

Item F-4

Consider a recommendation by the Planning and Zoning Commission, and approval of a resolution by the City Council, authorizing an appeal to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, and Tree Preservation, Section 8.19, Tree and Natural Feature Preservation located on Lot 3, Block A of Bowden Event Center Addition, on approximately 2.42-acres of land, addressed at 1807 Keller Parkway. KP Bowden LLC, Applicant. Baird, Hampton and Brown, Engineer. (TB-20-0002)

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Zoned: Retail (R)

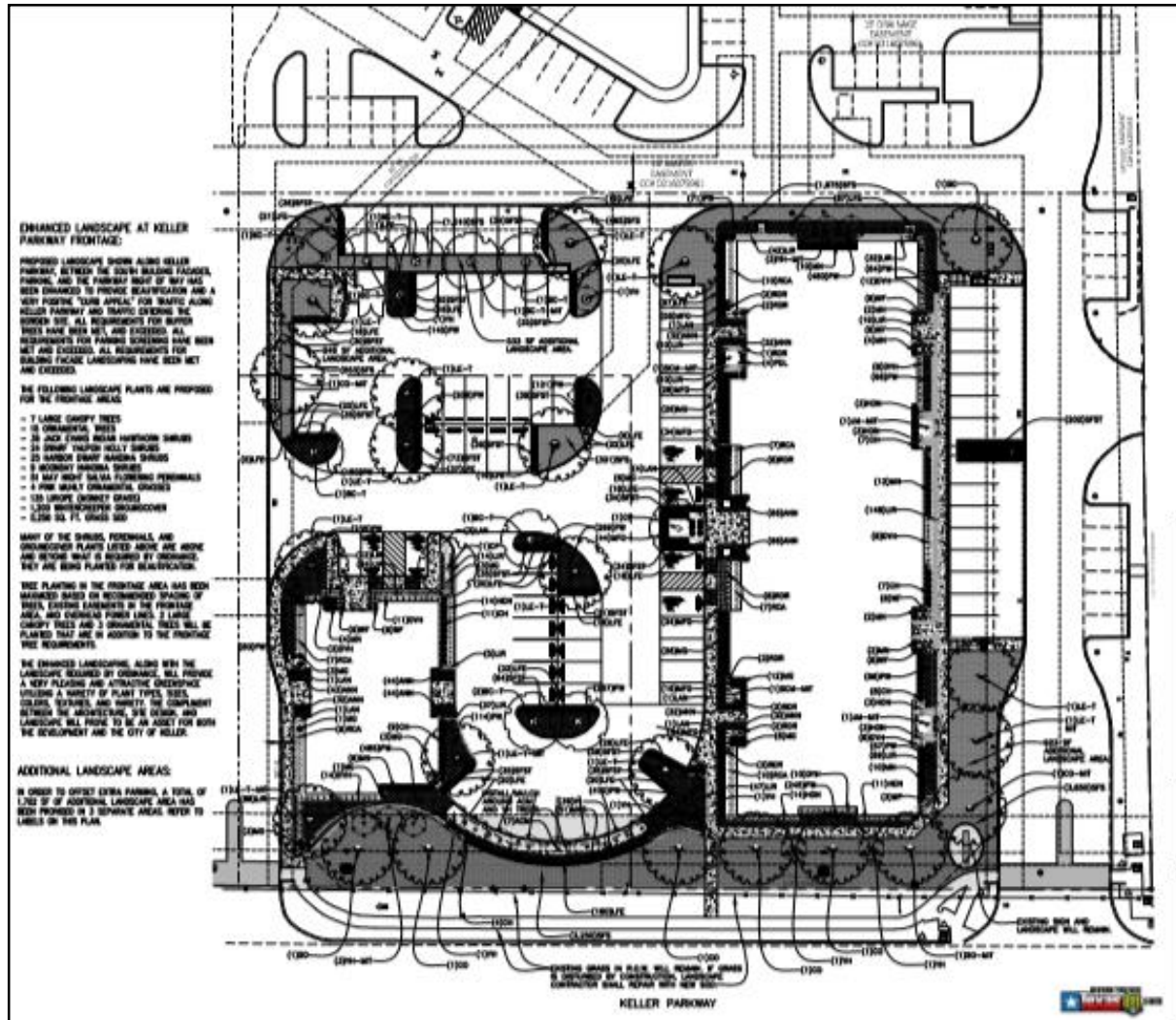


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- Total caliper-inches to be removed and subject to mitigation: 214”
- The UDC allows applicants to remove an additional 20% of the remaining quality trees without mitigation in anticipation of parking needs associated with the construction of a new building. The remaining 171 caliper-inches must be mitigated. [$214'' \times 20\% = 42.8''$; $214'' - 42.8'' = 171.2''$]
- The applicant is proposing to plant 74 caliper-inches onsite.
