

## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager   **DATE:** May 20, 2019

**SUBJECT:** SUP 2019-05, Ordinance No. 3585, Public hearing and consideration of a request from Four Seasons Markets, LLC, for a special use permit for a farmers market at 6020 Parker Boulevard and 6021 Walker Boulevard, described as Lot 1R1, Block AB, The Venue at HomeTown.

**PRESENTER:** Clayton Comstock, Planning Director

### **SUMMARY:**

Four Seasons Market, LLC, is requesting a special use permit for a weekend farmers market on approximately 9,000 square feet of land located at 6020 Parker Boulevard and 6021 Walker Boulevard. As proposed, the market activity would be set up at 6020 Parker Boulevard in the parking lot area in front of Firehouse Subs.

### **GENERAL DESCRIPTION:**

The property under consideration is located in front of The Venue at Home Town. The site fronts Boulevard 26 between Walker Boulevard and Parker Boulevard. The applicant proposes to operate a temporary farmers market called [Four Seasons Markets](#) (visit web link for business information and other locations in the DFW area).

The proposed standards for the weekly market are attached. If approved, Four Seasons Markets proposes to hold the markets on Saturday mornings throughout the year. Out of the possible 52 weekends a year, the applicant has indicated that their other markets typically run around 40 weekends due to weather and holidays. The SUP is currently drafted to permit an 18-month conditional permit only, after which time a renewal of the Special Use Permit would be required before any additional markets could be held.

Some of the proposed conditions of the market include:

- Maximum 9,000 square foot market area
- Maximum 30 vendors; maximum 34 vendor booth areas of 100 square feet.
  - 60% or more of the vendors must sell food products
  - Less than 40% of the vendors may be vendors of handcrafted items, health and hygiene products, flowers and plants, pet-related items, etc.
  - Prohibited vendors include those that sell secondhand goods and wares, weapons, CBD products, large furniture, electronics, alcohol, etc.
- Health code-related standards for food service, preparation, packaging, sampling, etc.
- Market operations such as set up, take down, trash cans, restroom facilities, etc.

- Standards for required, permitted, and prohibited signage before and during the scheduled market dates and times.
- Permissions given to the City Manager to revoke or suspend market operations based on traffic, health, safety and welfare, with an appeals process to City Council.

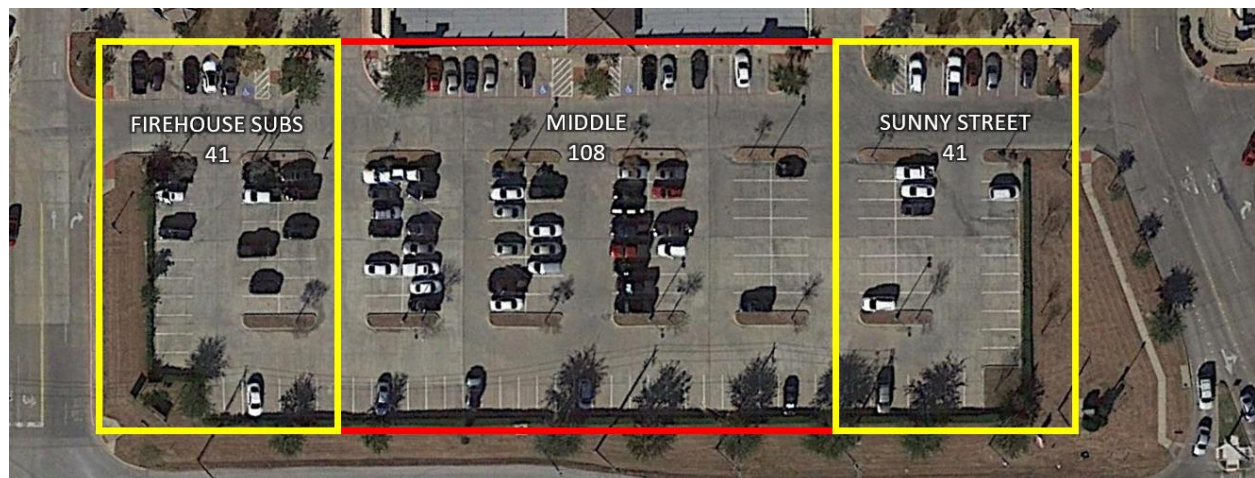
### ***Special Use Permit***

The zoning ordinance provides that special use permits may establish reasonable conditions of approval on the operation and location of the use to reduce its effect on adjacent or surrounding properties.

