



City of Keller

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Legislation Text

File #: 19-133, **Version:** 1

To: Mark R. Hafner, City Manager

From: Katasha Smithers, Planner I

Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for K and L Arms, for 'sales of used goods and merchandise' occupying a 384 square-foot lease space within a 2,004 square-foot multi-tenant building, located on a 0.4855-acre tract of land, located on the east side of North Main Street (U.S. HWY 377), at the intersection of Pearl Street and North Main Street (US HWY 377), being Lot 1, 2 & 3, Block 1, Johnson Addition - Keller, at 120 North Main Street (US HWY 377), Suite 206 (Account #: 01464973), and zoned OTK (Old Town Keller). Ken Pender, applicant. Betty Williamson estate care of Zachary Williamson. (SUP-19-0002)

Background:

The property was platted in February 1946 as Lots 1, 2 & 3, Block 1, Johnson Addition.

According to Tarrant County Appraisal District the building was built in 1970.

The Old Town Keller (OTK) overlay zoning district was converted into a straight zoning district with a detailed use chart on July 7, 2015, by Ordinance No. 1761 and requires 'sales of used goods and merchandise' to be brought forward by an SUP.

Hours of Operation:

The hours of operation are proposed to be Monday-Friday 10:00 a.m. to 6:00 p.m. and Saturday 11 a.m. to 7 p.m.

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.

Citizen Input:

On Friday, March 15, 2019, as required by State law, the City mailed out 26 letters of notifications for a Public Hearing to all property owners within 300' of the subject property. A sign was also posted on the site.

The applicant provided a support petition, see Exhibit "A."

As of May 1, 2019, City staff has received no opposition letters from the public on this SUP application.

Staff Analysis:

In 2015, the UDC was updated for 'Sales of used goods and merchandise' to be approved by an SUP. The applicant is currently at the subject property selling new firearms and accessories. He is requesting approval to market approximately ten to twenty percent of their business for used firearms. The design and vision of OTK is that of a retail-and entertainment-oriented district.

Planning and Zoning Recommendation:

On March 25, 2019, Planning and Zoning Commission recommended approval by a vote of 7-0.

Recommended Actions:

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

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