



**AGENDA ITEM REQUEST FORM
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL**

ITEM NO. 15

MEETING DATE: **January 4, 2022**

AGENDA PLACEMENT:

- Ceremonial
- Consent
- Individual
- Closed Session

CAPTION:

Discussion of and action on a Zoning Amendment Application from Old Annex Office Solutions, LLC for a Conditional Use Permit for a Permanent Mobile Food Court located at 200 N. Ave. G, Johnson City, Texas 78636. (Applicant)

STRATEGIC WORK PLAN:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Goal 5: Improve Fire Safety |
| <input type="checkbox"/> Goal 1: Increase Housing Diversity | <input type="checkbox"/> Goal 6: Improve Streets |
| <input type="checkbox"/> Goal 2: Expand Quality Lodging | <input type="checkbox"/> Goal 7: Increase Publicity &
Promotion of the Community |
| <input type="checkbox"/> Goal 3: Improve Code Enforcement | <input type="checkbox"/> Goal 8: Increase Economic
Development Activities |
| <input type="checkbox"/> Goal 4: Improve Streetscaping &
Signage | |

EXECUTIVE SUMMARY:

Mr. Bart Burkhard, owner of Old Annex Office Solutions, LLC, desires to place a permanent mobile food court on property nearest the intersection of E. Pecan Dr. and N. Ave. F and addressed as 200 N. Ave. G, Johnson City, TX 78636.

Chapter 4 *Business Regulations* of the Municipal Code of Ordinances authorizes permanent mobile food courts so long as they go through the conditional use permitting process:

Sec. 4.06.003 *Permanent mobile food courts*

(a) A mobile food establishment situated at a location for longer than 10 days a month shall be deemed a permanent mobile food court. A mobile food vendor permit is required for a permanent mobile food court.

(b) A conditional use permit (CUP) shall be required to establish a permanent mobile food court. A CUP must be received prior to or at the same time of issuance of a mobile food court vendor permit. Issuance of a CUP is in accordance with the procedures for CUPs of the city's zoning ordinance.

(c) Permanent mobile food court requirements:

(1) All permanent mobile food establishments situated on the property shall be located on an impermeable surface such as concrete or rolled asphalt, or a stable permeable surface such as decomposed granite or other similar material.

(2) All permanent mobile food establishments shall have connections for electricity, potable water, and sewage disposal, or a system to adequately provide these services to each mobile food establishment.

(3) A restroom equipped with flush type toilets and properly hooked up to a sanitary sewage system with sufficient capacity to meet the needs of the establishments, employees, and customers shall be available on the property. The restroom shall be equipped with hand sinks, hot and cold water, and either hand towels or forced air hand dryers. Within sixty (60) days of approval of the conditional use permit, the restroom facility must be constructed and fully functional.

(4) Pavilions with shade and similar seating areas (i.e. shaded picnic tables) for customers shall be provided, at a minimum of eight places for seating at a table or tables for every three (3) mobile food vendors.

(5) Landscaping shall comply with parking lot landscaping requirements of the city's landscape ordinance. Pedestrian pathways may be provided.

(6) Signage for a mobile food vendor court must be in compliance with the city's sign ordinance.

(7) All permanent structures must be in compliance with city code regarding exterior design.

(8) Amplified sound/music must be in compliance with provisions stated in this article.

(9) Outdoor lighting must be in compliance with the city's outdoor lighting ordinance.

(10) A permanent mobile food court located within any historic district of the city must be setup in compliance with all applicable historic regulations.

The property is currently zoned Downtown District. The base zoning district, i.e. Downtown District, would not change. Rather, a conditional use permit would be added to the base zoning district that allows for a permanent mobile food court, in addition to all other uses already allowed in the Downtown District.

Regarding Item Nos. 1 – 10 above,

1. Currently resurfacing lot with crushed granite;
2. Utilities, restroom, and covered seating already installed;
3. Permanent signage forthcoming;
4. No plans for amplified sound; and
5. Unshielded wall packs on building will either be fixed or replaced. All future lighting will be compliant with Code.

The Planning and Zoning Commission unanimously recommended approval of the Zoning Amendment Application on December 28, 2021.

FINANCIAL: N/a

ATTACHMENTS:

- Zoning Amendment Application; and
- Property Map.

SUGGESTED ACTION:

Motion to approve a Zoning Amendment Application from Old Annex Office Solutions, LLC for a Conditional Use Permit for a Permanent Mobile Food Court located at 200 N. Ave. G, Johnson City, Texas 78636.

PREPARED BY: City Staff

DATE SUBMITTED: 12/31/21



Development Services
 P.O. Box 369 (Mailing)
 303 E. Pecan St. (Physical)
 Johnson City, Texas 78636
 (830) 868-7111, Ext. 4
 (830) 868-7718 (Fax)

Application Date: 12/3/21

ZONING AMENDMENT APPLICATION
CHAPTER 14

NAME OF APPLICANT: BART BURKHARD
 MAILING ADDRESS: PO BOX 1912, JOHNSON CITY, TX 78636
 PHONE NUMBER: 512-736-8259
 STATUS OF APPLICANT:
 OWNER: AGENT: _____ (IF AGENT, ATTACH LETTER OF AUTHORIZATION.)

