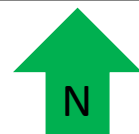


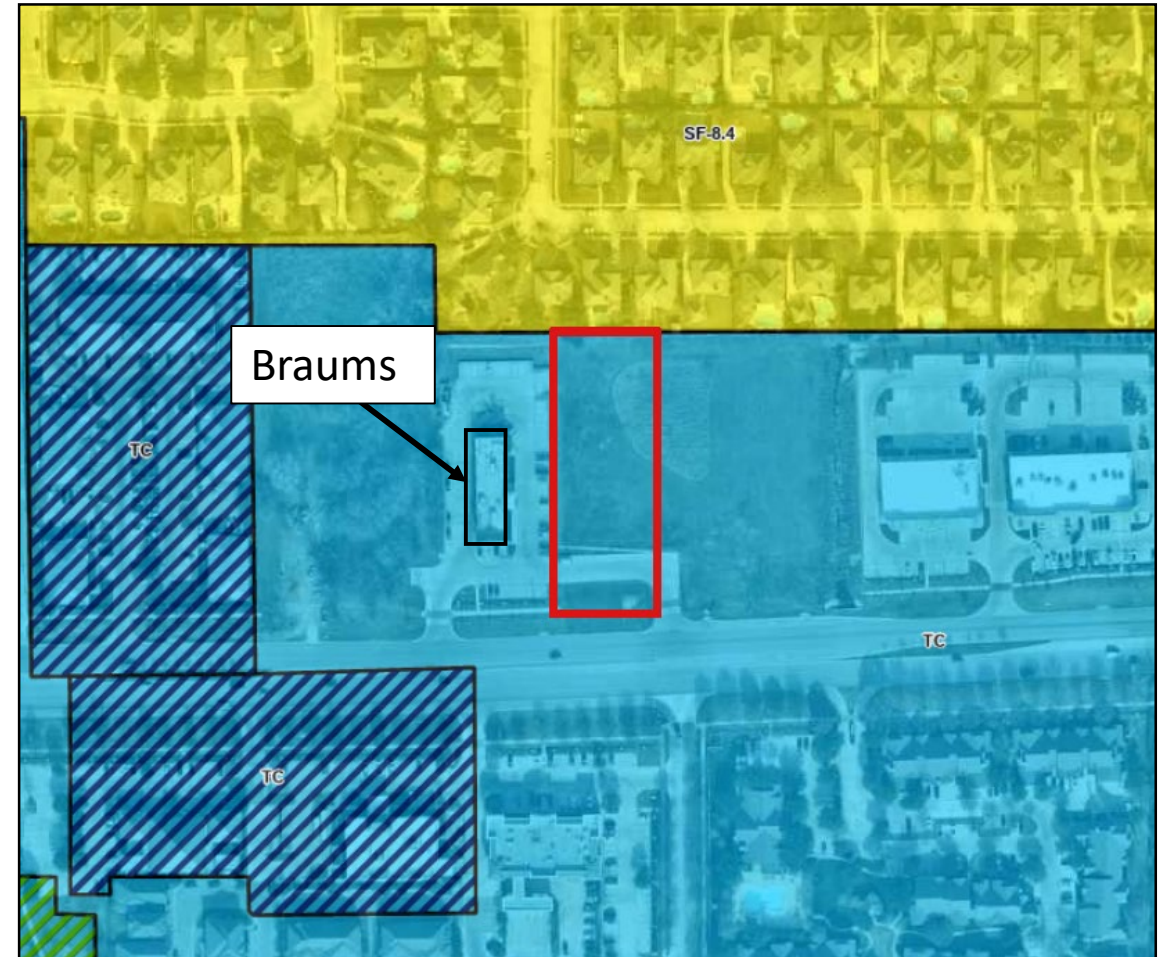
Item H-1

Consider an ordinance approving two Specific Use Permits (SUPs) for Dutch Bros, a proposed 1,270 square-foot restaurant with drive-thru (including a 320 square-foot covered patio with no patio seating and no interior seating), on an approximately 1-acre tract of land, located on the north side of Keller Parkway (F.M. 1709), approximately 150 feet northwest of Country Brook Drive and Keller Parkway (F.M. 1709) intersection, at 1241 Keller Parkway, being a portion of Tract 2E out of the Pamela Allen Survey, Abstract No. 28, and zoned Town Center (TC). Greenway-Keller, L.P., Owner. BB Holdings TX LLP., Applicant. (SUP-22-0001)

