

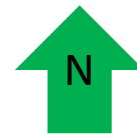
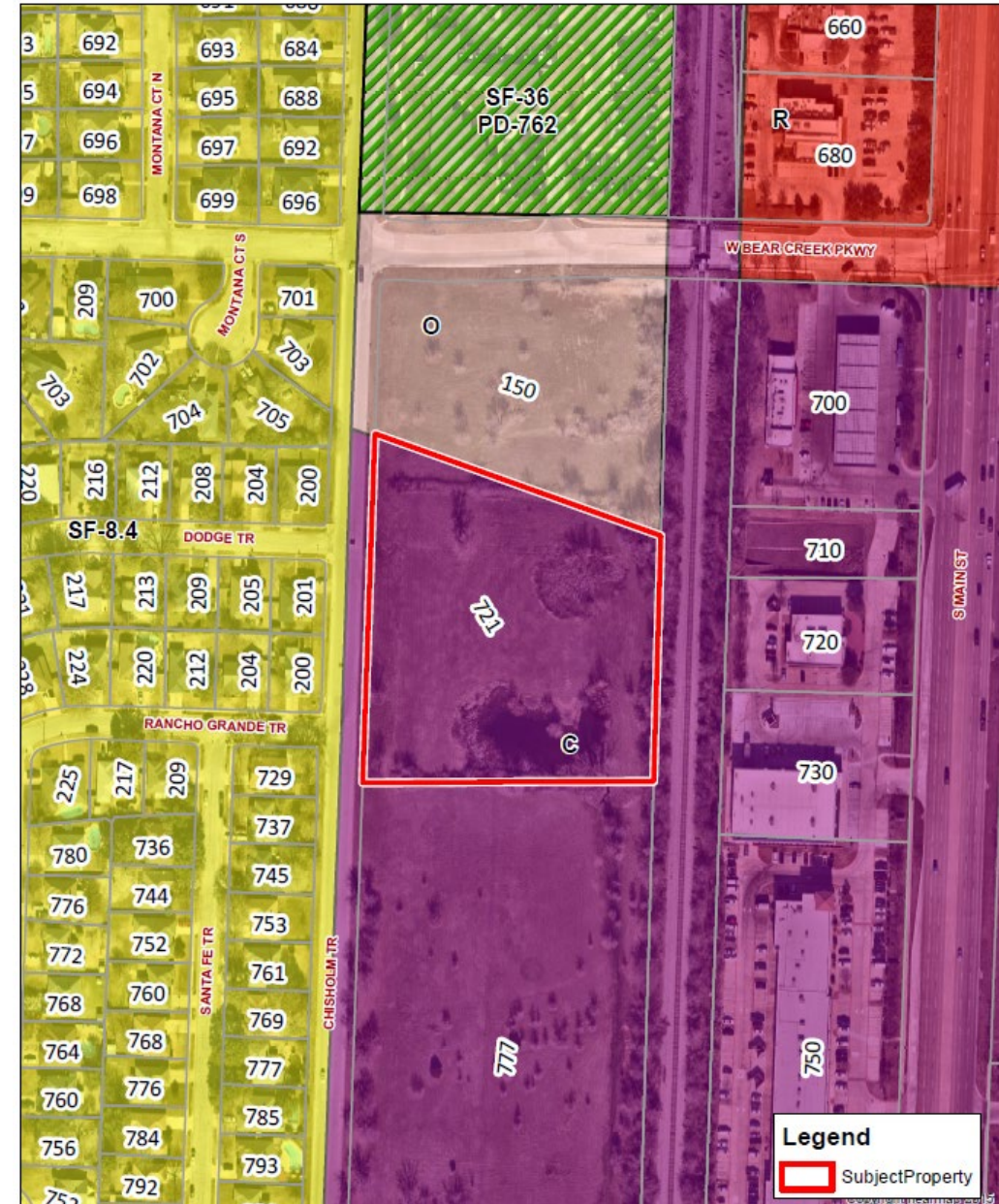
## Item H-3

**PUBLIC HEARING:** Consider an ordinance approving one amendment to an existing Specific Use Permit (SUP) for the Penguin Patch, by allowing a 6-month extension to the time the Applicant has to apply for and secure a building permit, on a property legally described as Abstract 457 Tract 14C03 of John Edmonds Survey, being 4.07-acres, approximately 270 feet southeast from the intersection of W. Bear Creek Parkway and Chisholm Trail, zoned Commercial (C), and addressed as 721 Chisholm Trail. Jennifer Randklev, Owner/Applicant. (SUP-23-0022)

# Item H-3 Aerial Map



# Item H-3 Zoning Map



Zoned:  
Commercial

## Item H-3

### Background:

On Aug. 2, 2022, City Council approved a Specific Use Permit (SUP) to allow the use of warehousing for the Penguin Patch, a business that offers schoolchildren the opportunity to purchase seasonal gifts for friends and family.



