



City Council Meeting

Tuesday, May 21, 2019

I-2

PUBLIC HEARING: Consider an Ordinance for a Specific Use Permit (SUP) for Empire Toys, for 'Sales of used goods and merchandise' to occupy an 800 square-foot lease space on the second floor, within a 7,318 square-foot commercial building, located on a 0.20-acre tract of land, located on the west side of South Main Street (U.S. HWY 377), at the intersection of West Hill Street and South Main Street (U.S. HWY 377), being Lot 3A and 3B, Block 2, City Addition - Keller, at 136 South Main Street (U.S. HWY 377), and zoned OTK (Old Town Keller). (SUP-19-0008).

I-2 Proposed Use

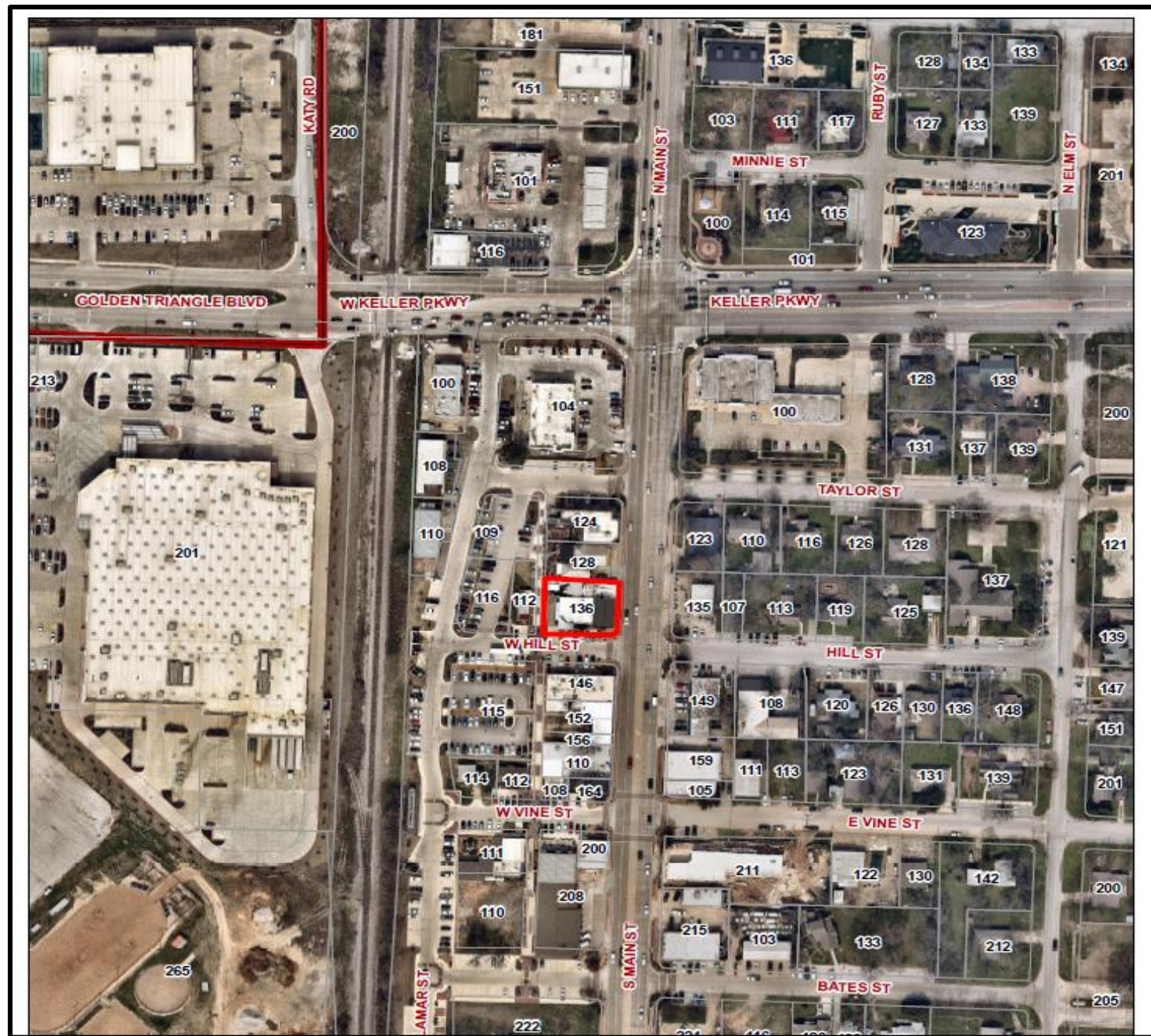
Empire Toys currently sells new toys; the owner would like the opportunity to sell used and vintage toys at its 136 S. Main St. location.

