

## Item H-5

**PUBLIC HEARING:** Consider an ordinance approving a zoning change from Commercial to Light Industrial on approximately 1.37 acres located on the east side of South Main Street, at the intersection of Calverley Place and South Main Street, legally described as Lot 5R of the South Meadow Industrial Park Addition, zoned Commercial and addressed 1661 S. Main Street. Magic Petroleum, LLC, Owner; Peyco Southwest Realty on behalf of Bruce Moore, Applicant. (Z-22-0005)

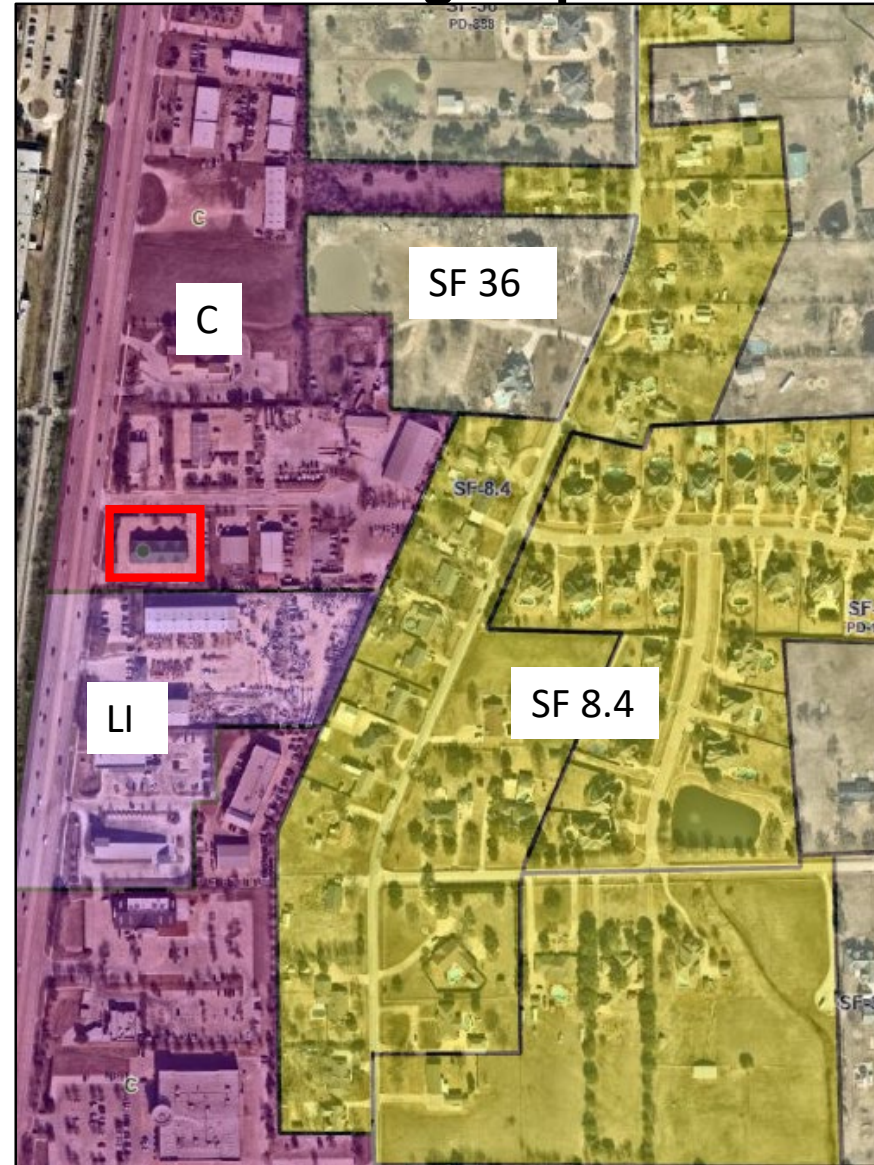


  
Zoned: C

# Item H-5 Aerial Map



# Item H-5 Zoning Map





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The Applicant requests a zoning change from Commercial (C) to Light Industrial (LI) Zoning District in order to operate a major automobile repair facility in an existing building (with a Specific Use Permit).



