



Planning and Zoning Commission Agenda Item Summary Report

Meeting Date:
May 6, 2021

Submitted by:
P. Morgan

Item Title:

Hold a public hearing and discuss and consider approval of a Conditional Use Permit for a food truck to operate at 205 W. Broad Street.

Public Hearing Item [X]
Consent/Action Item []

Documentation Attached:
Draft Ordinance
Site Plan

Item Summary:

Purpose:

Mike Thomas requests approval of a Conditional Use Permit. The purpose of the request is to allow for a food truck to operate next to 4-T's Bar-B-Q and Catering at 205 W. Broad Street.

Image 1: Location Map



Current Standards:

The property is zoned in the General Retail District with a retail building in operation. 4 T's Bar-B-Q and Catering restaurant is located on the north end of the building.

Proposed Use:

The applicant requests approval of a food truck to located adjacent to the restaurant. The site plan shows that the Kingdom Growers coffee van would be set up behind the gazebo, which is located at Broad Street.

The request must follow all of the regulations approved by City Council on March 2, 2021. The regulations include the following:

1. The food truck/trailer must be located on an improved surface;
2. The Conditional Use Permit, if approved, shall be valid for 1 year;
3. The food truck/trailer may operate for up to 60 days, followed by a 30 day rest period. This may be repeated throughout the 1 year approval timeframe;
4. Allowable operating hours are 7:00 a.m. to 10:00 p.m.;
5. The food truck/trailer shall be removed from the property during non-operation hours;
6. The food truck/trailer must obtain an annual mobile food establishment permit;
7. Trash receptacles must be provided; and
8. Restrooms must be made available at the restaurant.

The applicant is requesting to operate from 7:00 a.m. to 3:00 p.m. on Tuesday through Saturday. Coffee drinks and pre-baked breads and muffins will be for sale.

Zoning Ordinance Considerations:

When considering applications for a Conditional Use Permit, Section 34b of the City of Forney Zoning Ordinance provides the following considerations for the City Council:

1. The proposed use at the specified location is consistent with the goals, objectives and policies contained in the adopted Comprehensive Plan;
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
3. The proposed use meets all supplemental standards specifically applicable to the use as set forth in Article V of this Ordinance;
4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:
 - a. Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;
 - b. Off-street parking and loading areas;
 - c. Refuse and service areas;
 - d. Utilities with reference to location, availability, and compatibility;
 - e. Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;
 - f. Control of signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
 - g. Required yards and open space;
 - h. Height and bulk of structures;
 - i. Hours of operation;
 - j. Exterior construction material and building design; and
 - k. Roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.
5. The proposed use is not materially detrimental to public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.

Accessibility:

The property provides existing access to Broad Street and Pacific Street.

Notification:

Notification was provided in the newspaper and to property owners within two-hundred feet (200') of the property. As of this writing, staff has received no public comment regarding this request.

Recommendation:

Staff recommends approval.