

SPECIAL USE PERMIT

Case Coordinator: Michael McCauley

GENERAL PROJECT INFORMATION

SITE ZONING: (LI) Light Industrial District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	Dallas	Commercial (multi-tenants across E. Trinity Mills Road)
SOUTH	(LI) Light Industrial District	Commercial shopping center
EAST	(LI) Light Industrial District	Car wash and restaurant
WEST	(LI) Light Industrial District	Restaurant
REQUEST:	Approve a Special Use Permit (SUP) to allow “all other amusement and recreation uses and activities”	
PROPOSED USE:	Café lounge (all other amusement and recreation uses and activities)	
ACRES/LOTS:	Approximately 8.46 acres (shopping center) and suite 110 is 2,100 square feet	
LOCATION:	2661 Midway Road, Suite 110	
HISTORY:	The shopping center was constructed around 1985.	
COMPREHENSIVE PLAN:	Industrial	
TRANSPORTATION PLAN:	Midway Road and East Trinity Mills Road are designated as (A6D) Six-Lane Divided Arterials.	
OWNER:	Bent Tree Plaza, LTD	
REPRESENTED BY:	Kenechi K. Nnamani	

STAFF ANALYSIS

REQUEST

This is a request for approval of a SUP to allow an “all other amusement and recreation uses and activities.”

ORDINANCE REQUIREMENTS

Article V. of Carrollton’s Comprehensive Zoning Ordinance (CZO) classifies the described lounge café as “all other amusement and recreation uses and activities” and requires an SUP in the (LI) Light Industrial District.

ELEMENTS TO CONSIDER

1. The building has multiple tenant suites.
2. The applicant’s narrative describes the use as an alcohol-free upscale environment.
3. The applicant’s narrative states “The business affirms that no sale of alcoholic beverages will occur on the premises. The business expressly reserves the right to evaluate and, if appropriate, pursue the implementation of BYOB service in the future. Should the business elect to pursue a lawful BYOB permit, such implementation would be strictly contingent upon securing all requisite approvals and permits through the City of Carrollton and in compliance with applicable ordinances.”
4. The applicant’s narrative states “Hookah service is not contemplated under the current operational plan and will not be offered on the premises at this time. Notwithstanding, the business expressly reserves the right, in its sole discretion, to evaluate and potentially implement hookah service in the future. Any such implementation shall be strictly subject to and contingent upon securing the requisite SUP permit for hookah service (smoking lounge) from the City of Carrollton and complying with all applicable laws, ordinances, and regulatory requirements. As the hookah SUP process is separate and distinct from the present application, it would be inappropriate to construe this narrative as a waiver or exclusion of that option for future consideration.”

Staff recommends the stipulation of no smoking, as the use is for “all other amusement and recreational uses and activities” and not a smoking lounge (which allows smoking).

5. The applicant’s narrative proposes hours of operation – Monday through Thursday 11:00 a.m. to 2:00 a.m. and Friday through Sunday 11:00 a.m. to 4:00 a.m.

Staff recommends modifying the hours to close no later than 2:00 a.m. since the applicant is considering consumption of alcohol in the future.

6. No residential properties are nearby.
7. There is ample parking on site.

8. Each SUP application is discretionary and must be evaluated as to its probable effect on the adjacent properties and the community welfare and may be approved or denied as the findings indicate appropriate.
9. A SUP should not have negative impacts that exceed the impacts associated and anticipated with a use permitted “as-of-right” in the zoning district.

PURPOSE OF THE SPECIAL USE PERMIT

The purpose of the Special Use Permit is to authorize and regulate uses which may be beneficial in a specific instance to the general welfare of the community yet ensure that such uses are not detrimental to surrounding property and are consistent with the stated purpose of the zoning district in which such uses are located regarding conditions of operation, location, arrangement, and construction.

CONCLUSION

Staff believes the request for an “all other amusement and recreation uses and activities” is reasonable for consideration with stipulations.