**Item H-1
Aerial Map**



**Item H-1
Zoning Map**



Zoned: Town Center

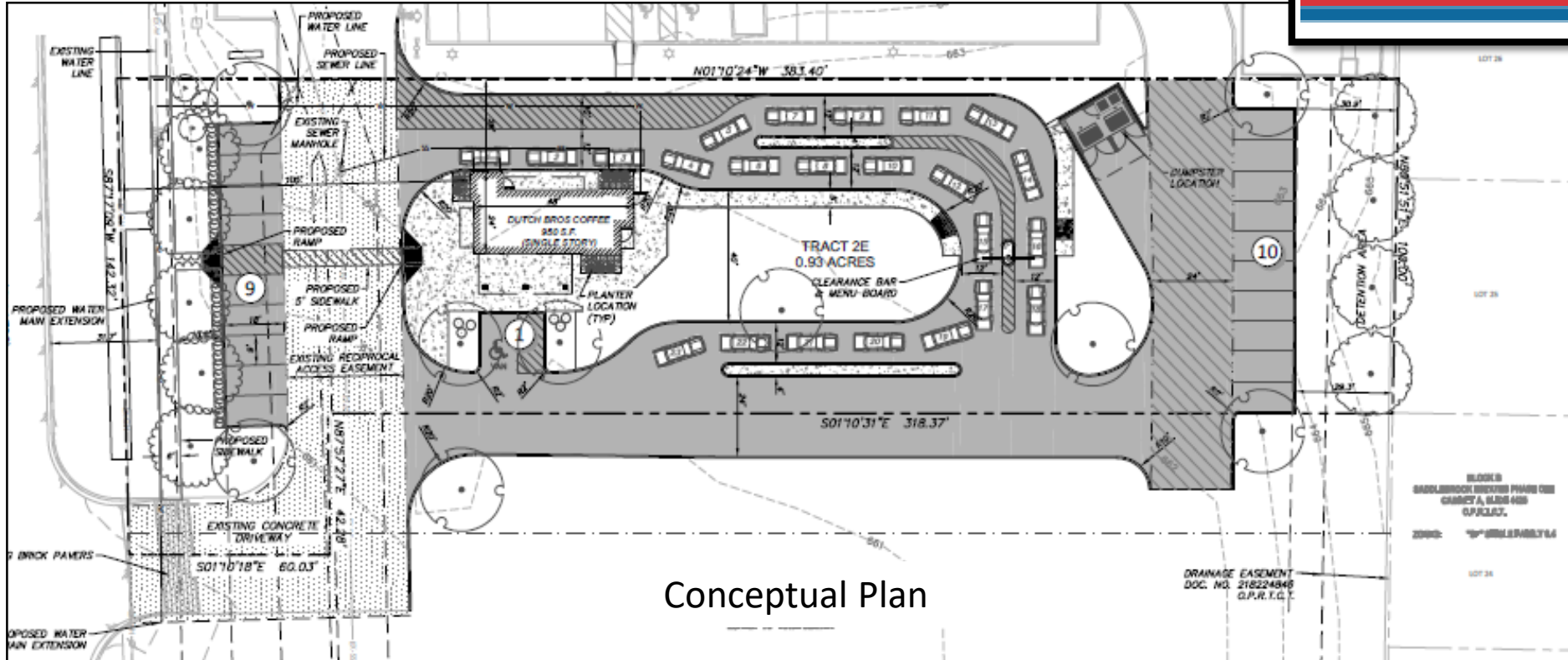
Item H-1

Background

The Town Center zoning district requires structures to be a minimum of 6,000 square feet. Like all zoning districts, an SUP is required for a drive-thru.

The Applicant is requesting an SUP to construct a 1,270-square-foot building and an SUP to have a drive-thru. The total square footage includes a 950-square-foot enclosed building with a 320-square-foot covered patio. The facility will not offer any seating inside or outside the building.