- Given the constraints of the relatively small lot, the applicant proposes to mitigate the remaining 97 caliper-inches by paying \$14,550 to the Tree Reforestation Fund (\$150 per caliper-inch per the UDC).

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Tree Planting Map



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An Appeal to the UDC Tree Preservation Code does not require a public hearing, so no public hearing notifications were sent out to the surrounding property owners for this request.

No response in support or opposition has been received from the public.

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The **Planning and Zoning Commission** has the following options when considering this appeal to the UDC Tree Preservation:

- Recommend approval as submitted
- Recommend approval with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Recommend denial

The **City Council** has the following options when considering an appeal to the Tree Preservation:

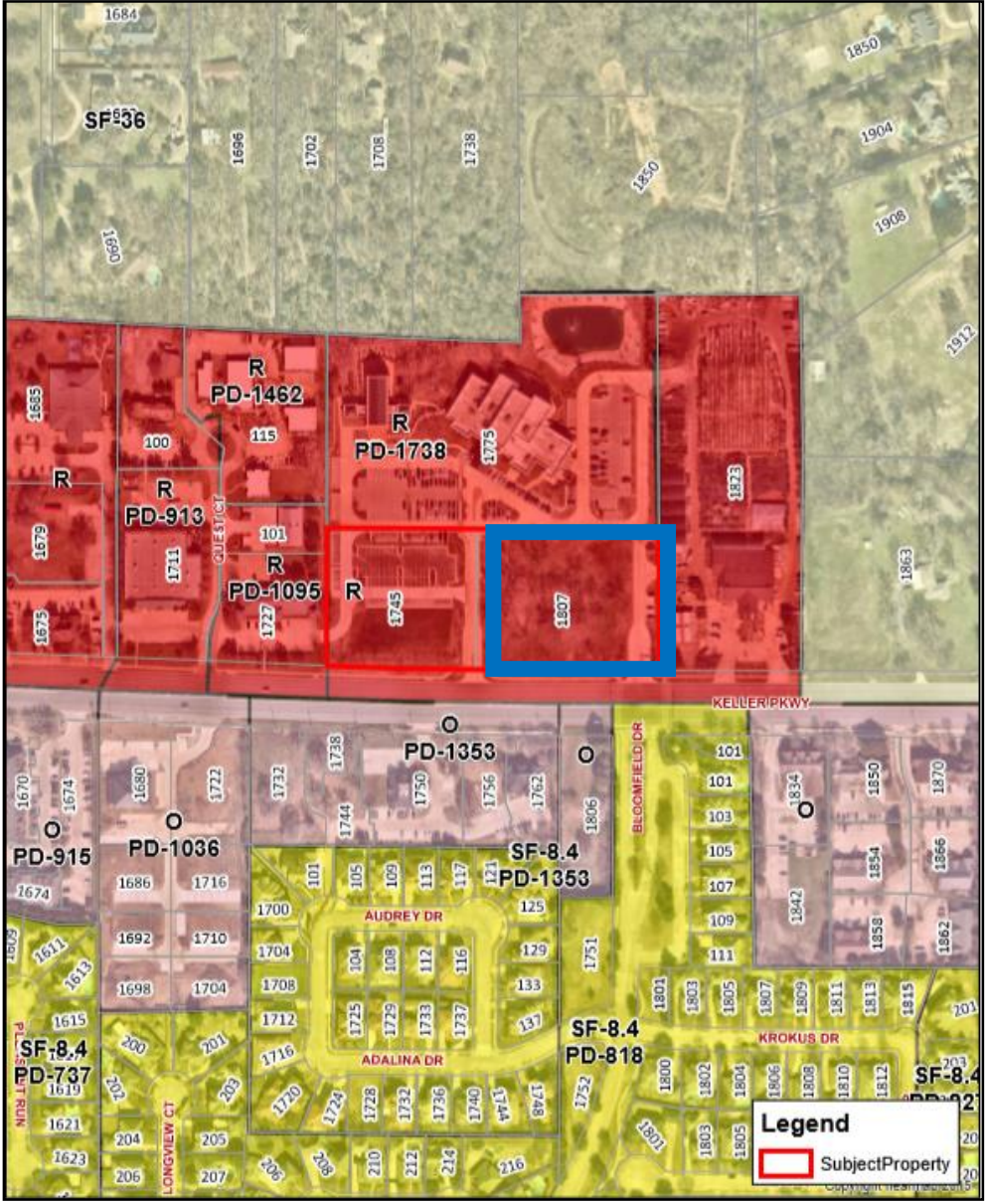
- Approve as submitted
- Approve with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny

