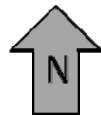


Item H-2

Consider an ordinance for a Specific Use Permit (SUP) for Jason's Deli, a single story 9,000 square-foot restaurant with drive-thru, located on a 1.58-acre lot, on the south side of Keller Parkway (FM1709), approximately four hundred seventy feet (470') west of the Keller Smithfield South and Keller Parkway (FM1709) intersection, being Lot 3, Block E, Keller Town Center Addition, at 1400 Keller Parkway (FM1709), and zoned TC (Town Center). Pinpoint Bear Creek Land Holdings, LLC, owner. Bomac Partners, Ltd or assigns (Trinity Partners), applicant. (SUP-18-0004)

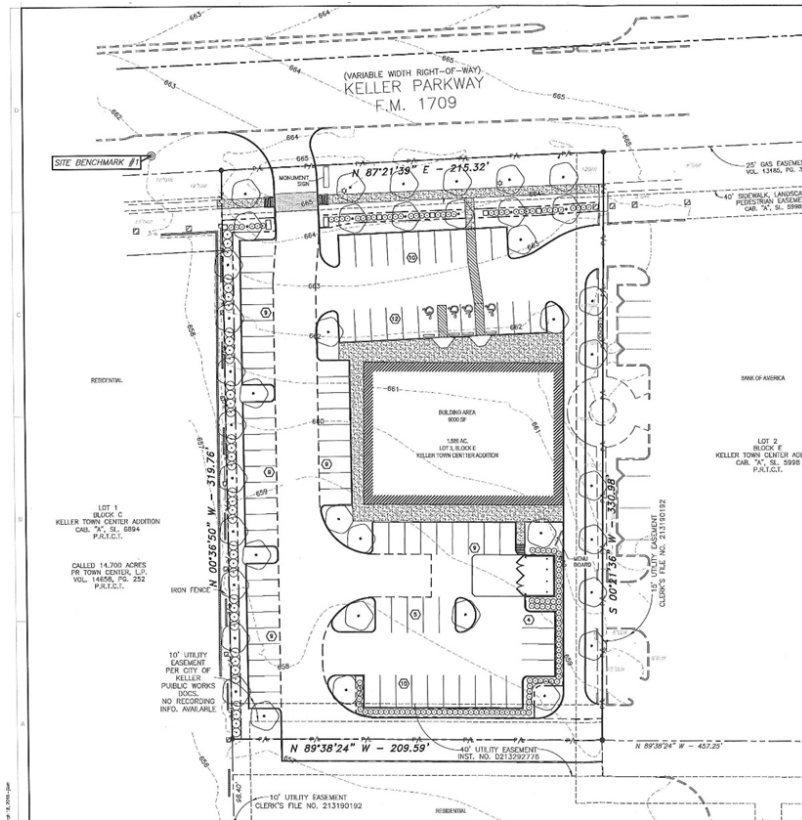
**Item H-2
Zoning Map**



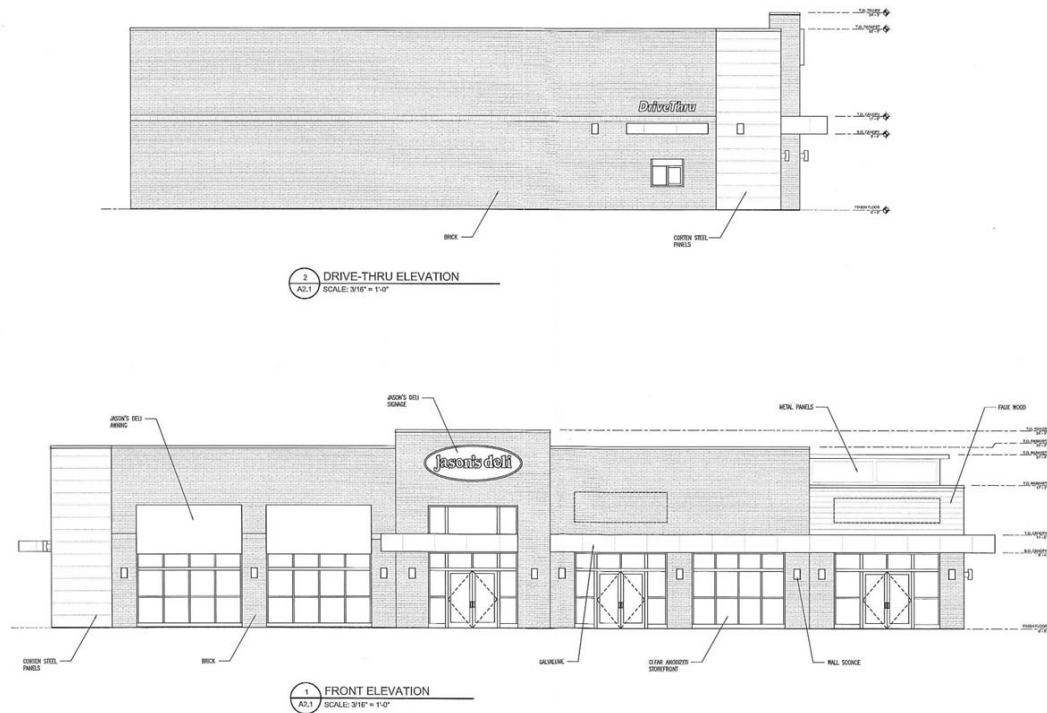
**Item H-2
Aerial Map**



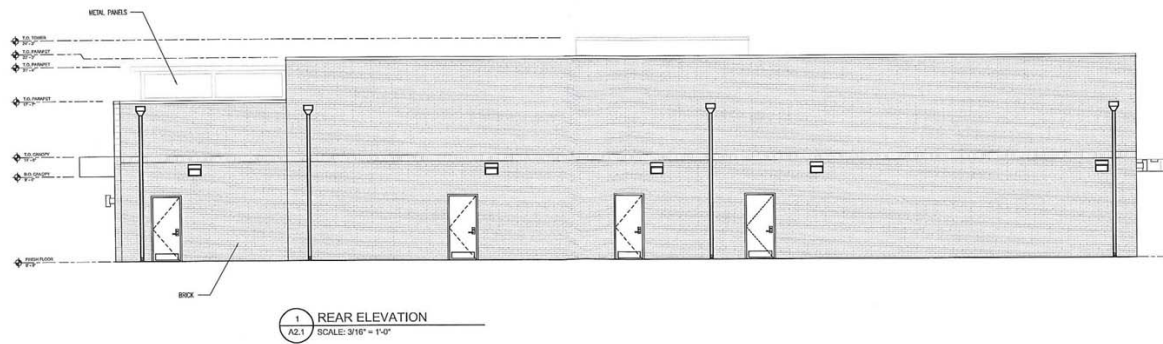
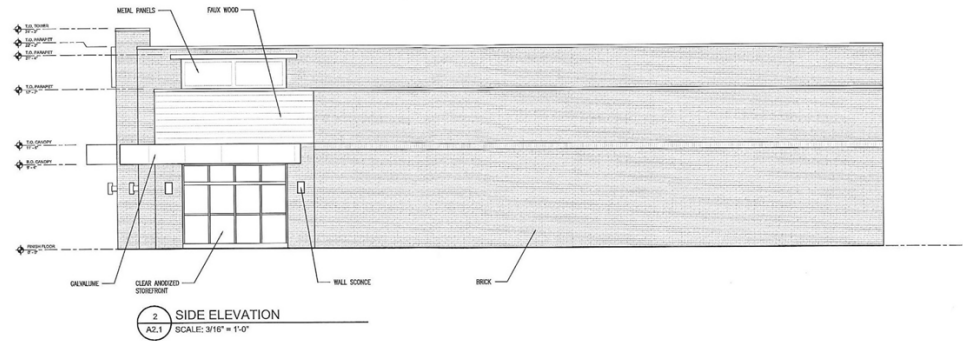
Item H-2



Item H-2



Item H-2



Item H-2

Section 8.04 (B.2.a) of the UDC states that when considering a SUP request, City Council shall consider the following factors:

The use is harmonious and compatible with surrounding existing uses or proposed uses,

The activities requested by the applicant are normally associated with the permitted uses in the base district,

The nature of the use is reasonable and appropriate in the immediate area,

Any negative impact on the surrounding area has been mitigated; and

That any additional conditions specified ensure that the intent of the district purposes is being upheld.

Item H-2 Professional Opinion

Staff understands that the proposed drive-thru is not reflective of the general purpose of the Town Center District as outlined by the UDC, and thus **does not support** this condition. While Town Center District discourages uses with drive-thru lanes, it is written in the UDC it can be approved with a Specific Use Permit (SUP); examples of previously approved (SUP's) in the Town Center Zoning District with drive-thru lanes are, Andy's Frozen Custard and Braums

Staff is forwarding this Specific Use Permit application to City Council with the following condition:

1. The condition for Jason's Deli to operate a drive-thru restaurant.

Item H-2 City Council Action

City Council has the following options when considering a Special Exception:

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



Questions?
Susan Kenney
817-743-4125

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