



MEMORANDUM

To: Mayor and City Council

From: Mindi Hurley, Director of Community Development

Date: January 9, 2024

Reference: Consider approval of an Ordinance for PD-250R26R-H, Old Town Main Street (767 West Main St), to allow for a 775 square-foot ice cream shop and 2,359 square feet of speculative restaurant uses on approximately 0.25 acres of property located at 767 West Main Street; and authorizing the Mayor to sign.

2040: Create Business and Innovation Nodes

Introduction:

The purpose of this agenda item is to ask City Council to approve an Ordinance for case PD-250R26R, Old Town Main Street, Lot 4R, Block D.

Background:

On November 16, 2023, the Planning & Zoning Commission (5-0) recommended approval of the request subject to:

1. The brick dumpster enclosure shall be located in the middle of the lot, adjacent to the alley.
2. A grease trap shall be installed sufficiently sized to accommodate both restaurant users.
3. Redesign the “Mr. Henry’s” can sign to an externally illuminated, white aluminum panel.
4. Final signage design for the speculative restaurant shall be allowed to be approved administratively by the Director of Community Development.
5. No deliveries shall be made between the hours of 10 p.m. and 6 a.m.

On December 12, 2023, City Council (4-2) approved the zoning change request with a revised Site Plan showing the dumpster enclosure angled to the north with the rear corner setback 2 feet from the southern property line and the front corner setback 7.5 feet, subject to the following conditions:

1. A grease trap shall be installed sufficiently sized to accommodate both restaurant users.
2. Redesign the “Mr. Henry’s” can sign to an externally illuminated, white aluminum panel.
3. Final signage design for the speculative restaurant shall be allowed to be approved administratively by the Director of Community Development.
4. No deliveries shall be made between the hours of 10 p.m. and 6 a.m.

Benefit to the Community:

Restaurant uses will draw people to the area and contribute to the vision for Old Town.

Legal Review:

The City Attorney drafted the ordinance.

Fiscal Impact:

This will generate additional sales tax and business personal property tax.

Recommendation:

The Community Development Department recommends approval of the ordinance and authorizing the Mayor to sign.

Attachments:

1. Ordinance
2. Exhibit A - Plat
3. Exhibit B - Site Plan
4. Exhibit C - Floor Plan
5. Exhibit D - Sign Plan