



CITY COUNCIL COMMUNICATION

DATE: April 3, 2023

FROM: Ramie Hammonds, Development Service Director

AGENDA ITEM: Consideration and possible action on Ordinance No. 09-24-23 a request for a Specific Use Permit (SUP) for a Quick Service Food and Beverage use, at 904 S 5th Street, parking lot, located on approximately 0.291 acres of land described as A1241A TIERWESTER, TR, and generally located on the north side of 5th Street approximately 183 feet east of the intersection of 5th Street and Freese Drive.

SUMMARY:

- The applicant is proposing a Food Truck at 904 S 5th Street.
- The applicant has a business Oscar's Street Tacos that he would like to operate at this site.
- The property is zoned "PD-B1" Planned Development B-1 which allows Quick Service Food and Beverage with a SUP.
- The truck would have to remain at the site full-time and not be mobile.
- All necessary health permits would be required prior to opening.
- The space would be leased from July 2023 to July 2024.
- The following conditions would apply to this SUP
 - The SUP will expire 1 year after going into effect
 - The SUP will expire upon abandonment of the quick service food and beverage shop for a period of ninety (90) days.
 - No vehicle parking will be permitted within thirty (30) feet of the right-of-way of 5th Street.
 - No night operation of the business is permitted without adequate lighting.
 - The site must fully mitigate the effects of traffic and parking on the site, maintaining the site in day one condition throughout the life of the SUP.
 - Maximum building site of 128 square feet.
 - Minimum setback between building and parking area of fifteen (15) feet.
 - All necessary health permits will be maintained throughout the life of the SUP.
- Staff mailed 22 public hearing notices to owners of properties within 200 feet of the subject property and at the time of this report had received no responses.

FISCAL INFORMATION:

Budgeted: N/A

Amount: N/A

GL Account: N/A

RECOMMENDED MOTION OR ACTION:

Staff recommends APPROVAL with a one-year renewal/expiration.

ATTACHMENTS:

Location Map

Ordinance No. 04-06-23

Application

B-1 Regulations