## Item H-3

### Background:

The SUP approval included the following condition:

1. The final Site Plan shall be presented to the City Council for approval at a later date.

The Unified Development Code (UDC) requires applicants secure a Building Permit or Certificate of Occupancy 1 year from the time of granting the SUP and gives City Council the authority to grant an extension.

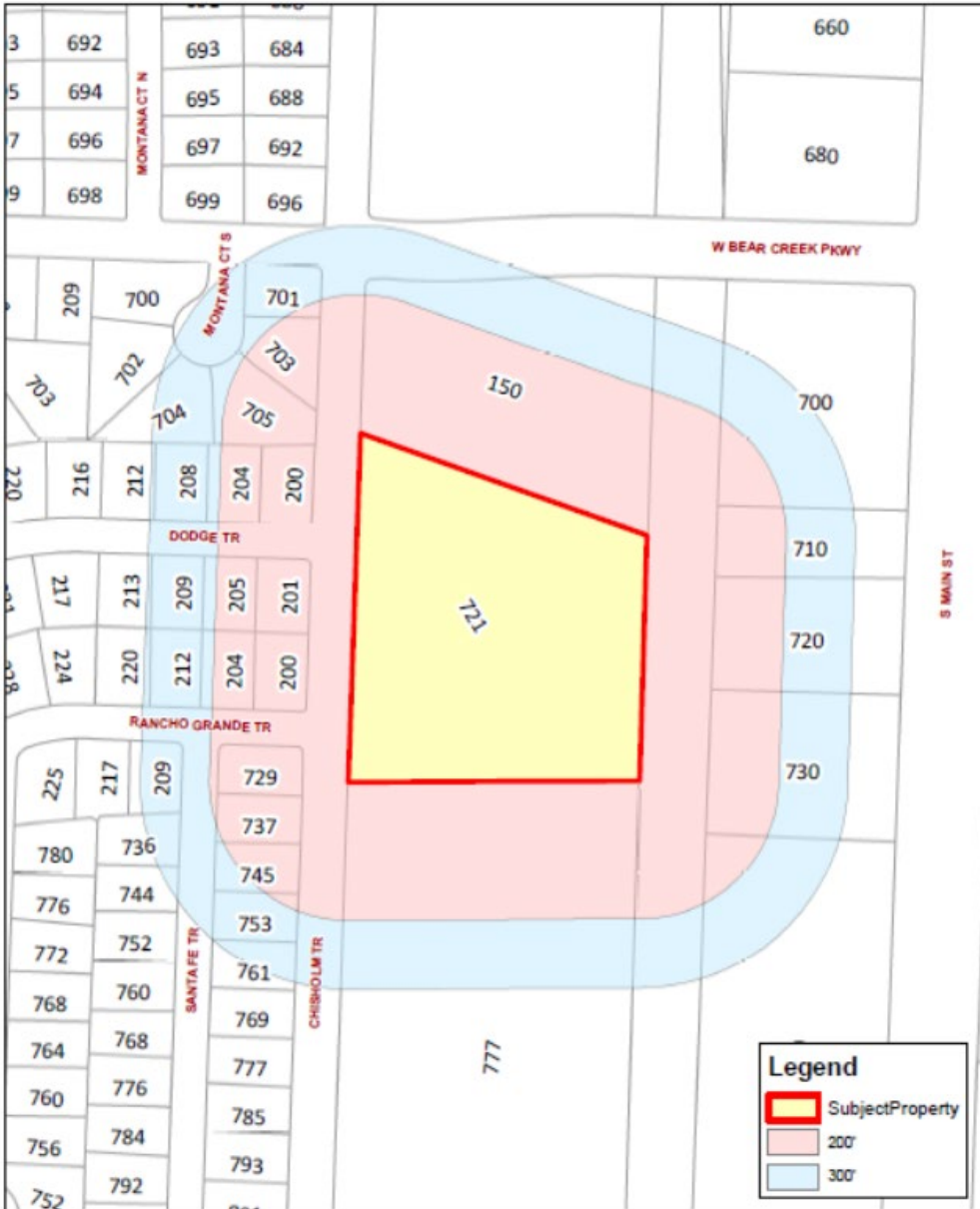
## Item H-3

### SUP Request:

1. To allow a 6-month extension to the time the Applicant has to apply for and secure a building permit, beginning on the date of City Council approval of the extension request.