The proposed conditions of approval for this SUP application are attached. These conditions are based on the applicant's proposed operations and may be modified by City Council.

**DEVELOPMENT REVIEW COMMITTEE:** The Development Review Committee's recommendation for denial of the application is based on concerns for the impact the market may have on the parking for adjacent businesses. Because of the concerns for parking, planning staff monitored parking and captured parking counts on two recent fair-weather Saturdays, April 27 and May 4. The parking observations are detailed below. Between the hours of 7:00am and 11:45am, no more than 65% of the 190-space parking lot was used, with the portion at the southern end of the lot closest to Fire House Subs seeing the least amount of usage and the portion at the northern end close to Sunny Street Café seeing the highest usage.

Time	Date	Fire House Subs (41 spaces)			Middle (108 spaces)			Sunny Street (41 spaces)			Total (190 spaces)		
		Occupied Spaces	Available Spaces	% Occupied	Occupied Spaces	Available Spaces	% Occupied	Occupied Spaces	Available Spaces	% Occupied	Occupied Spaces	Available Spaces	% Occupied
7:00am	27-Apr	2	39	5%	13	95	12%	10	31	24%	25	165	13%
8:00am	27-Apr	4	37	10%	22	86	20%	20	21	49%	46	144	24%
8:15am	4-May	2	39	5%	25	83	23%	19	22	46%	46	144	24%
9:15am	4-May	13	28	32%	40	68	37%	32	9	78%	85	105	45%
9:45am	27-Apr	10	31	24%	39	69	36%	20	21	49%	69	121	36%
11:00am	4-May	12	29	29%	60	48	56%	33	8	80%	105	85	55%
11:45am	27-Apr	21	20	51%	69	39	64%	33	8	80%	123	67	65%





Staff's observations, however, did not go past 11:45 a.m. and into the peak lunch hour. The proposed market would plan to operate to 1:00 p.m., with clean-up activities running until around 2:00 p.m. As such, the DRC believes a more detailed analysis of parking space supply versus the parking demands of the market and the regular parking demands of the businesses in that center is needed from the property owner and market operator. Unless such an analysis shows adequate parking is available during the proposed hours of market operation, the Development Review Committee cannot make a favorable recommendation of this request. The application is being facilitated prior to such a study being conducted at the request of the property owner and market operator to capture the peak spring and early summer weekends for these types of markets.

**COMPREHENSIVE PLAN:** This area is designated on the Comprehensive Land Use Plan as "Town Center." This designation relates to the Town Center zoning district, which establishes development standards to promote a sustainable, high quality, mixed-use development. Each subzone provides a gradient of development and use intensity. The components of each subzone – buildings, streets, and public spaces – are scaled to create and sustain an integrated living environment.

**CURRENT ZONING:** The property is currently zoned Town Center and located in the Neighborhood Core subzone. This subzone is the most dense business, service, and institutional center. It straddles thoroughfares at the most active intersections, and is usually in walking distance of a substantial residential population. It allows for a mix of uses, including residential and nonresidential uses in the same building.

**PROPOSED ZONING:** The applicant is requesting a special use permit for a farmers market, which is required in the Neighborhood Core subzone. No changes are proposed to the existing Town Center or Neighborhood Core zoning district.

#### **SURROUNDING ZONING | LAND USE:**

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	C-2 Commercial	Retail	The Crossing shopping center
WEST	TC Town Center	Town Center	Mixed-use (The Venue at HomeTown)
SOUTH	TC Town Center	Town Center	Mixed-use (HomeTown Dolce)
EAST	City of Hurst	General Business (per Hurst zoning map)	Car wash and auto service center

**PLAT STATUS:** The property is currently platted as Lot 1R1, Block AB, The Venue at HomeTown.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission opened the public hearing for this item at the May 2, 2019, and continued the hearing to the May 16, 2019, meeting at the request of the applicant. If the commission issues a recommendation to City Council, staff will brief City Council of their recommendation at the May 20, 2019, meeting.



**RECOMMENDATION:**

Deny Ordinance No. 3585.