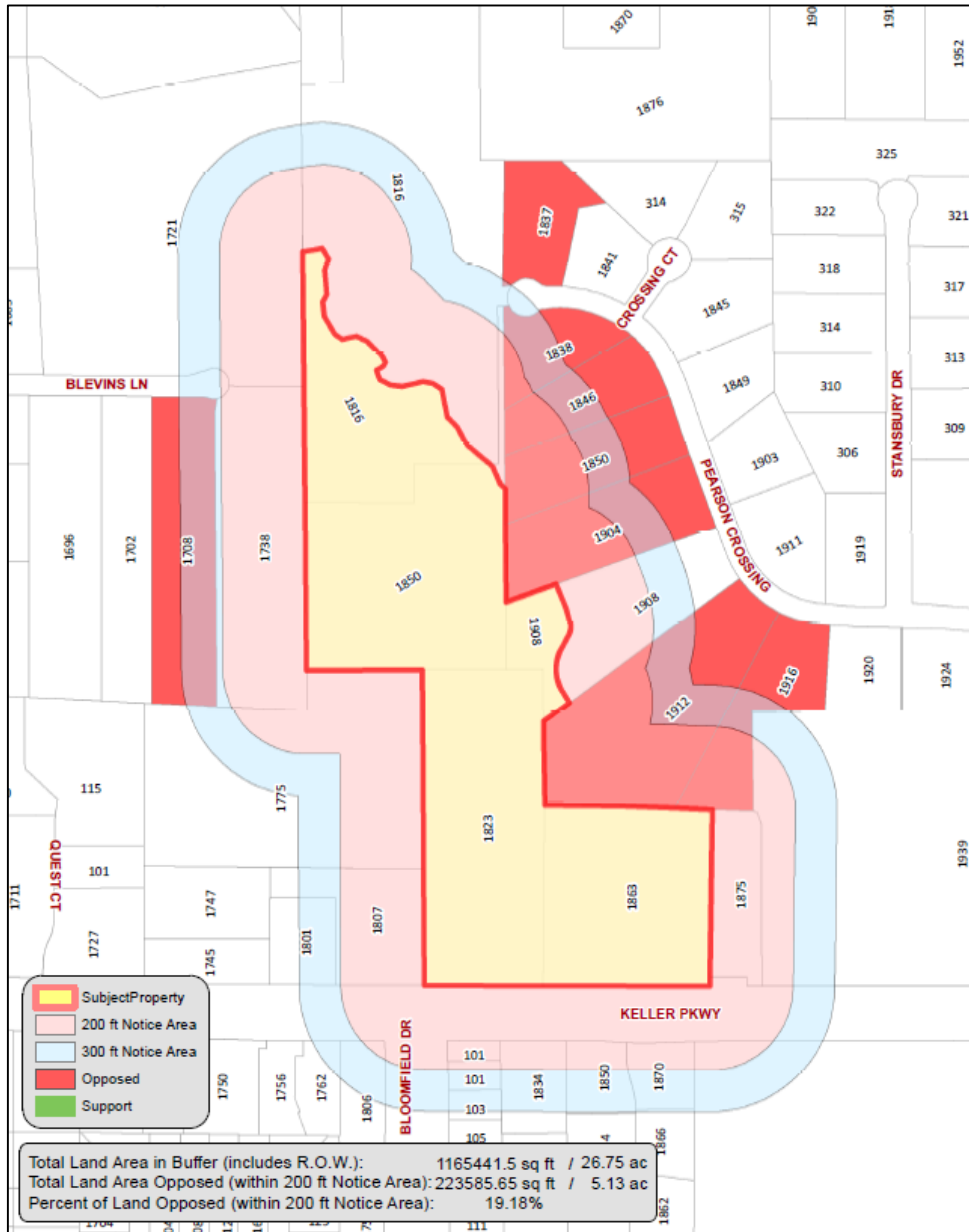


## Item H-4



**Proposed Hours of Operation:**  
Monday - Saturday: 7 a.m. to 6 p.m.  
Sunday: Closed

## Item H-4



- On Oct. 27, 2022, the City mailed 30 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 Dec. 6, 2022, staff has received eight opposition letters regarding the Specific Use Permit request, at 19.18% and would not trigger the supermajority voting requirement to pass a motion.



## Item H-4

### **Planning and Zoning Commission Recommendation:**

The Planning and Zoning Commission conducted a public hearing on Nov. 8, 2022, and two residents expressed concern with the proximity of the proposed metal shop/carport and noise.

The Planning and Zoning Commission recommended approval of the SUPs by a vote of 7-0 with the condition the Applicant must complete the construction of the trail prior to issuance of the Certificate of Occupancy for the proposed buildings and must provide additional evergreen trees adjacent to the residents to mitigate the aesthetics of the metal shop/carport and noise. The Applicant agreed to these requirements.

## Item H-4

### Summary:

Section 8.02 (F)(2) of the UDC states that when considering SUP requests, the 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.



# Item H-4

## SUP Requests:

1. To operate a light manufacturing business in the Retail zoning district.
2. To operate greenhouses and nurseries in the Retail zoning district.
3. To allow outside storage for plant and landscaping material and vehicles.

## Item H-4

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

- Approve as submitted
- Approve as recommended by the Planning and Zoning Commission
- Approve with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny





**Questions?**  
**Julie Smith**  
**817-743-4130**

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