



Legislation Details (With Text)

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Title: PUBLIC HEARING: Consider an ordinance approving Whitley Springs, a Planned Development Zoning Change from Commercial (C) to Planned Development - Patio Homes (PD-PH) consisting of 22 residential lots and approximately 0.65 acre of open space on approximately 4.33 acres of land, legally described as a portion of Tract 7B, Abstract 692 of the W J Holland Survey, and a portion of the Martins Subdivision public right-of-way dedicated to the City of Keller shown on the plat filed with Tarrant County under document number D205322770, located on the west side of the Rapp Road and Whitley Road intersection, and addressed 1212 Whitley Road, and unaddressed public right-of-way. Huynh and Viyapon, LLC, Owner. Garabedian Properties, Applicant. (Z-24-0001)

Attachments: 1. 070224_Whitley Springs PD Ordinance, 2. 070224_Whitley Springs PD_Retail and Commercial Zoning, 3. 070224_Whitley Springs Opposition Map, 4. 070224_Whitley Springs PD Presentation, 5. Whitley Springs PD Zoning Presentation, 6. 070224_Whitley Springs PD_Staff Attachment, 7. 070224_Whitley Springs PD Public Response, 8. Item G-1 Whitley Springs PD Zoning Presentation

Date	Ver.	Action By	Action	Result
7/2/2024	1	City Council	close the public hearing	Pass
7/2/2024	1	City Council	deny	Pass

To: Aaron Rector, Interim City Manager

From: Amber Washington, Planner I

Subject:

PUBLIC HEARING: Consider an ordinance approving Whitley Springs, a Planned Development Zoning Change from Commercial (C) to Planned Development - Patio Homes (PD-PH) consisting of 22 residential lots and approximately 0.65 acre of open space on approximately 4.33 acres of land, legally described as a portion of Tract 7B, Abstract 692 of the W J Holland Survey, and a portion of the Martins Subdivision public right-of-way dedicated to the City of Keller shown on the plat filed with Tarrant County under document number D205322770, located on the west side of the Rapp Road and Whitley Road intersection, and addressed 1212 Whitley Road, and unaddressed public right-of-way. Huynh and Viyapon, LLC, Owner. Garabedian Properties, Applicant. (Z-24-0001)

Action Requested:

Conduct a public hearing and consider an ordinance approving a Planned Development zoning change for approximately 4.33 acres of land from Commercial (C) to Planned Development - Patio Homes (PD-PH) for the Whitley Springs subdivision, consisting of 22 residential lots, including 0.65 acres of common open space.

The Applicant has requested that this item be tabled to the July 2, 2024 City Council agenda.

Current Zoning:

Commercial (C); Uses allowed include the uses in the Retail Zoning District with the same conditions. For a full list of uses permitted by right (P) or Specific Use Permit (SUP), see "Retail and Commercial

Zoning” attachment for both zoning district use charts.

Proposed Zoning:

Planned Development Patio Homes (PD-PH). While the Unified Development Code does not outline regulations for Patio Homes, Section 8.27 (Planned Developments) states that Patio Homes are only permitted by Planned Development.

Future Land Use Plan:

Most of the 4.33-acre project site conforms with the Future Land Use Plan (FLUP), which designates all but approximately 48,699 square feet of the proposed development as Patio-Garden-Townhome, with lot sizes of 5,000 to 7,999 square feet. The Applicant submitted a FLUP Amendment application for the remainder of the site that does not conform to the FLUP. That request is on the agenda as a separate item.

Background:

Garabedian Properties submitted an application to request a Planned Development (PD) zoning change for Whitley Springs, a proposed 22-residential lot subdivision with an average lot size of 5,122 square feet. The proposed development is west of the Rapp Road and Whitley Road intersection on approximately 4.33 acres, including 15 percent open space.

The PD proposes the following criteria:

Minimum Dwelling Size:

2,000 square feet or greater.

Exceeds the minimum dwelling size for SF-8.4, which is 1,400 square feet.