Item F-5

Consider a recommendation by the Planning and Zoning Commission, and approval for a resolution by the City Council, for a site plan with one variance to encroach the landscape buffer to the south, located on approximately 2.42-acres of land on the north side of Keller Parkway, approximately 125-feet northwest of the intersection of Bloomfield Drive and Keller Parkway, being Lot 3, Block A of Bowden Event Center Addition and addressed as 1807 Keller Parkway. KP Bowden LLC, Owner/Applicant. Baird, Hampton and Brown, Engineer. (SP-20-0008)

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Zoned: Retail



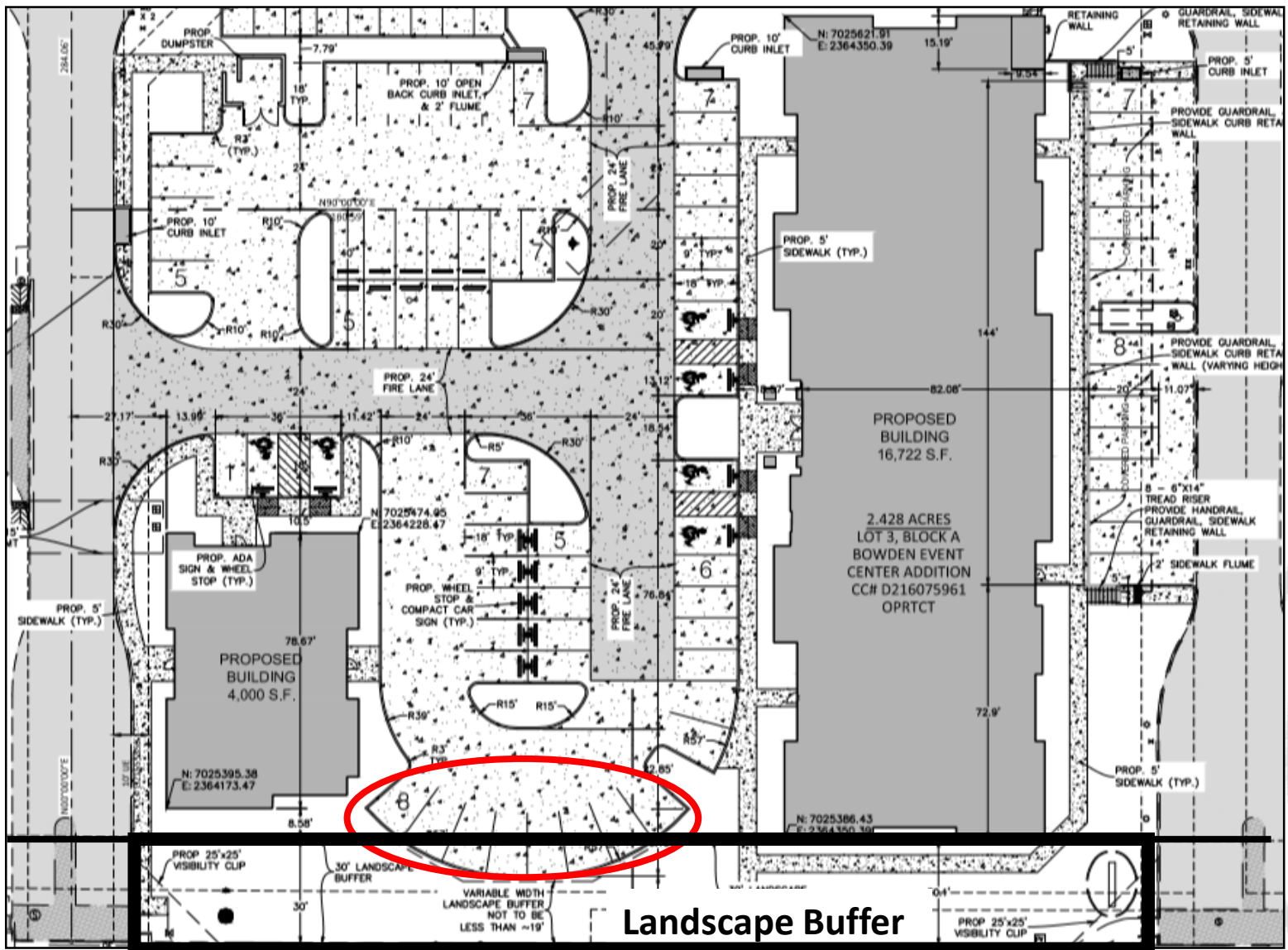
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The Applicant proposes to meet the UDC standards for construction materials.