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### Background:

This location (1661 S. Main) has historically been used for tire sales, oil changes, tune-ups, etc. - all minor automobile repair services, grandfathered in. Minor automobile repairs under the UDC, like major automobile repairs, are not permitted in the Commercial Zoning District.

“Automobile Repair, Sales, and Service” (as defined by the UDC) are permitted in the Commercial Zoning District with an SUP. However, this definition does not include engine rebuilds.

Consequently, the Applicant is asking for a rezone to Light Industrial in order to request an SUP for major automobile repairs.

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### UDC Definition:

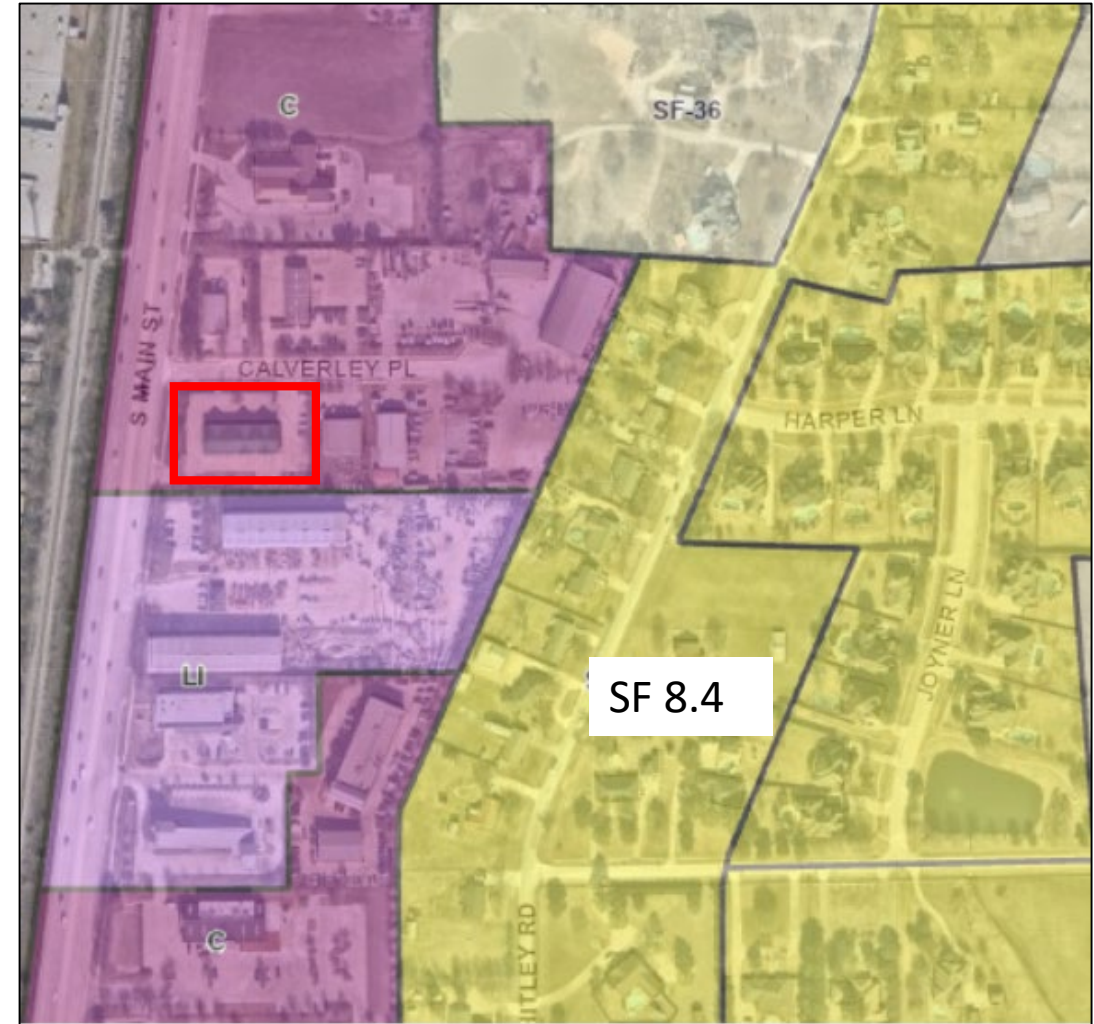
35. Automobile Repair, Major - Automotive repair uses (including Auto Repair, moderate uses) for automobiles, boats, motorcycles, and light load vehicles that require heavy machinery and/or can be expected to generate noises and vapors not compatible with adjacent residential or retail uses. Examples include general repair or **reconditioning of engines**, air conditioning systems and transmissions for automobiles, boats, motorcycles, and light load vehicles (but not for heavy load vehicles), wrecker services; collision services, including body, frame or fender straightening or repair; customizing; painting; vehicle steam cleaning; upholstery; undercoating and rust-proofing.  
(Amended by Ord. No. 1828 on January 17, 2017)