Lot Size:

1. Minimum lot area: 5,000 square feet (The smallest lot on the concept plan is 5,035 square feet).
2. Minimum lot width: 47.5’
3. Minimum lot depth: 105’

The proposed depth of 105’ is less than all other single-family zoning districts in the UDC; however, exceeds some existing PD-PH zoning areas in the city. (Riverdance, 90’; Brookstone Villas, 90’). The minimum lot width request of 47.5’ is less than all other single-family zoning districts in the UDC, but is similar to requests approved in other existing PD-PHs. (Several lots in Brookstone Villas have a minimum lot width of 41.46’).

The above-referenced existing PDs all have minimum lot sizes of 5,000 square feet.

Setbacks:

1. Minimum front yard: 10’ (front-facing garages require a 20’ setback)
2. Minimum side yard: 1’ and 5’, with the minimum distance between structures being 6’.
3. Minimum rear yard: 15’.

Maximum Lot Coverage:

The Applicant proposes a maximum lot coverage of seventy percent (60%) by the primary structure; eighty percent (70%) including accessory buildings, driveways and parking areas. PD regulations for accessory buildings state that buildings may be no larger than 500 square feet.

The proposed maximum lot coverage exceeds the maximum permitted in any zoning district; the SF-8.4 Zoning District requirements state a maximum lot coverage of thirty-five percent (35%) by the main buildings; fifty percent (50%) including accessory buildings, driveways, and parking areas.

Garage Requirements:

The Applicant proposes front-facing, side entry, and J-swing garages, with raised-panel, wood, or decorative garage doors.

Side-entry garages must follow the setbacks outlined in Section 9.02 of the UDC, which states side entry garages shall have a minimum of 25' from the door face to the side property line (if not on a corner lot.) If on a corner lot, side entry garages must have a minimum of 20' from the door face to the side garage property line.

Front-facing garages must be a minimum of 20' from the front property line. This is the same as was proposed and approved in the Riverdance Planned Development (PD-1651), Creekview Planned Development (PD-1589), and 70 percent of the lots in Villas of Volterra (PD-1421).

The Keller Unified Development Code (UDC) requires that all homes provide a minimum two-car garage, and permits front-facing garages in Planned Developments and properties platted before 1992.

Elevations:

The proposed PD standards state that each home shall incorporate at least four of the following:

- Divided light windows on street facing elevations (front elevation and sides on corner lots)
- Enhanced masonry details
- Metal seam roof accents
- Shutter accents
- Cast stone accents
- At least 2 masonry materials (i.e. cementitious siding, brick and stone)
- Decorative coach lighting
- Pavers for sidewalk and/or driveway
- Low voltage landscape and path lighting

The UDC states that residential structures in all zoning districts should comprise eighty percent (80%) masonry. The Applicant proposes 100% masonry on the front elevation (brick, stone, or cementitious siding). Areas above the roofline would be limited to masonry or cementitious siding with a 50-year warranty.

Additionally, eighty percent (80%) masonry will be required for other elevations.

Landscaping:

All residential lots will have full irrigation, with street trees on bubbler irrigation.

Street Trees:

One canopy tree (species chosen from Section 10.02 Tree Preservation Exhibits, Exhibit A - Quality Trees - Large Trees) of at least 3" caliper will be installed between the sidewalk and curb adjacent to each front yard.

Corner lots will require three street trees: one in the front and two on the side. Street trees shall have a minimum 30' separation and 50' maximum.

Street trees are not required by the UDC.

Yard Trees:

All front yards will be landscaped with a minimum of one minimum 3" caliper canopy tree or 2" caliper understory tree (chosen from the city's list of quality trees), and 10 shrubs.

Per UDC section 9.03(G), a minimum of two large canopy trees with a minimum 3" caliper shall be planted in the required front yard of all new single-family uses. Existing trees of equal or greater size within the required front yard may be counted toward this requirement. A minimum of two large canopy trees with a minimum three 3" caliper shall be planted in the required side yard adjacent to a street of all new single-family uses on corner lots. Existing trees of equal or greater size within the required side yard adjacent to a street may be counted toward this requirement.

