



Legislation Details (With Text)

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File created: 4/6/2021 **In control:** Planning & Zoning Commission

On agenda: 4/13/2021 **Final action:**

Title: PUBLIC HEARING: Consider 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. Maps, 2. Application, 3. Elevations, 4. Trip Generation Form, 5. Support Letters

Date	Ver.	Action By	Action	Result
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To: Planning & Zoning Commission

From: Matthew Cyr, Planner I

Subject:

PUBLIC HEARING: Consider 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 #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:

1. 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.

Citizen Input:

On March 30, 2020, 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 8, 2020, Staff has received three letters in support from the public.

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.

Planning and Zoning Alternatives:

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

- 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 May 4, 2021.

Supporting Documents:

- Aerial and Zoning Maps
- Application
- Elevations
- Trip Generation Form
- Support Letters