Item H-1



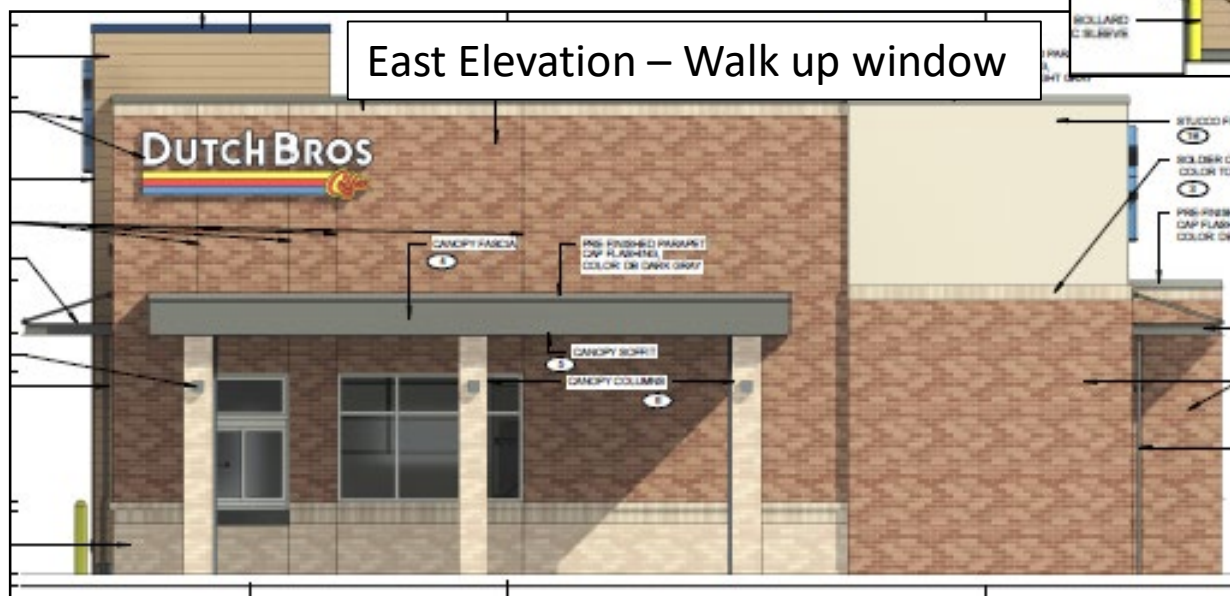
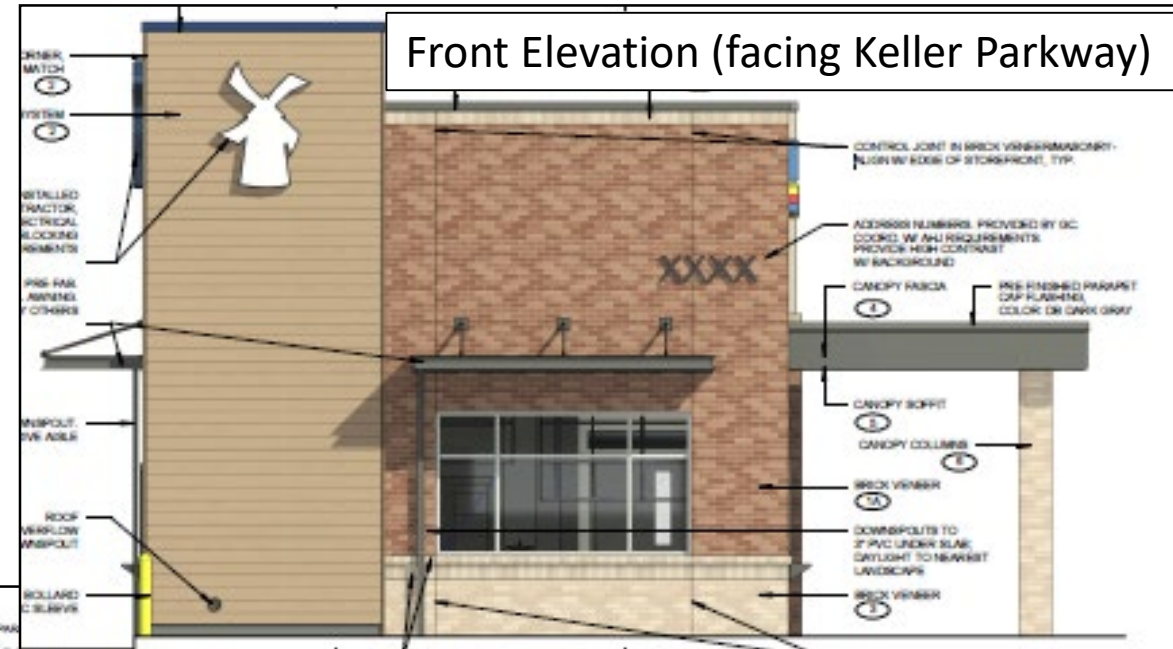
