

Office of the City Manager

City of Richland Hills, Texas

Memorandum

To: Honorable Mayor Bill Agan and members of the Richland Hills City Council
From: Eric Strong, Assistant City Manager
Date: June 14, 2013
Subject: Special Use Permit 13-13

City Council Action Requested:

- (1) Conduct public hearing and
- (2) Consider SUP 13-13, recommendation from P&Z for a special use permit to operate a temporary/seasonal refreshment (Snow Cone) stand at 6940 Baker Blvd.

Background Information:

An application has been made for a Special Use Permit for the property located at 6940 Baker Boulevard to allow operation of Sol y Luna, a seasonal snow cone stand, on the property. The owner of the property at 6940 Baker Blvd. is Amin Jhaveri. The owner/operator of the business is Nancy Ortiz. The proposed hours of operation for Sol y Luna are from 1:00 pm to 9:00 pm. This use has been approved by Planning and Zoning and Council in years past. (See attached July 6, 2012 memo from P&Z to Council.) At its June 10, 2013 meeting P&Z unanimously recommended approval of the SUP for a six month period.

Board/Citizen Input:

Planning and Zoning approved by a unanimous vote

Financial Impact:

N/A

Memo to City Council, Snow Cone Stand SUP
June 18, 2013 Council Meeting
Page 2 of 2

Staff Contacts:

Eric Strong
estrong@richlandhills.com
817-616-3745

Attachments:

SUP Application and supporting documents.



CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE · RICHLAND HILLS, TX 76118

PLANNING AND COMMUNITY DEVELOPMENT Special Use Permit Application

Applicant/Business Owner's Information

Applicant's Name Amin G. JHAVERI

Applicant's Address 6940 BAKER BLVD

Applicant's Number _____ Applicant's Fax _____

Applicant's E-mail JHAVERIAMIN@GMAIL.COM

Signature [Signature] Date 5-10-13

Owner's Information

I, the undersigned owner, AMIN G. JHAVERI of the following described real property,
(print owner's name)

located in the City of Richland Hills, hereby make application for a Special Use Permit.

Owner's Signature and Title [Signature] OWNER Date 5-10-13

Legal Description

Tract(s) Lot (s) BLK 2 E Lot 1, Survey(s) Block(s) _____

of Matthew Resub Addition to _____

the City of Richland Hills.

Street Address

6940 BAKER BLVD, Richland Hills, TX 76112

(Street Address) (Zip Code)

Prior to acceptance and placement on an agenda all supporting documentation and the \$100.00 non-refundable application fee must be received.



CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE · RICHLAND HILLS, TX 76118
PLANNING AND COMMUNITY DEVELOPMENT

Certificate of Occupancy Application

New Occupancy

Change of Ownership

Business Information

Name NANCY ORTIZ

Address (Physical) 6940 BAKER BLVD. RICHLAND HILLS TX. 76118

Description of Proposed Business _____

Hours of Operation 1:00 pm to 9:00 pm Tenant Name SOL Y LUNA

Mailing Address _____ Emergency Number _____

Property Owner/Landlord Information

Name AMIN G. JHAVER

Address 6940 BAKER Blvd RICHLAND HILLS TX. 76118

Number _____ E-mail _____

Occupancy Questions

Previous Building Use _____ Date Last Occupied _____

How many existing vehicle parking spaces? _____ How many are handicap accessible? _____

Which utilities will need to be released? Electric Gas Water

Yes	No	Complete the following questionnaire
	<input checked="" type="checkbox"/>	Will the facility be remodeled, renovated, or altered? If so, a separate permit is required prior to commencement of any work.
	<input checked="" type="checkbox"/>	Will there be any spray painting on the premises?
	<input checked="" type="checkbox"/>	Will hazardous or toxic materials be stored on the premises?
<input checked="" type="checkbox"/>		Will food be prepared, served, or sold on premises?
	<input checked="" type="checkbox"/>	Will any goods, merchandise, or raw materials be stored or displayed outdoors?



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City of Richland Hills

Date: June 7, 2013

SUP Application: Snowcone Stand SUP at 6940 Baker Blvd

Recommended Action: Recommend approval of the SUP

The applicant has submitted an application requesting a Specific Use Permit to operate a temporary snowcone stand at 6940 Baker Boulevard in the C-2 zoning district. The use is considered a *Restaurant, Refreshment Stand (Temporary or Seasonal)*, and has in the past received an SUP to operate up to 90 days.

It should be noted that a snowcone stand has operated at this location for several years with no complaints from the community.

