



CITY COUNCIL COMMUNICATION

June 26, 2012

SUBJECT: Consider a Request for a Temporary Use Permit

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

REFERENCE NO: 12-05-CC

ACTION REQUESTED:

Approve a request for a Temporary Use Permit for a garage sale proposed to be located at SH 10 Business Center, Allen M. Downing Survey, A-415, 1361 W. Euless Boulevard, Suite 101, on Saturday, June 30, 2012, from 7:00 a.m. to 1:00 p.m. (Set-up from 6:00 a.m. to 7:00 a.m. then clean up from 1:00 p.m. to 2:00 p.m.)

ALTERNATIVES:

- Table the request
- Deny the request

SUMMARY OF SUBJECT:

APPLICANT: T.J. Griffin, President, Neuro Fitness Foundation Gym

LOCATION/ZONING: 1361 W. Euless Blvd., Suite 101 – Texas 10 Multi-Use Zoning District (TX-10).

The Neuro Fitness Foundation, which is a non-profit organization, intends to hold a garage sale at their place of business on Saturday, June 30th from 6:00 a.m. to 2:00 p.m. Sale of items will occur within their facility as well as on the sidewalks in front of their business. They intend to utilize the funds generated by the sale for the continued operation of their gym.

The following text is from the City of Euless Unified Development Code regarding temporary uses.

(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 gym is located within a leased space at 1361 W. Euless Blvd. in which the entire facility has approximately 90 parking spaces. Many of the other tenants of the facility are not in operation on a Saturday and therefore any additional parking demand generated by the garage sale should be adequately handled by the parking capacity on the parcel site.

The organizers of the sale intend to place a temporary sign, the size of a poster board at the entrance to the property along SH 10 advertising for the garage sale.

Staff recommends approval of the Temporary Use Permit.

SUPPORTING DOCUMENTS:

- Email: T. J. Griffin
- Exhibits from Neuro Fitness Foundation Website
- Map 1, Map 2, and Map 3

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **KS** _____

City Secretary's Office