Business
Location



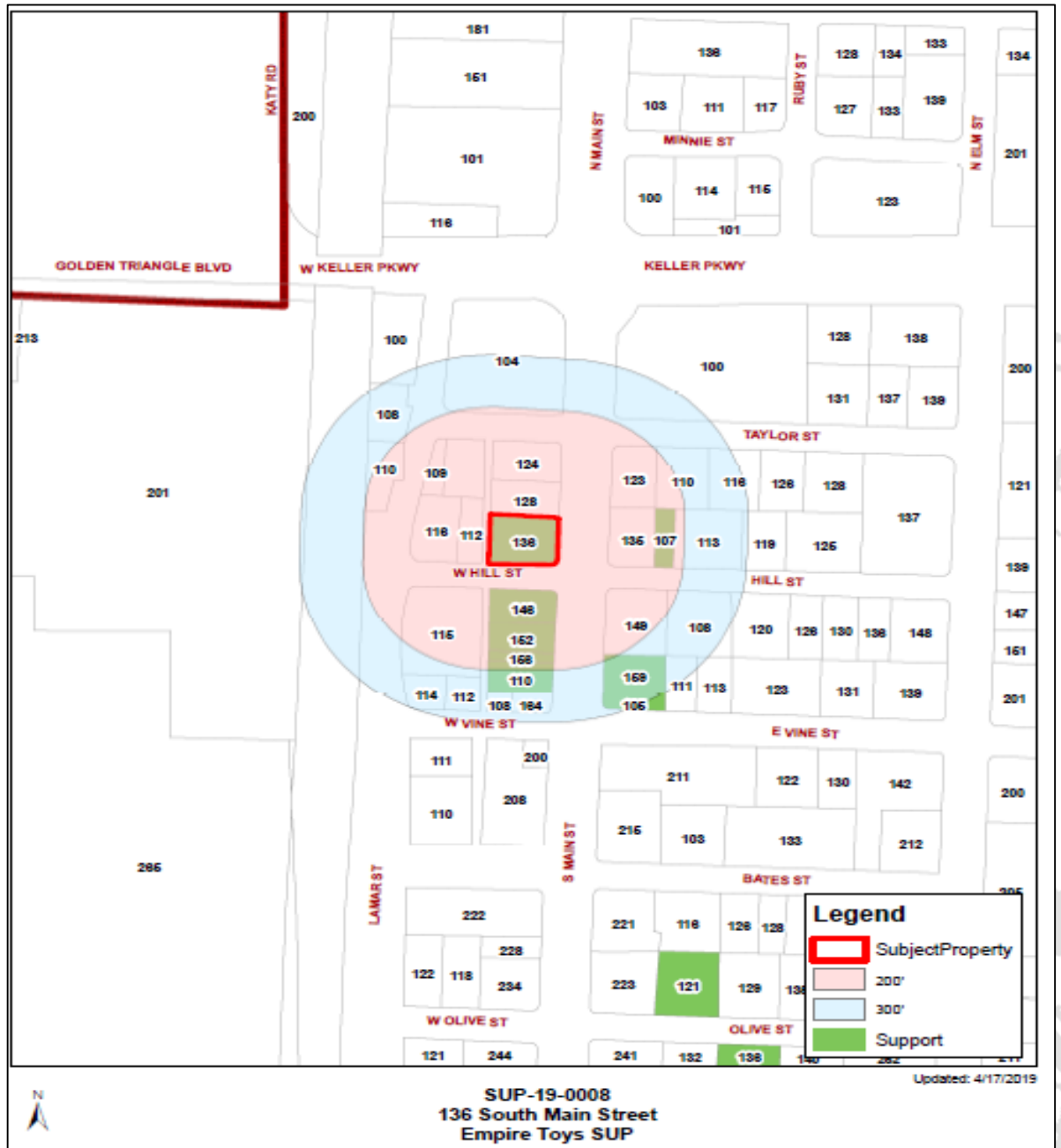
I-2

The Old Town Keller (OTK) overlay zoning district requires a Specific Use Permit (SUP) for 'Sales of used goods and merchandise.' Vintage toys are considered used toys.