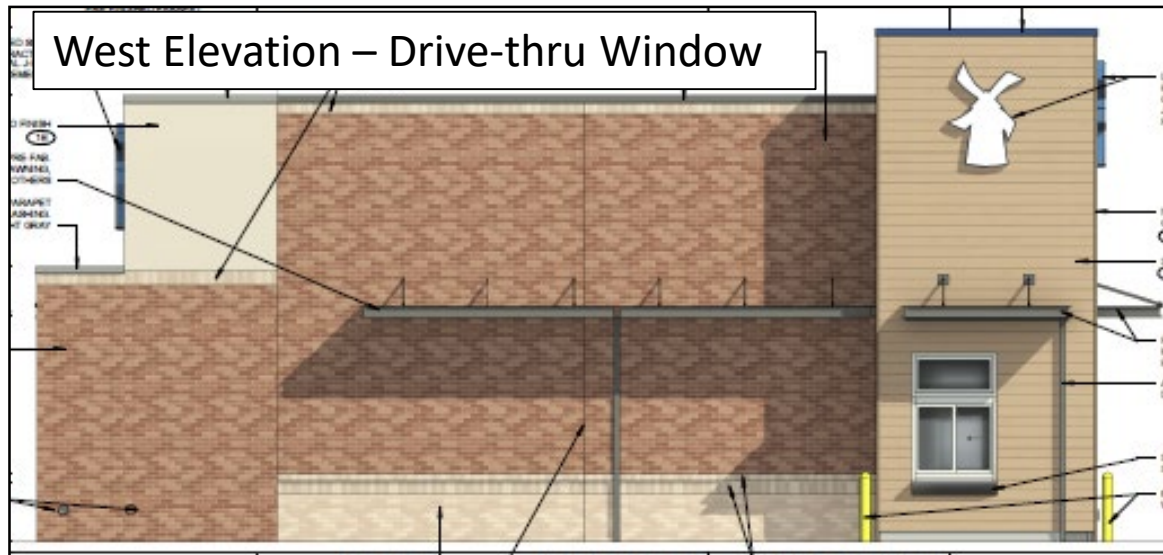
Conceptual Plan

