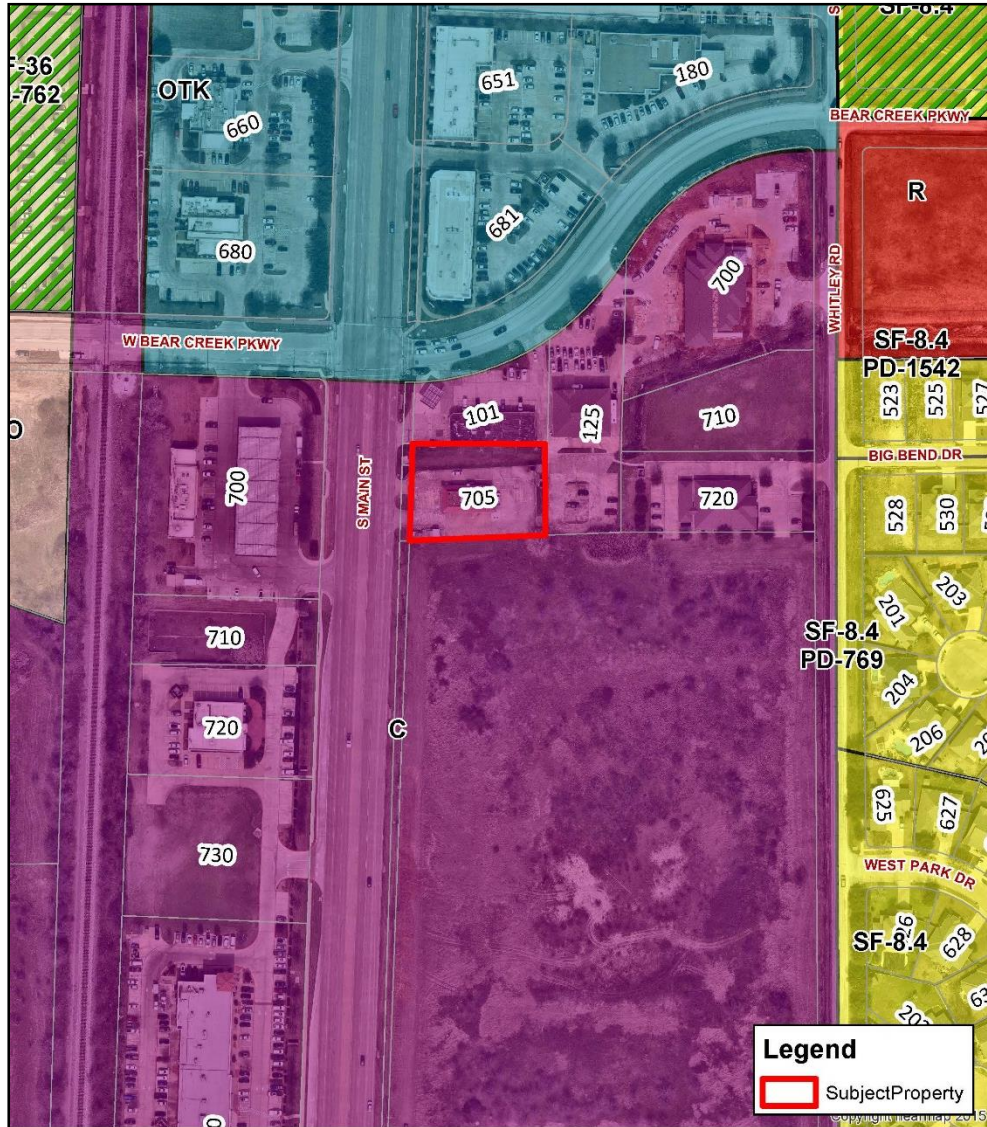


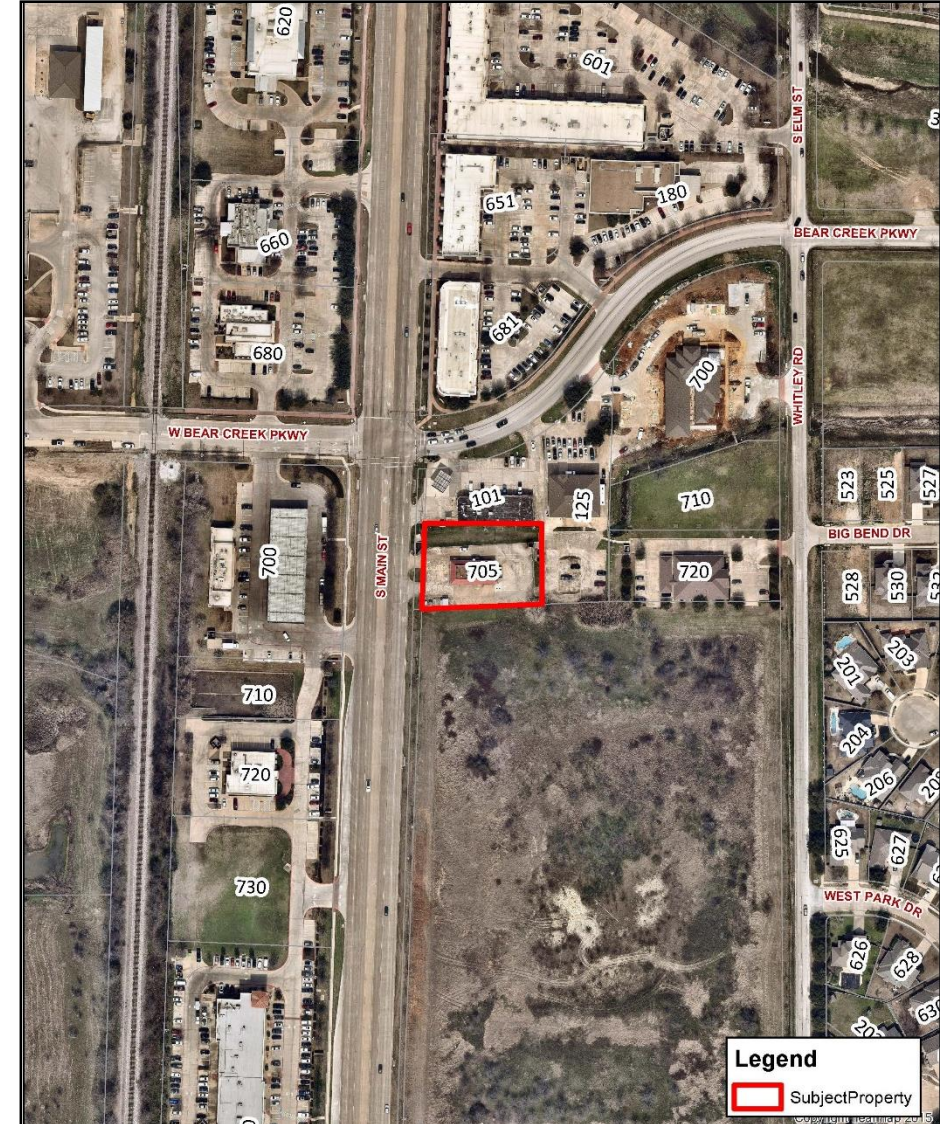
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PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for The Tiki Hut of Keller to operate a temporary vendor business (snow cones), located on an approximately 0.5467-acre tract of land, on the east side of South Main Street (U.S. HWY 377), at the intersection of Bear Creek Parkway and South Main Street (U.S. HWY 377), being Lot 2RB1, Block 1, Bland Square Addition, at 705 South Main (U.S. HWY 377) accessory to Mr. Jim's Pizza (Account #: 05744830), and zoned C (Commercial). (SUP-19-0011) Cathy Smith, applicant. Todd Hendricks, Property Owner.