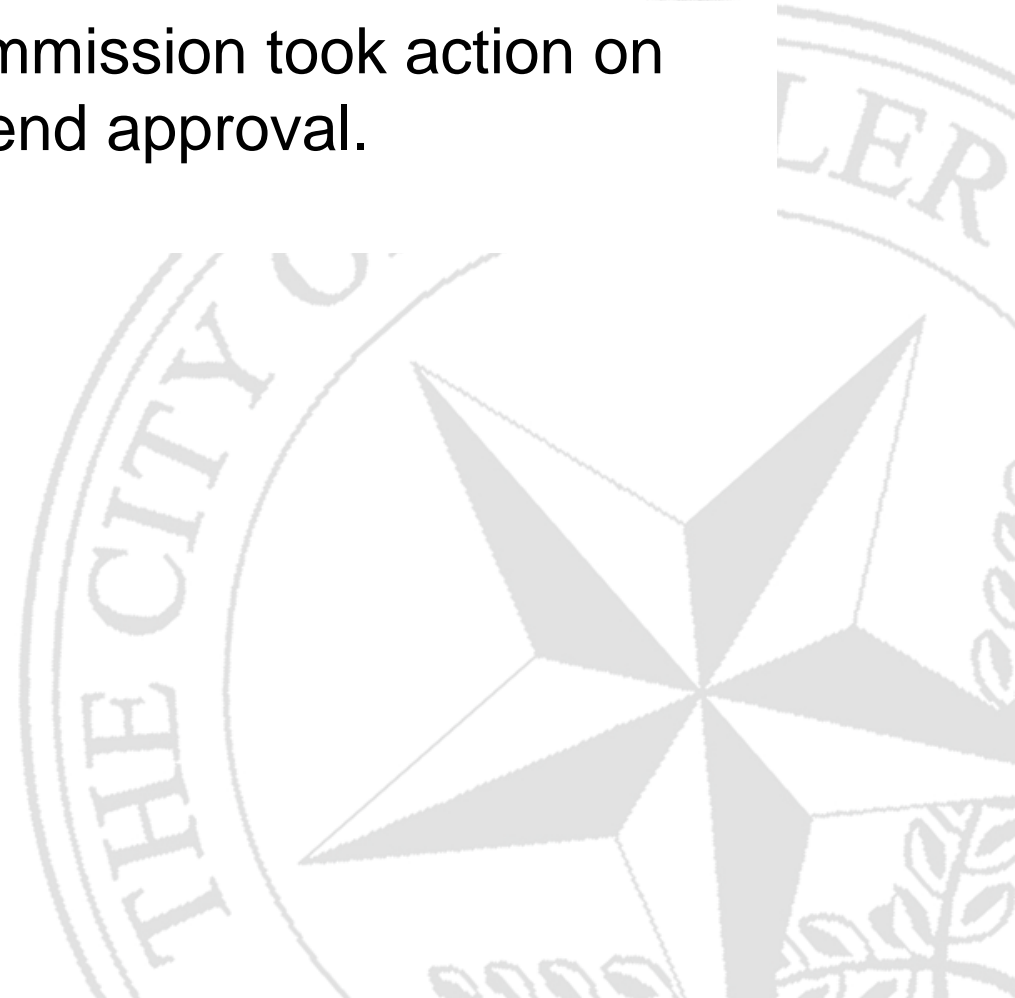
I-2

On April 12, 2019, the City mailed out twenty-six (26) letters of notifications for a Public Hearing to property owners within (300') of the subject property.



Planning and Zoning Decision

On April 22, 2019, the Planning and Zoning Commission took action on this agenda and voted unanimously to recommend approval.



Item I-2 Summary

Section 8.04 (B.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:

- 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 are being upheld.

City Council Action

The City Council has the following options when considering an SUP application:

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