Hours of Operation:

Open 7 days a week from 6 a.m. to 9 p.m.

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Item H-1

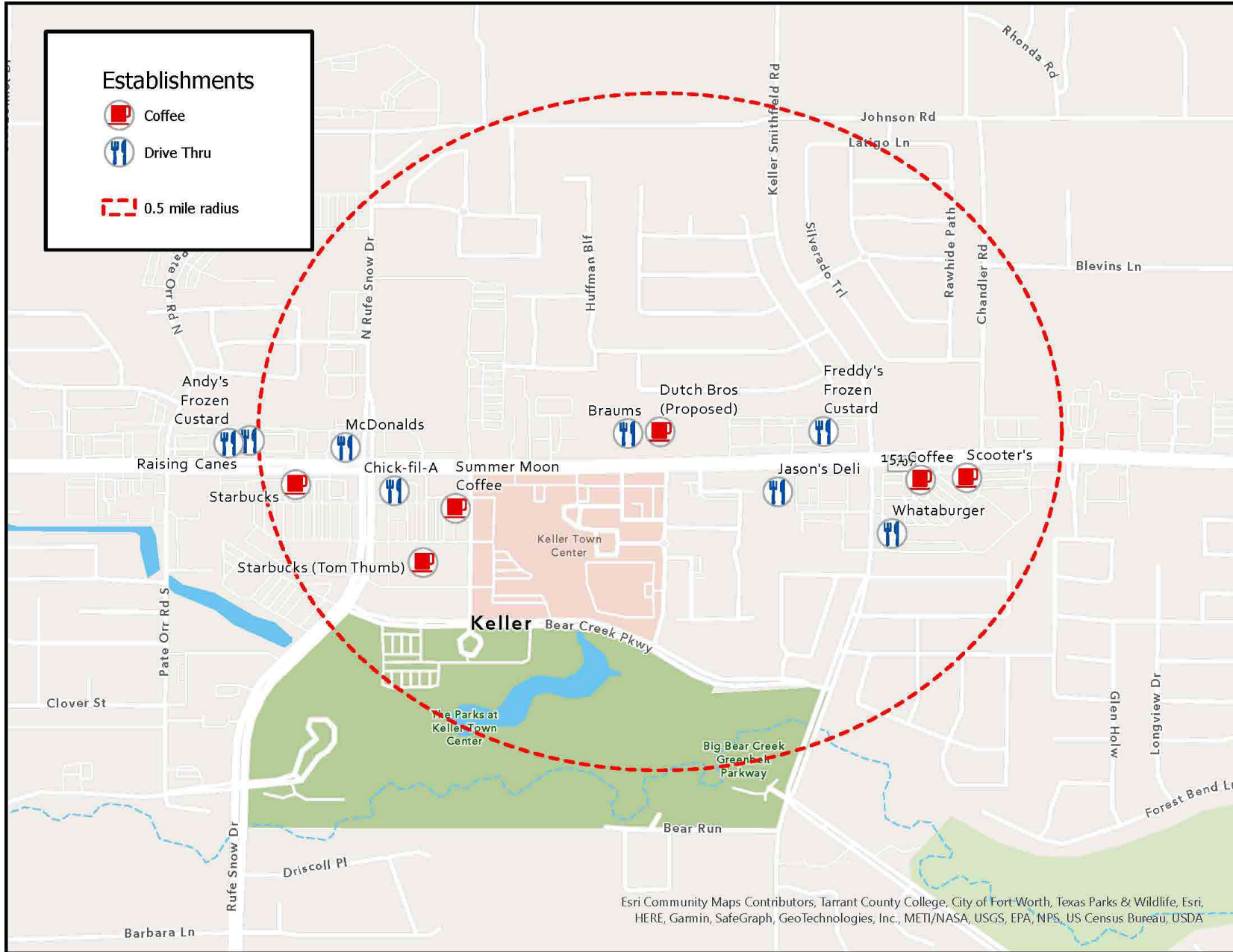


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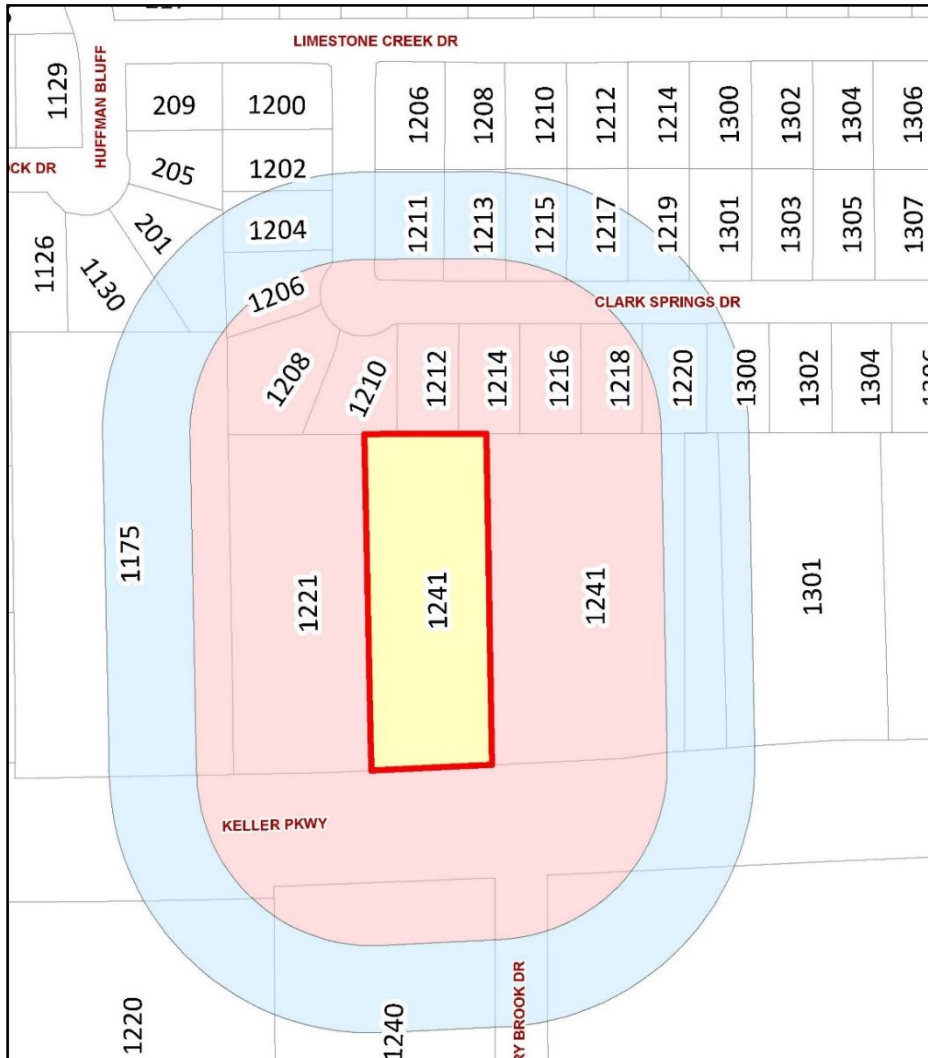
Economic Impact:

1241 Keller Pkwy. currently generates approximately \$5,130 in ad valorem taxes. The addition of a 950-square-foot drive-thru building is expected to increase that annual revenue by approximately \$450. The addition of another drive-thru coffee shop could be expected to generate an additional \$15K-\$25K in annual sales tax revenue for the city, based on the current sales for all coffee shops in Keller being about \$6.7M annually.

Item H-1



Item H-1



- On Feb. 11, 2022, the City mailed 25 Letters of Notification for the Planning and Zoning Commission public hearing to all property owners within 300 feet. A public hearing notice sign was also posted on the site.
- On Feb. 22, 2022, the Commission opened and closed the public hearing. No one spoke in favor or opposition. The Commission then tabled the item to March 8 because the Applicant was not present.
- Staff has received one email in opposition from the public. The email was received prior to the Feb. 22, 2022 public hearing.

Item H-1

SUP Requests:

1. An SUP to allow the structure to be a 950-square-foot enclosed building with a 320-square-foot covered patio without seating.
2. An SUP to allow the structure to have a drive-thru in the Town Center zoning district.

Item H-1

Section 8.02 (F)(2)(a) 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.

Item H-1

On March 8, 2022, the Planning and Zoning Commission unanimously recommended denial of the SUP requests. The Commission expressed concerns about:

- the particular location as a drive-thru only use; the property is one of very few raw land tracts left for development on Keller Parkway
- the building (less than 1,000 square feet) was significantly smaller than the minimum (6,000 square feet) required by the Town Center zoning district
- the approximately one-acre tract offered opportunities for sit-down/patio restaurants that would better match the overall goal of the TC zoning district
- the amount of concrete for the double lane drive-thru and the site overall.

The Commission encouraged Dutch Bros to work with Economic Development to help locate another site within Keller, since they would welcome the opportunity to purchase their coffee and support their business.

Item H-1

The City Council has the following options when considering two Specific Use Permits (SUPs):

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



Questions?
Julie Smith
817-743-4130

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