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Though there are only a few areas in the city zoned Light Industrial, one of those parcels exists immediately south of the subject property.

EquipmentShare (1675 S. Main Street), Discount Tire (1701 S. Main Street), and Fenders Car Wash (1751 S. Main Street) are zoned Light Industrial.



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## Commercial zoning use chart

Use	SUP or P
* All uses listed in Retail Zoning District with the same conditions.	P
Accessory Dwelling as part of a primary structure	P
Automobile Repair, Sales and Service (Amended by Ord. No. 1828 on January 17, 2017)	SUP
Brewery	P
Brewery with entertainment inside or outside	SUP
Commercial engraving/printing	SUP
Contractor shop	SUP
Convenience store with gas pumps	SUP
Donation center	SUP
Dry cleaning plant or commercial laundry	P
Entertainment Facilities (Indoor or Outdoor)	SUP
Freight or truck terminal yard	SUP
Furniture restoration	P
Greenhouses and nurseries (commercial retail or wholesale)	SUP
Gunsmith (repair only)	P
Heating and air conditioning sales and services without outdoor storage	P
Heavy machinery sales and service	SUP
Heavy vehicle storage	SUP
Heliports and helistops	SUP
Hospital	P
Hotel/Motel	SUP
Kennels, Grooming Only	P
Kennels (Indoor Pens Only)	SUP
Kennels (Outdoor Pens, could include Indoor Pens)	SUP
Light Manufacturing wholly enclosed within a building	P
Metal Recycling Center	SUP
Mini-Warehouse or Self Storage Warehouse	SUP
Monuments and headstones sales with outside storage	SUP
Museum or art gallery	P
Newspaper printing	P
Nursing Home	SUP
Offices, City, County, State, and Other Governmental	P
Optical store, optician or optometrist	P
Overnight delivery and service center	SUP
Pharmacist or drug store	P
Portable building sales with outside storage	SUP
Printing company (commercial)	P
Private club	P

Public Parking Garage associated with a building	P
Radio broadcasting without tower	SUP
Religious institution	P
Research and scientific laboratories	P
Retail sales of CHP, tobacco, e-cigarettes or non-traditional smoking-related products	SUP
Retail uses and services wholly enclosed within a building	P
Veterinarian Clinic	P
Veterinarian Clinic with Outdoor Pens	SUP
Veterinarian Clinic with Supplemental Services	SUP
Winery	P
* All uses listed in Retail Zoning District with the same conditions.	P

These uses are currently allowed by right (P) or SUP.