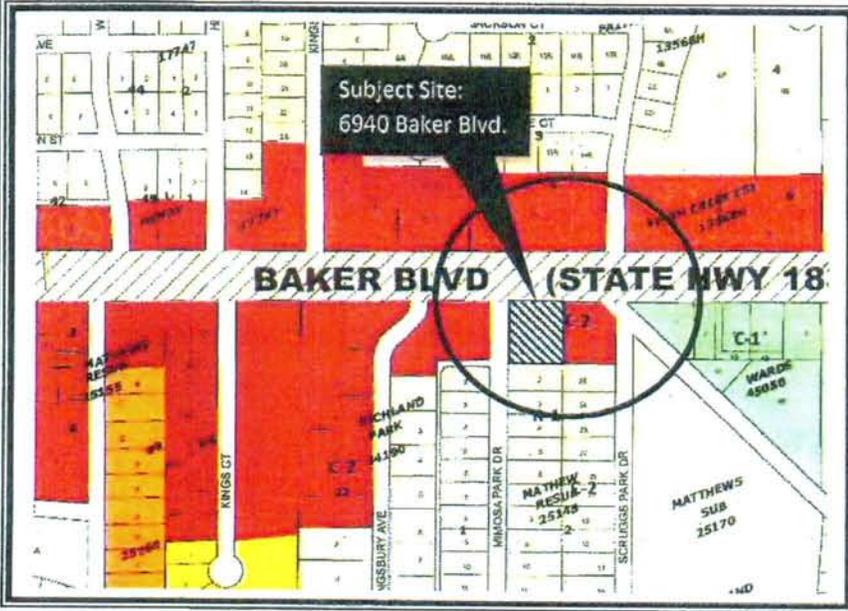
We recommend that the Planning & Zoning Commission recommend approval of this SUP to City Council, subject to the conditions included in the previous SUPs (including operating hours, certificate of occupancy, food handlers permit, and other food safety documentation from Tarrant County Public Health).

Please contact me if you have any questions.

Thank you,

Erica Craycraft
egc@freese.com
(214) 217-2377

VICINITY MAP



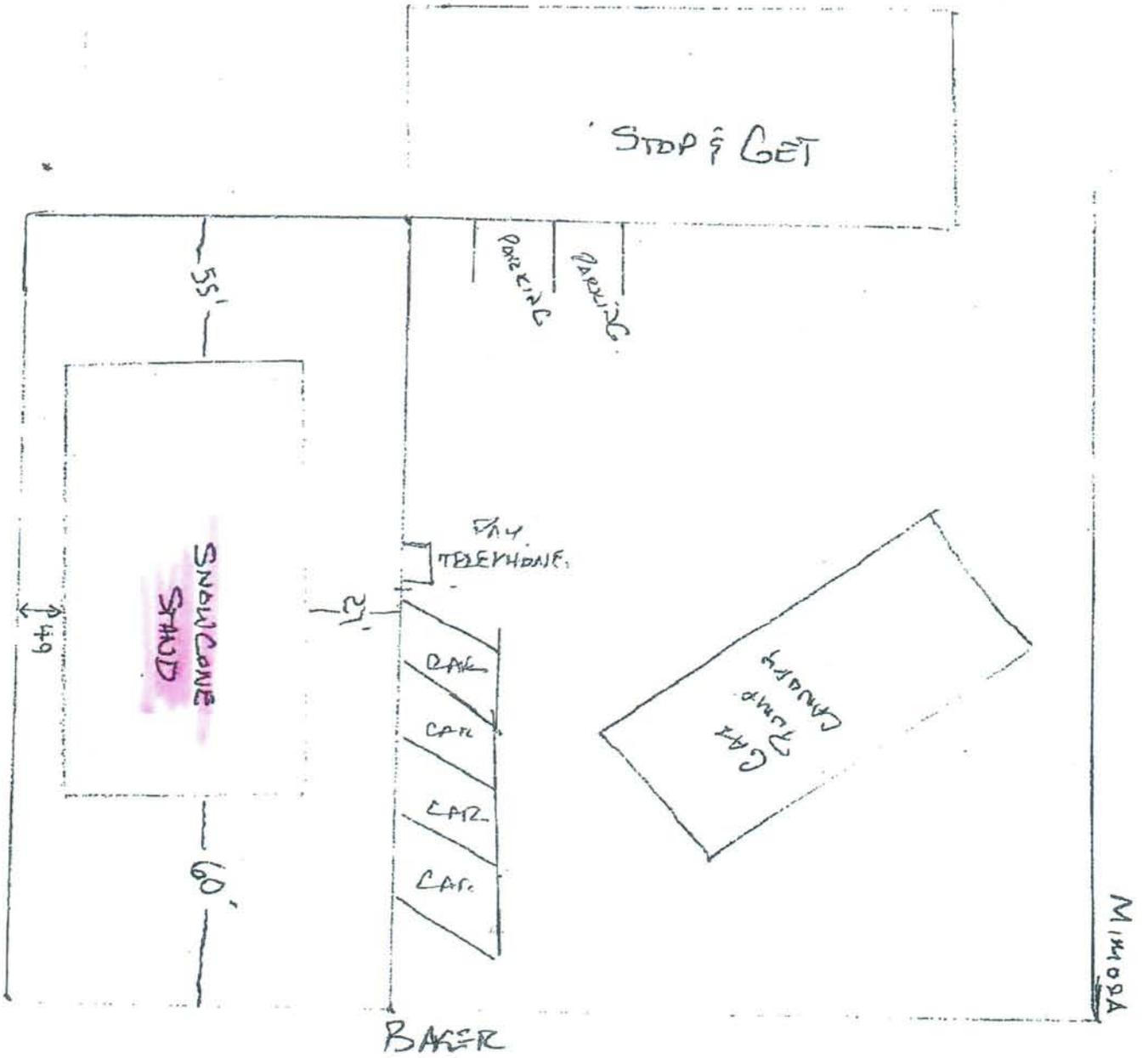
Subject Site	6940 Baker Blvd.
Use	Gas Station/Convenience Store (Existing) Snow Cone Stand
Zoning (North)	General Commercial (C-2)
Zoning (South)	General Commercial (C-2)
Zoning (East)	Single Family Residential (R-1)
Zoning (West)	General Commercial (C-2)
Meeting	June 10, 2013
Time	6:30 p.m.
Location	City Council Chambers 3200 Diana Drive Richland Hills, TX 76118