## Item H-3

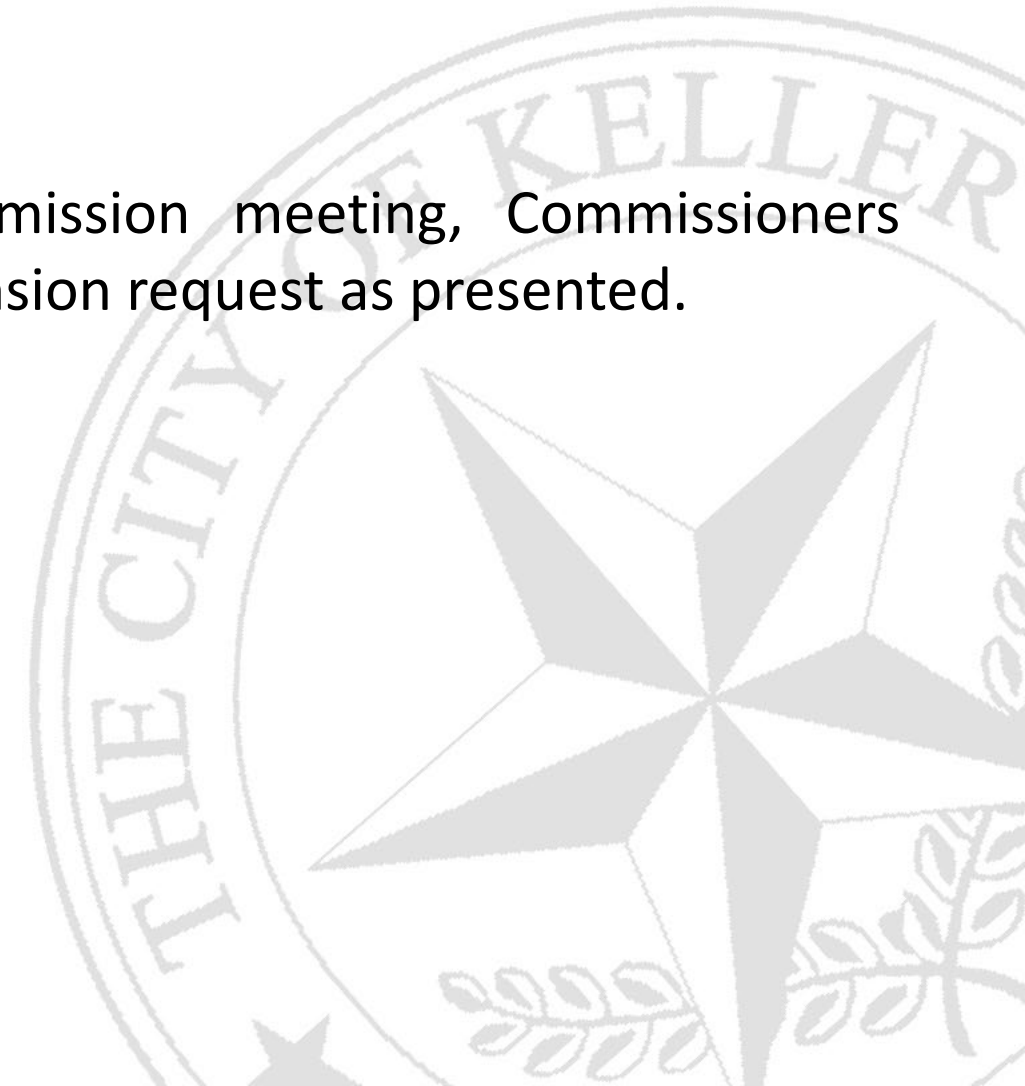


- On June 29, 2023, the City mailed 33 Letters of Notification for this public hearing to all property owners within 300 feet. A public hearing notice sign was also posted on the site.
- Staff has not received any support or opposition to this request.

