



Legislation Details (With Text)

File #: 19-270 Version: 1
Type: New Business Status: Agenda Ready
File created: 5/23/2019 In control: City Council
On agenda: 6/4/2019 Final action:

Title: Consider a resolution approving variances to the City of Keller Unified Development Code (UDC), Article 8, Zoning Districts, Non-Residential Construction Standards, Section 8.06 - requesting the use of CMU Concrete Blocks, Course Concrete Blocks and a steel roof for Bear Creek Park Restroom Improvements, situated on approximately 21.46-acres of land on the south side of Bear Creek Parkway, approximately 525-feet south of Bear Creek Parkway, being Abstract 692, Tract 1B, JW Holland Survey, at 400 Bear Creek Parkway, and zoned Single Family-Residential 36,000 Square-Foot lot minimum (SF-36). City of Keller, applicant; Tarrant County, owner. (SP-19-0006).

Attachments: 1. 060419\_ParkRestroomVariance\_Resolution 4126, 2. 060419\_ParkRestroomVariance\_AerialPhoto, 3. 060419\_ParkRestroomVariance\_Exhibit A, 4. 060419\_ParkRestroomVariance\_ExistingStructures, 5. 060419\_ParkRestroomVariance\_Presentation

Table with 5 columns: Date, Ver., Action By, Action, Result. Row 1: 6/4/2019, 1, City Council, approve

To: Mark Hafner, City Manager
From: Scott Bradburn, Planner I

Subject: Consider a resolution approving variances to the City of Keller Unified Development Code (UDC), Article 8, Zoning Districts, Non-Residential Construction Standards, Section 8.06 - requesting the use of CMU Concrete Blocks, Course Concrete Blocks and a steel roof for Bear Creek Park Restroom Improvements, situated on approximately 21.46-acres of land on the south side of Bear Creek Parkway, approximately 525-feet south of Bear Creek Parkway, being Abstract 692, Tract 1B, JW Holland Survey, at 400 Bear Creek Parkway, and zoned Single Family-Residential 36,000 Square-Foot lot minimum (SF-36). City of Keller, applicant; Tarrant County, owner. (SP-19-0006).

- Background:
• The proposed Park Restroom Site Plan was submitted for review on April 15, 2019.
• The proposed construction of a new restroom will match the current façade of all existing structures within Bear Creek Park. Per the Unified Development Code (UDC), the building material for the exterior of the proposed restroom and the roof would now require a variance.

Variations Requested: Staff submits this UDC Variance for the City Council’s consideration with the following conditions:

1. Allow four elevation sides of the proposed structure to have exposed CMU Concrete block, Course 13 White Rock Concrete Block, Course 6-12 Red Rock Concrete Block and Course 1-5 White Rock Concrete Block.
2. Allow the roofing material for the proposed restroom to be constructed of steel.

**Staff Analysis:**

The proposed façade building material and roofing material is the same material used on previous structures within Bear Creek Park. All colors will match the colors of the existing structures in the Park.

Because the proposed materials provide continuity with the other structures in the park, staff has no objections to the variance requests.

**Summary:**

Section 2.07(A.2) of the UDC, lists criteria for approval of a variance.

- 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.

**Planning and Zoning Recommendation:**

The Planning and Zoning Commission took action on this agenda item on May 13, 2019, and recommended approval by a unanimous vote.

**Alternatives:**

The City Council has the following options when considering a UDC variance request:

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