North Map not to scale

If you have any questions or comments regarding this request please contact:

Karla Wright
 Planning and Community Development
 City of Richland Hills
 (817) 616-3770
 kwright@richlandhills.com





CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE · RICHLAND HILLS, TX 76118

PLANNING AND COMMUNITY DEVELOPMENT

May 30, 2013

RE: Public Hearing Notification for a Special Use Permit Request

Property Owner,

The City of Richland Hills has received a request for a special use permit to operate a mobile snow cone stand. The subject site, located at 6940 Baker Blvd. is zoned General Commercial District (C – 2). The City of Richland Hills Planning and Zoning Commission will hold a public hearing on this request on June 10, 2013, at 6:30 p.m. in the Richland Hills City Hall Council Chambers, 3200 Diana Drive, Richland Hills, TX 76118.

The Code of Ordinances permits mobile snow cone stands in the C – 2 District with approval of a special use permit. The Planning and Zoning Commission will make a recommendation to the City Council at this meeting. A second public hearing will be held before the City Council, at which time, final action will be taken. You will receive another public hearing notice prior to the City Council Meeting.

As an adjacent property owner, you are requested to make your views known by attending this hearing. If you cannot attend the hearing, please use the contact information below to express your views by mail, phone, or e-mail.

Included with this notice please find a copy of a vicinity map depicting the general location of the subject property. If you have any additional questions or comments please feel free to contact us or visit the Planning and Community Development Department at 3201-B Diana Drive, Richland Hills, TX 76118.

The facility is wheelchair accessible. If you plan to attend this public meeting and have a disability that requires special arrangements, please notify the City 48 hours in advance of the meeting so that reasonable accommodations can be made. For sign interpretive services, please call 72 hours in advance.

Regards,

Karla Wright
Planning and Community Development
3200 Diana Drive
Richland Hills, TX 76118
kwright@richlandhills.com
(817) 616-3770



CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE · RICHLAND HILLS, TX 76118

ECONOMIC DEVELOPMENT

MEMORANDUM

Copy

Date: July 6, 2012
To: Richland Hills Planning & Zoning Commission
CC: Richland Hills City Council
From: Matt Shaffstall, Economic Development Specialist
Karla Wright, Community Development Administrative Assistant
Subject: SUP Amendment – Snow Cone Stand

SUP 2012

Background:

The city receives annual request for a seasonal snow cone vendor to operate at 6940 Baker Boulevard. The Planning & Zoning Commission and City Council had previously approved a special use permit to allow a snow cone stand in the city. The application was a joint application between the snow cone stand operator and the property owner. The original vendor has withdrawn from the site. The property owner has found a new snow cone vendor who wants to operate at the site. The new operator has filed for a certificate of occupancy and provided the proper paperwork from the health department.

Staff has placed an item to amend the SUP on the July 2nd Planning and Zoning agenda and on July 17th City Council meeting. The intent of the amendment is to clarify the property owner as the primary applicant and the snow cone operator as the secondary applicant. For the second year in a row the city has had a snow cone operator shut down after Memorial Day and leave the space vacant, while the owner has to search for a new vendor in the middle of the season.

The City Attorney's Office has indicated that since the Special Use Permit is tied to the property the second vendor can operate at the site while the issue of the SUP of the co-applicant is resolved at the scheduled public hearings.

Only July 2, 2012 the Planning & Zoning unanimously approved the special use permit amendment to clarify that special use permit is attached to the property with the owner as the primary applicant and the vendor as the secondary applicant. The approved conditions for a snow cone vendor include stated operating hours, a certificate of occupancy, a food handlers permit, and all necessary food safety paperwork from Tarrant County Public Health.

Draft Motion:

Clarify that the property owner is the primary applicant on the special use permit and that a vendor may operate at the site as long as they meet the requirements established by the special use permit such as obtaining a certificate of occupancy, producing the necessary health permits, having standard operating hours, and only selling approved items.