



Legislation Details (With Text)

File #: 21-258 **Version:** 1
Type: New Business **Status:** Approved
File created: 4/21/2021 **In control:** City Council
On agenda: 5/4/2021 **Final action:**

Title: PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow the use of a Liquor Store (10,000 square-feet or greater), for Goody Goody Liquor Store, in an approximately 15,742 square-foot building, on 1.41-acres, located on the west side of South Main Street, approximately 750 feet south of the Bear Creek Parkway and South Main Street intersection, located at 730 South Main Street, legally described as Lot 6R, Block A, Bear Creek Plaza and zoned C (Commercial). Garland All Storage Associates, owner. R.L. Johnson Construction INC., applicant. (SUP-21-0009)

Attachments: 1. 050421_GoodyGoody SUP_Proposed Ordinance, 2. 050421_GoodyGoody SUP_Maps, 3. 050421_GoodyGoody SUP_Application, 4. 050421_GoodyGoody SUP_Elevations, 5. 050421_GoodyGoody SUP_Trip Generation Form, 6. 050421_GoodyGoody SUP_Support Letters, 7. 050421_GoodyGoody_Presentation

Date	Ver.	Action By	Action	Result
5/4/2021	1	City Council	close the public hearing	Pass
5/4/2021	1	City Council	approve with conditions	Pass

To: Mark Hafner, City Manager
From: Julie Smith, Community Development Director

Subject: PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow the use of a Liquor Store (10,000 square-feet or greater), for Goody Goody Liquor Store, in an approximately 15,742 square-foot building, on 1.41-acres, located on the west side of South Main Street, approximately 750 feet south of the Bear Creek Parkway and South Main Street intersection, located at 730 South Main Street, legally described as Lot 6R, Block A, Bear Creek Plaza and zoned C (Commercial). Garland All Storage Associates, owner. R.L. Johnson Construction INC., applicant. (SUP-21-0009)

Background: In November 2019, the citizens of Keller voted to approve the sale of liquor and alcoholic beverages within City limits.

In December 2019, City Council unanimously approved the Unified Development Code (UDC) text amendment to allow “liquor” and “distillery” uses over 10,000 square feet in Retail (R), Town Center (TC), Old Town Keller (OTK), Katy Road (KR), and Commercial (C) zoning districts (Ordinance No. 1959) with an SUP.

Today, the Applicant is proposing to construct an approximately 15,742 square-foot retail liquor store in the Commercial zoning district.

SUP Request:

An SUP for a 15,742 square-foot liquor store.

Elevations:

The Applicant proposes the elevations to be approximately 83.8% masonry, which would exceed our UDC requirements.

Proposed Hours of Operation:

Monday - Saturday: 10am to 9pm

Sunday: Closed

Employment:

Goody Goody would initially employ 12 full-time employees and 5 part-time employees if granted the SUP. The business expects to hire 30 full-time employees and 10 part-time employees upon establishing a foothold in the market.

Trip Generation:

Per the UDC, a trip generation form was provided by the Applicant. The Applicant anticipates a total of 1,598 trips per 24 hours; consequently, the proposed use does not warrant a Traffic Impact Analysis.

Economic Impact:

Sales Tax: Goody Goody considers many factors including traffic counts, traffic normal drive patterns, population density, average education of population within a five mile radius, average income, etc. when estimating a store's sales. Between Goody Goody's estimate for the first full year of sales and potential growth at maturity, the annual sales tax revenue of the city would be between \$100,000 and \$200,000. This range would place them in the top 20 sales taxpayers of the city.

Property Tax: The city's estimated property tax revenue of a 15,742 square-foot commercial retail building in this location would be approximately \$8,676.45.

Citizen Input:

On March 30, 2021, the city mailed out seven Letters of Notification for this Public Hearing to property owners within three hundred feet (300') of the subject site. A public hearing notice sign was also posted on the site.

As of April 26, 2021, Staff has received three letters in support from the public.

Planning and Zoning Recommendation:

On April 13, 2021, the Planning and Zoning Commission voted to unanimously recommend approval of this item as presented.

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:

- 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.

Alternatives:

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

Approve as recommended by the Planning and Zoning Commission.

Approve with modified or additional condition(s).

Table the agenda item to a specific date with clarification of intent and purpose.

Deny.