



## Legislation Details (With Text)

**File #:** 20-219      **Version:** 1

**Type:** New Business      **Status:** Agenda Ready

**File created:** 5/6/2020      **In control:** City Council

**On agenda:** 5/12/2020      **Final action:**

**Title:** PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) for Nostalgic Nerd to operate a used goods and merchandise retail business (retro video game store) located in an approximately 2,413 square-foot building on an approximately 0.25-acre tract, on the north side of West Pecan Street, approximately 250 feet southwest of the intersection of South Main Street and West Olive Street, being KELLER, CITY ADDITION Block 8 Lot 9 & 2A at 121 Olive Street, and zoned Old Town Keller (OTK). Kopiu Bay Properties, owner. Patrick Gonzales, applicant. (SUP-20-0011)

**Attachments:** 1. 051220\_TheNostalgicNerd\_Maps.docx, 2. 051220\_TheNostalgicNerd\_ExhibitA.docx

Date	Ver.	Action By	Action	Result
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**To:** Planning and Zoning Commission

**From:** Matthew Cyr, Planner I

### Subject:

PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) for Nostalgic Nerd to operate a used goods and merchandise retail business (retro video game store) located in an approximately 2,413 square-foot building on an approximately 0.25-acre tract, on the north side of West Pecan Street, approximately 250 feet southwest of the intersection of South Main Street and West Olive Street, being KELLER, CITY ADDITION Block 8 Lot 9 & 2A at 121 Olive Street, and zoned Old Town Keller (OTK). Kopiu Bay Properties, owner. Patrick Gonzales, applicant. (SUP-20-0011))

### Background:

- Nostalgic Nerd is proposing to sub-lease a 350 square-foot room within the 2,413 square-foot commercial building (formerly residence) that now houses Bakeology.
- Nostalgic Nerd plans to sell refurbished electronic goods including retro video games and consoles.
- In 2018 a Certificate of Occupancy was issued for Bakeology (a custom dessert store) at this location. Because Bakeology is reducing square footage in order to accommodate Nostalgic Nerd. The parking requirements are the same for both businesses and existing parking will meet the UDC.
- The applicant has also provided two support petitions, which thirty existing businesses have signed (primarily around Old Town Keller).

### Proposed Hours of Operation:

- Monday - Tuesday: Closed
- Wednesday - Thursday: 4 P.M. - 8:00 P.M.
- Friday: 4 P.M. - 10 P.M.

- Saturday: 11 A.M. - 10 P.M.
- Sunday: 12:00 P.M. - 5:00 P.M.

**Summary:**

Section 8.02 (F)(2) 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.

**Citizen Input:**

On May 1, 2020, the City mailed out 14 letters of Notifications for this Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.

As of May 6, 2020, Staff has not received any letters written in either support or in opposition from the public.

**Alternatives:**

The Planning and Zoning Commission has the following options when considering a Specific Use Permit:

- Recommend approval as submitted.
- Recommend approval with modified or additional condition(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.

**City Council Action:**

If the Planning and Zoning Commission takes action and makes a recommendation on this agenda item, then this Specific Use Permit application will be scheduled for City Council action on June 2, 2020.

**Supporting Documents:**

- Zoning and Aerial Maps
- Exhibit A: Application and Narrative Letter