Landscape Buffers:

Per Section 5.10(B) of the UDC, residential developments are required to have a 10' landscape buffer with 3" caliper large canopy trees spaced every 50'.

Whitley Springs proposes a landscaped area, at least one retention pond (two if needed) at the entrances to the development along Whitley Road, all more than 10' in width, with one canopy tree of a 4" minimum caliper spaced every 30' and two ornamental trees every 100'.

Open Space:

The Applicant proposes three areas of open space to meet the 15 percent (15%) open space requirement in all Planned Developments. (Section 8.27). The open space totals 0.65 acre, and will include access by either a 6' sidewalk along Whitley Road or a 5' neighborhood sidewalk that loops through a 35'-wide area at the west end of the development.

The 35'-wide open space area is designed to serve as an additional buffer to the Commercial-zoned remainder of the property that has frontage along South Highway 377/South Main Street.

Screening and Fencing:

The Applicant proposes to install a 6' masonry screening wall adjacent to the Whitley Road frontage along the open space on Whitley Road. Iron fencing will be permitted between the retention pond and adjacent lots. A 6' iron fence will be installed by the Developer along the south property line.

The fence along the northern and western boundaries will be either 6' pre-stained cedar with metal poles, top cap, and top side trim, or a 6' iron fence adjacent to the development's open space. (See Wall/Fence Diagram on the Concept Plan).

Section 9.09(D) of the UDC states that a masonry screening wall is required between single-family uses and non-single-family uses, if developed adjacent to a developed non-residential use without a

screening wall in place. The single-family residential development is required to construct a screening wall. The proposed southern iron fence does not meet this requirement.

Sidewalks:

The Applicant proposes to construct a 6'-wide sidewalk along the west side of Whitley Road, adjacent to the development.

All residential lots and the open space to the west of proposed lots 1-4 have a 5'-wide sidewalk.

The proposed sidewalks meet the requirements of the UDC.

Drainage & Utilities:

The conceptual drainage and utility plans meet preliminary requirements as reviewed by Public Works.

Ingress and Egress:

Whitley Springs proposes two entrances and exits off Whitley Road. One entry/exit will tie into the future roundabout at Rapp Road and Whitley Road. The other entry/exit is proposed to align with Foxford Drive.

The entry/exits meet the requirements of the UDC.

Trip Generation:

The number of daily trips generated by this development is anticipated to be fewer than 2,000 trips per day, so a full Traffic Impact Analysis is not required.

Surrounding Zoning & Land Uses:

North:

- Zoning - Commercial
- FLUP - PGT, Retail/Commercial

South:

- Zoning - Commercial, SF-8.4
- FLUP - PGT, Retail/Commercial

East:

- Zoning - SF-8.4
- FLUP - High-Density Single Family, Low-Density Single Family

West:

- Zoning - Commercial, City of Fort Worth
- FLUP - Retail/Commercial

Citizen Input:

On May 16, 2024, the City mailed out 31 letters of notification for this Public Hearing and the associated FLUP amendment to all property owners within three hundred feet (300') of the subject site, and a letter was sent to Keller ISD. A public hearing notice sign was posted on the site.

As of July 2, staff has received 47 letters and emails in opposition to this request. Of those, four are

within the 200' buffer, for a total of 2.9% of land within 200' opposed. Staff has received 3 letters of support.

Summary:

Section 8.02 (D.1.e) of the UDC states that when considering a zoning change request, the City Council shall consider the following factors:

- 1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole, and in compliance with the Future Land Use Plan.
- 2) Whether the proposed change is in accord with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
- 3) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.
- 4) The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
- 5) How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.
- 6) Any other factors which will substantially affect the health, safety, morals, or general welfare.

Planning and Zoning Commission Recommendation:

At the May 28, 2024 Planning and Zoning Commission meeting, Commissioners recommended denial of the request by a vote of 4-3.

Alternatives:

The City Council has the following options when considering a Planned Development Zoning Change application:

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