## Item H-3

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

At the July 25, 2023 Planning and Zoning Commission meeting, Commissioners unanimously recommended approval of the SUP extension request as presented.



## Item H-3

Section 8.02 (F)(2)(a) of the UDC states that when considering an SUP request, 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-3

### **SUP Request:**

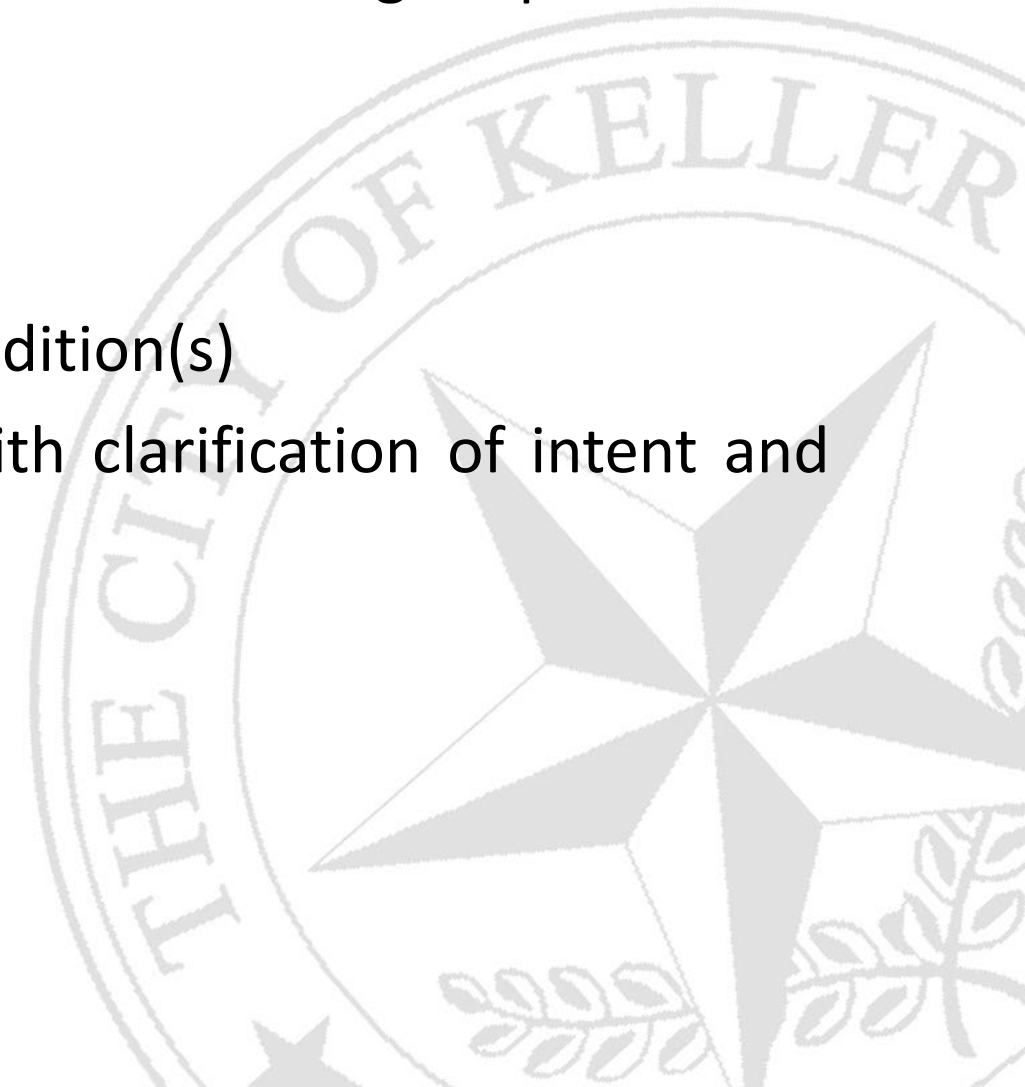
1. To allow a 6-month extension to the time the Applicant has to apply for and secure a building permit, beginning on the date of City Council approval of the extension request.



## Item H-3

The City Council has the following options when considering a Specific Use Permit (SUP) request:

- 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?**  
**Sarah Hensley**  
**817-743-4130**