Item H-4 Zoning Map



Item H-4 Aerial View



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Item H-4

- Established and operating since 2003 from this location
 - Seasonally from April – September
- The Kiosk and all related equipment are permanent
- Per the current UDC, any business is required to receive a SUP for seasonal sales in the Commercial Zoning District
 - non-operational for 6 months out of the year
(legal non-conforming status cannot be applied)



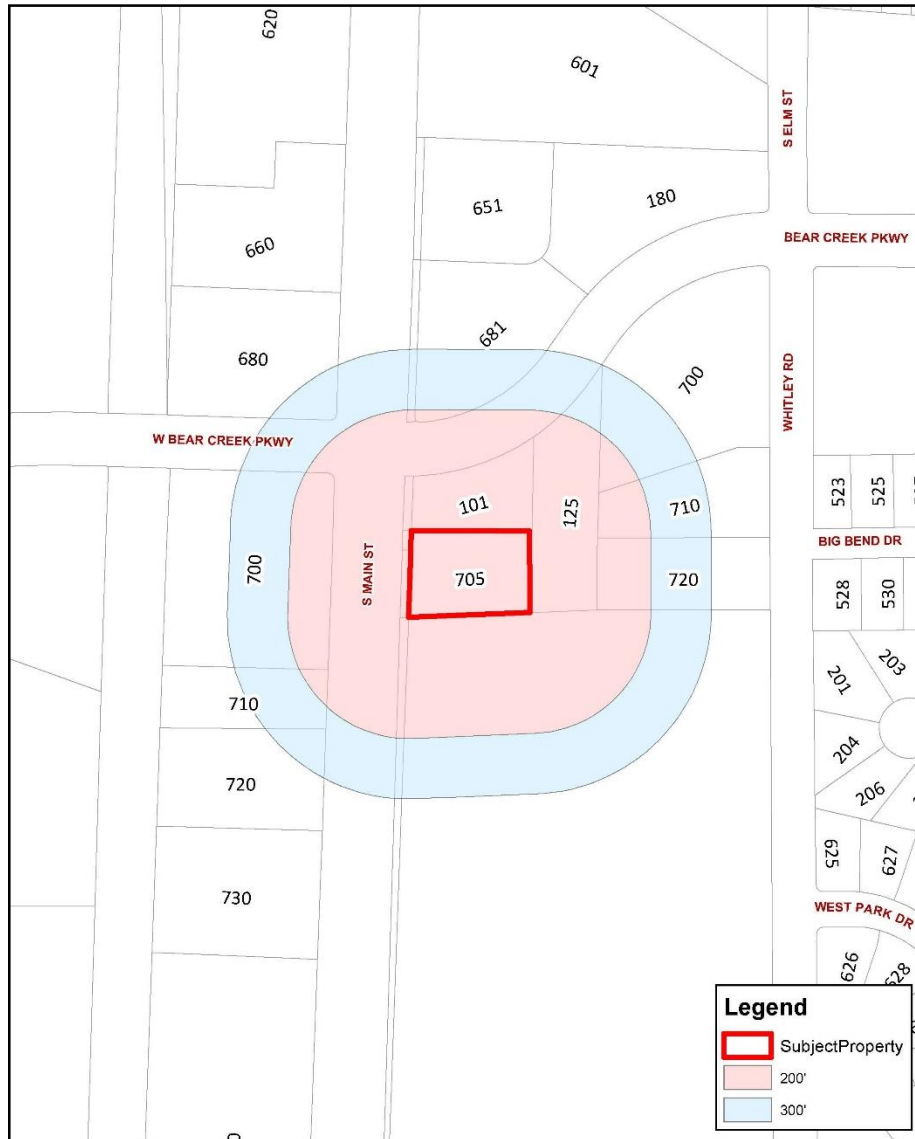
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Applicant is requesting the following condition:

The Specific Use Permit shall be valid for six (6) months per year beginning April 1 and ending September 30 for four (4) years. This Specific Use Permit shall expire on September 30, 2023.

