



## CITY COUNCIL COMMUNICATION

October 11, 2011

**SUBJECT:** Consider a Request for a Temporary Use Permit

**SUBMITTED BY:** Mike Collins, Director of Planning and Economic Development

**REFERENCE NO:** 11-08-CC

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### **ACTION REQUESTED:**

Motion to approve a request for a Temporary Use Permit for Mosier Valley Eagles Pathfinder Club Fundraiser Sale proposed to be located on Puente Del Oeste, Tract 5A, 701 S. Industrial Boulevard on Sunday October 23, 2011 from 7:00am to 5:00pm (set up 6:00am to 8:00am and cleanup from 5:00pm to 7:00pm).

### **ALTERNATIVES:**

1. Approve the request – *simple majority*
2. Approve the request with modifications – *simple majority*
3. Deny the request – *simple majority*

### **SUMMARY OF SUBJECT:**

**Name of Applicant:** Mosier Valley Eagles Pathfinder Club associated with the Mosier Valley SDA Church located at 11404 South Pipeline Road, Fort Worth, Texas.

**Request / Location:** Temporary Use Permit for a temporary parking lot sale on commercial property to be located at the southwest corner of SH 10 and S Industrial Boulevard (701 S Industrial Blvd). The Pathfinder Club previously received a Temporary User Permit from the City Council on April 27, 2010 and November 9, 2010 for previous sales on this property. Temporary Use Permits are governed by Section 84-84 (6) of the Unified Development Code which reads as follows:

#### **(6) Temporary uses.**

The city council may approve the operation of temporary uses on any property for a specific period of time. Such temporary uses are typically associated with an already existing use and are subject to review to ensure adequate facilities exist or will be provided to serve the public and employees of the temporary use.

- a. Permit required. Temporary uses such as a carnival, concrete or asphalt batch plant, seasonal, parking lot, sidewalk, truckload and other temporary sales of merchandise may be permitted provided a temporary use permit is first obtained from the city council.

b. Effective period. No temporary use permit shall be valid for more than 90 consecutive days and shall be subject to any and all restrictions, requirements, and safeguards established by city council at the time the temporary use permit is considered.

c. Restrictions and requirements. Such restrictions, requirements or safeguards may include, but are not limited to, hours of operation, duration of the use, parking, setbacks, signage and any other requirement deemed necessary to protect the general welfare of the community and minimize negative impacts on adjacent properties.

The Pathfinders Club intends to hold a temporary parking lot sale on the site on Sunday October 23, 2011 from 7:00am to 5:00pm. The group intends to spend an hour prior to the sale in setting up and an hour after the sale cleaning up the site.

The group is a non-profit, youth faith-based organization which is raising funds for the group's activities. The host church for the group is located on S. Pipeline Road within the City Limits of Fort Worth and is not very visible.

A representative of the commercial property has submitted a letter supporting the temporary use of the property for the temporary parking lot sale.

The applicant has paid the temporary use permit fee and has provided an application detailing their intended operations. Staff has reviewed the application and recommends approval.

**SUPPORTING DOCUMENTS:**

- Exhibit
- Application
- Consent Letter: Tom Purvis-Continental Real Estate, Inc.
- Map 1, Map 2, and Map 3

**APPROVED BY:**

\_\_\_\_\_ **LG** \_\_\_\_\_

City Manager's Office

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City Secretary's Office