



City of Keller

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Legislation Text

File #: 21-082, **Version:** 1

To: Planning and Zoning Commission

From: Matthew Cyr, Planner I

Subject:

PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) for Tindahan ni Kuya, a proposed restaurant/grocery store to occupy a 1,400 square-foot lease space within a 13,140 square-foot multi-tenant building, situated on a 1.97-acre tract of land, located on the east side of South Main Street, approximately 1700 feet north from the intersection of Wall-Price Keller Road and South Main Street, legally described as Lot 2, Block A, Whitley Place Addition, zoned Commercial (C), located at 801 South Main Street Suite 101. Denton Highway Center, owner. Randy German, applicant. (SUP-21-0001)

Background:

- On December 7, 2017, the City issued a remodeling permit and Certificate of Occupancy for Sno Dash Frozen Treats at this location.
- Sno Dash Frozen Treats vacated the property in late October of 2020, and the space has remained vacated.
- The Applicant is proposing to operate a restaurant/grocery store at this location, primarily offering Philippine food for both the restaurant and the grocery store. (See Exhibit A - Application and Narrative Letter.) Because the applicant is providing items that are primarily for off-premise consumption (fish, meat, and other items), this requires an SUP in this zoning district (Commercial) per the Unified Development Code.

Grocery Store Definition:

"A retail establishment selling meats, fruits, vegetables, bakery products, dairy items and similar products for human consumption off-premises."

Proposed Hours of Operation:

- Monday- Sunday: 10 a.m. - 7 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 February 11, 2021, the City mailed out 8 Letters of Notification for this public hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was also posted on the site.

As of February 18, 2021, Staff has not received any responses from the Public.

Alternatives:

The Planning and Zoning Commission has the following options when considering an SUP application:

- 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 SUP application will be scheduled for City Council action on March 16, 2021.

Supporting Documents:

- Aerial and Zoning Maps
- Exhibit A - Application and Narrative Letter
- Staff Attachment- Pictures