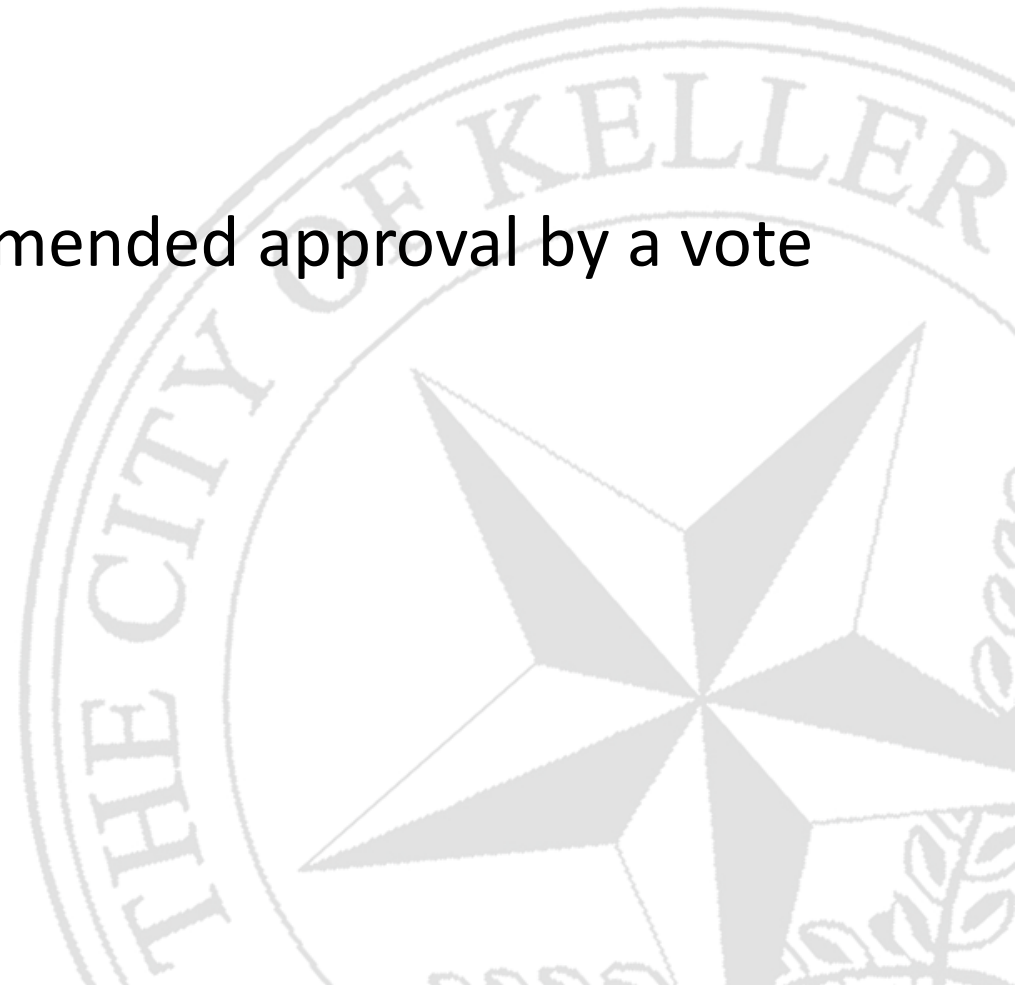
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- On May 24, 2019, the City mailed out 9 letters of notification for Public Hearing to all property owners within (300') of the subject site
- Staff has not received any letters from the public regarding this application

Item H-4

The Planning and Zoning Commission recommended approval by a vote of 7-0 on June 10, 2019.



Item H-4

Section 8.04 (B.2.a) of the UDC states that when considering a Specific Use Permit 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-4

The City Council has the following options when considering a Specific Use Permit application:

- Approve as submitted (with condition for seasonal use)
- Approval with additional condition(s) or modifications
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



Questions?
Julie Smith
817-743-4129

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