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## Light Industrial zoning use chart

Use	SUP or P
<b>* All uses listed in Retail and Commercial Zoning District with the same conditions.</b>	<b>P</b>
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Assembly of light electronic instruments and devices (enclosed building)	P
Automobile/boat upholstery	P
Automobile reconditioning, body/fender repair	P
Automobile Repair, Major	SUP
Automobile Repair, Minor (Amended by Ord. No. 1828 on January 17, 2017)	SUP
Automobile Repair, Sales and Service (Amended by Ord. No. 1828 on January 17, 2017)	P
Building material and hardware (with outside storage)	SUP
Cabinet and furniture upholstery shop	P
Cemetery or mausoleum (new or expansion)	SUP
Contractor shop	P
High risk or hazard industrial manufacturing wholly enclosed within a building	SUP
Kennels, Grooming Only	-
Kennels (Indoor Pens Only)	-
Kennels (Outdoor Pens, could include Indoor Pens)	-
Landscaping service	SUP
Industrial manufacturing with limited outdoor storage	P
Industrial manufacturing with outdoor use/storage	SUP
Light Manufacturing wholly enclosed within a building	P
Metal Recycling Center	SUP

Monuments and headstones sales with outside storage	SUP
Medical laboratory	P
Minor medical emergency clinic	P
Religious institution	P
Retail sales of CHP, tobacco, e-cigarettes or non-traditional smoking-related products	-
Sexually oriented uses	SUP
Truck rental or leasing	SUP
Veterinarian Clinic	-
Veterinarian Clinic with Outdoor Pens	-
Veterinarian Clinic with Supplemental Services	-
<b>* All uses listed in Retail and Commercial Zoning District with the same conditions.</b>	<b>P</b>



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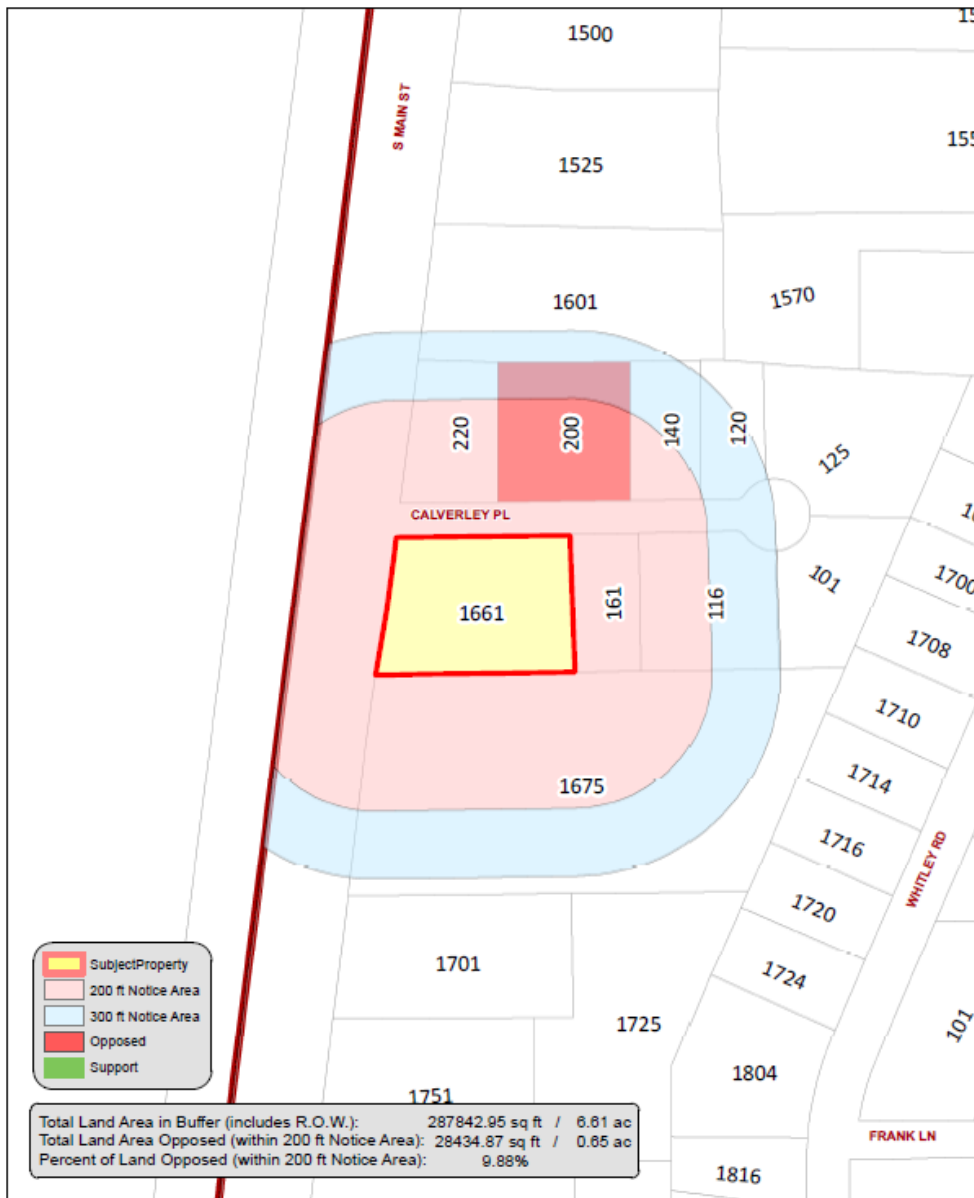
### Future Land Use Plan:

1661 S. Main is designated as Retail/Commercial on the 2021 Future Land Use Plan (FLUP), with a Tech Flex overlay. The 2021 Future Land Use Plan does not have a land use category for Light Industrial.

In order for the zoning request to align with the FLUP, the Council would need to amend the FLUP 2021 to add a Light Industrial land use category as well as where in the city it could apply. The amendment would impact the entire city and not just this parcel. Therefore, the Applicant did not apply for a FLUP amendment to add a new land use category.

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- On Jan. 30, 2023 the City mailed 10 Letters of Notification for this public hearing to all property owners within three-hundred feet (300') of the property, including a courtesy letter to the City of Fort Worth. A public hearing notice sign was also posted on the site.
- Staff has received one letter of opposition to the zoning change from a property owner within 200' feet. The letter did not state a reason for the opposition.



Updated: 2/14/2023



1661 S Main St

DISCLAIMER  
This data has been compiled for the City of Keller.  
Various official and unofficial sources were used to gather this information.  
Every effort was made to ensure the accuracy of this data.  
However, no guarantee is given or implied to the accuracy of said data.

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## Summary:

Section 4.03 (A) of the UDC states that when considering an amendment to the zoning regulations or zoning change request, the City Council shall consider the following factors:

- 1) Appropriateness of all the uses permitted by the proposed change for the immediate area concerned, and the relationship of the proposed uses to the general area and to the City as a whole.
- 2) Agreement of the proposed change with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area.
- 3) The amount of vacant land currently classified for similar development in the City, and any special circumstances that may make a substantial part of such vacant land unavailable for development.
- 4) The rate at which land in the same zoning classification has recently been developed, particularly in the vicinity of the proposed change.
- 5) Effect on other areas designated for similar development if the proposed amendment is approved.
- 6) Conformity with the goals and objectives for future developments within the Future Land Use Plan for the City of Keller.
- 7) Any other factors which will substantially affect the health, safety, morals or general welfare of the citizens of the City of Keller.



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### Planning & Zoning Commission Recommendation:

At the Feb. 28, 2023 Planning & Zoning Commission meeting, Commissioners recommended denial of the zoning change request by a vote of 6-1 (Pfarner).

The Commission noted the absence of Light Industrial as a land use category in the FLUP 2021 and a concern over increasing areas for Light Industrial uses and their proximity to other uses. Because the FLUP 2021 did not include this use, the Commission observed that the FLUP 2021 vision did not include Light Industrial uses and was reluctant to expand those already existing.

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### **Request:**

A zoning change from Commercial to Light Industrial in order to operate a major automobile repair facility in an existing building (with a Specific Use Permit).

The City Council has the following options when considering a zoning change request:

- Approve as submitted
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



**Questions?**  
**Amber Washington**  
**817-743-4125**