PROPERTY DESCRIPTION

PHYSICAL ADDRESS: 200 N AVE G
 LEGAL DESCRIPTION: PART OF LOT 4 BLOCK 6 AND ALL OF LOT 5 BLOCK 6
 CURRENT ZONING: DOWNTOWN DISTRICT PROPOSED ZONING: SAME + PERMANENT MOBILE FOOD COURT
 DEED RESTRICTIONS PROHIBITING PROPOSED ZONING: NONE THAT WE ARE AWARE OF

EXISTING USE: OFFICE + RETAIL SPACE PROPOSED USE: SAME + PERMANENT MOBILE FOOD COURT
 LAND AREA: APPROX 14K SQ FT DOES OWNER OWN ADJACENT PROPERTIES? Yes _____ No
 PURPOSE OF REQUEST: ADD PERMANENT MOBILE FOOD COURT ON PART OF LOT NEXT TO AND IN FRONT OF BARN

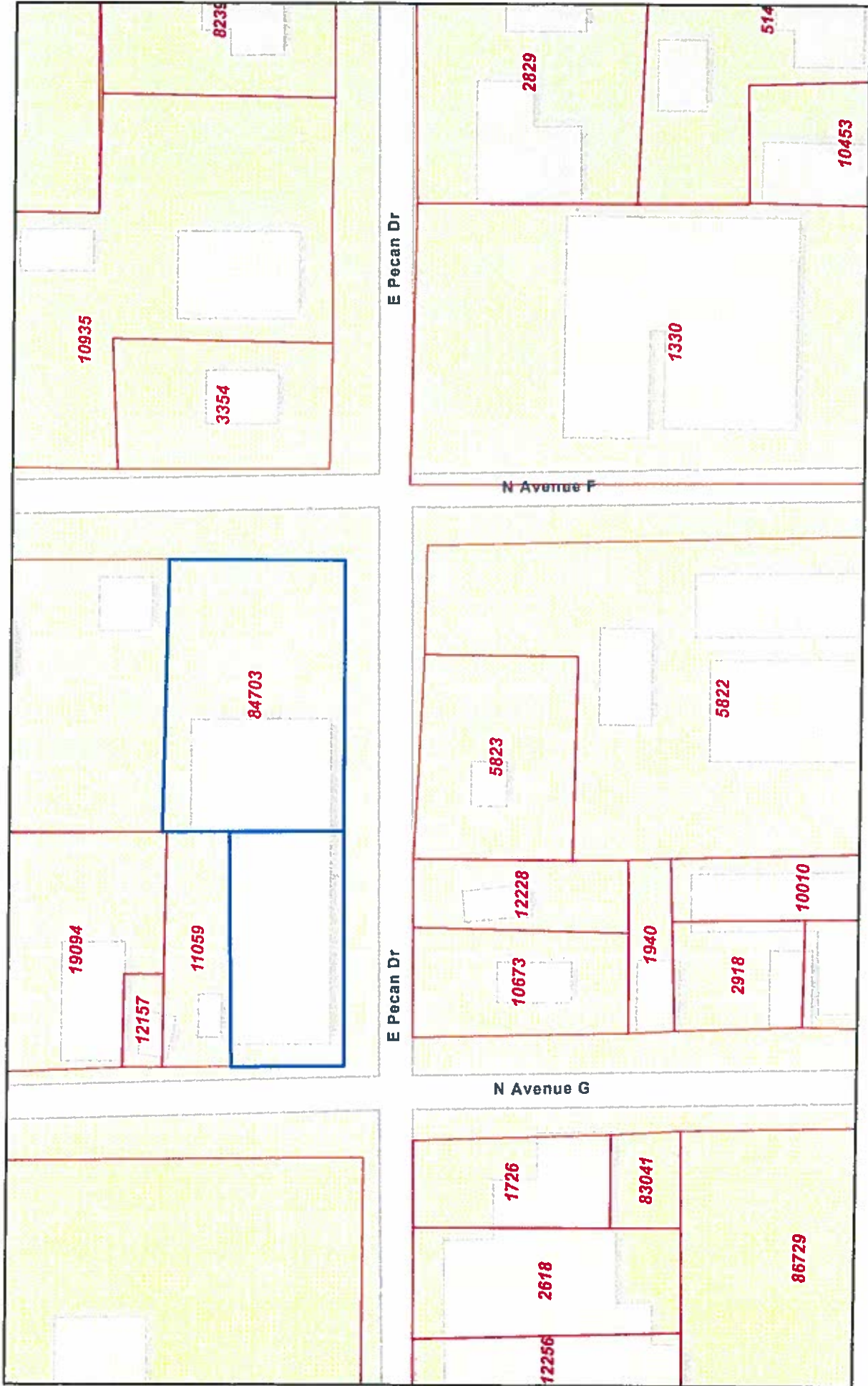
I hereby certify that I have read and examined this application and know the information I have provided to be true and correct. All provision of laws and ordinances governing this application will be complied with, whether specified herein or not. The granting of this zoning amendment or change does not presume to give authority to violate or cancel the provisions of any other local law regulating the use of the property.

[Signature]
 Applicant's Signature

12/3/21
 Date

Office Use Only:
paid ck # 2739 378.⁰⁰

200 N. Ave. G



12/22/2021, 12:52:03 PM

1:1,128

0 0.01 0.03 0.05 mi

0 0.01 0.03 0.05 km

Parcels

Abstracts

Esri Community Maps Contributors, Texas Parks & Wildlife, ©

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