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The Site Plan design meets all UDC requirements but for parking.

The variance request is to allow the Applicant to encroach into the landscape buffer to the south by 11 feet to add 8 parking spaces (6 spaces actually encroach).

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- The required amount of parking for this site is 77 parking spaces.
- According to the UDC, applicants are allowed an additional 10% for parking without any penalty. This would permit the applicant to proceed with 85 parking spots without penalty (10% of 77= 7.7+77= 84.7)
- The UDC also requires that for every additional parking spot beyond the maximum amount (with the additional 10%), they must add 50 square feet of landscaping to the site.
- This site plan is proposing 92 parking spots and includes the required additional landscaping.

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A Site Plan application, even with variances, does not require a public hearing, so no public hearing notifications were sent out to the surrounding property owners for this request. There has been no response from the public to this application.

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Section 2.07 (A.2) of the UDC states that when considering a variance request, the Planning and Zoning Commission and City Council shall consider the following factors:

- a. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Code would deprive the applicant of the reasonable use of his land.
- b. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other properties in the area.
- c. That the granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this Code.
- d. That the granting of the variance will not constitute a violation of any other valid ordinance of the City of Keller.
- e. That strict compliance with the regulations, and/or that the purpose of the regulations will be served to a greater extent by the alternative proposal.

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The **Planning and Zoning Commission** has the following options when considering a variance request:

- Recommend approval as submitted (with requested variance)
- Recommend approval with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Recommend denial

The **City Council** has the following options when considering a Specific Use Permit:

- Approve as submitted
- Approve with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny

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FOR CONSIDERATION:

1. An Appeal to the UDC Tree Preservation Code to mitigate the loss of trees for the 1807 Keller Parkway Altus development (a 4,000-square-foot Medical Office Building and a 16,722-square-foot office building) by planting 74 caliper-inches and paying \$14,550 into the Tree Mitigation Fund for the remaining 97 caliper-inches.
2. Approve a Site Plan with one variance to permit encroachment by 11 feet into the Keller Parkway landscape buffer to accommodate six additional parking spaces for the Altus development.



Questions?

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