



Legislation Details (With Text)

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**Title:** PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow Randolph Brooks Federal Credit Union to operate a proposed “Bank, saving, loan, and credit unions, including automated teller and drive-thru”, located in an existing 8,049 square foot building, on 1.38-acres, located on the southeast corner of the Keller Parkway (FM1709) and South Main Street (HWY 377) intersection, at 100 Keller Parkway (FM1709), being Lot 1, Block A, Hibernia-Keller Addition, and zoned OTK (Old Town Keller). Cross Development, owner/applicant. (SUP-17-0025)

**Attachments:** 1. 12192017\_RBFCU\_SUP\_Draft\_Ordinance, 2. 12192017\_RBFCU\_SUP\_P&Z\_Minutes\_11272017, 3. 12192017\_RBFCU\_SUP\_ExhibitA\_Narrative\_Letter, 4. 12192017\_RBFCU\_SUP\_StaffAttachment\_Resolution\_No.\_3013, 5. 12192017\_RBFCU\_SUP\_StaffAttachment\_Hibernia\_National\_Bank\_Site\_Plan, 6. 12192017\_RBFCU\_SUP\_StaffAttachment\_Resolution\_No.\_2220, 7. 12192017\_RBFCU\_SUP\_Maps, 8. PRESENTATION\_121917\_RBFCU SUP

Date	Ver.	Action By	Action	Result
12/19/2017	1	City Council		
12/19/2017	1	City Council		

**To:** Mark Hafner, City Manager

**From:** Trina Zais, Director of Public Services and Community Development

**Subject:** PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow Randolph Brooks Federal Credit Union to operate a proposed “Bank, saving, loan, and credit unions, including automated teller and drive-thru”, located in an existing 8,049 square foot building, on 1.38-acres, located on the southeast corner of the Keller Parkway (FM1709) and South Main Street (HWY 377) intersection, at 100 Keller Parkway (FM1709), being Lot 1, Block A, Hibernia-Keller Addition, and zoned OTK (Old Town Keller). Cross Development, owner/applicant. (SUP-17-0025)

**Action Requested:** Conduct a public hearing and consider an ordinance approving a Specific Use Permit (SUP) to allow Randolph Brooks Federal Credit Union to operate a proposed “Bank, saving, loan, and credit unions, including automated teller” and to include the use of an existing drive-through window.

**Zoning:** OTK (Old Town Keller)

**Background:** The original site plan for the existing building was approved by City Council Resolution No. 2220 on September 7, 2004. The site plan was modified and approved by City Council Resolution No. 3013 on November 16, 2010. At this time the use of a “bank, saving, loan, and credit unions, including automated teller” was permitted by right. The modifications included a variance allowing the use of

irrigated potted landscaping in lieu of foundation planting (to address foundation remediation due to the building foundation shifting). Capital One operated at this location until December 13, 2016. The building has since remained vacant.

On August 11, 2015 Capital One was cited due to dead landscaping in the pots surrounding the building. This was resolved on November 20, 2015 after an onsite inspection by staff.

On July 7, 2015 the OTK (Old Town Keller) zoning district was adopted and restricted the use of a “bank, saving, loan, and credit unions, including automated teller” to be approved by Specific Use Permit.

**Analysis:**

The purpose of the specific use permit is to allow a “Bank, saving, loan, and credit unions, including automated teller” and to include the use of an existing drive-through window to operate in the existing 8,049 square foot building.

The proposed use, “bank, saving, loan, and credit unions, including automated teller” and to allow the use of an existing drive through, in the OTK (Old Town Keller) zoning district, requires the approval of a Specific Use Permit. The applicant (Cross Development) is requesting this SUP on behalf of Randolph Brooks Federal Credit Union, which would occupy the building.

UDC Section 8.02 (3.c) states that a “nonconforming use or structure which does not meet the development standards in this Code and ceases to be used for a period of six (6) months, such use shall not be resumed.” Since the July 7, 2015 UDC Update restricted the use of a “bank, saving, loan, and credit unions, including automated teller” to require an SUP the Capitol One bank became nonconforming. The requirement for an SUP to re-occupy the building occurred in June 2016, six (6) months after the building was vacated by Capital One on December 13, 2016.

**Site Design:**

The building is existing. The applicant does not intend to make any exterior changes or modifications which would require a site plan amendment. All applicable variances approved by Resolutions No. 2220 and No. 3013 would still apply to the existing building.

**Parking:**

UDC Section 8.07 (G) requires one (1) space per three hundred (300) square feet of gross floor space. The building is 8,049 square feet and requires twenty-seven (27) parking spaces. The site currently has thirty-three (33) onsite parking spaces and seventeen (17) head in spaces along Taylor Street. No modification to the parking layout is required.

**Existing Roadway Access:**

Keller Parkway (FM1709), a six (6) lane divided arterial to the north.  
South Main Street (HWY 377), a five (5) lane undivided arterial to the west.  
Taylor Street, a two-lane local street to the south.

**Surrounding Zoning & Land Uses:**

North: FM 1709 immediately adjacent, then across FM1709: Keller Veteran’s Memorial, a Pre-school, and a single family home, zoned OTK (Old Town Keller)  
South: Taylor Street immediately adjacent, then: Office Buildings and a single family home, zoned OTK (Old Town Keller)  
East: Office and an art studio, zoned OTK (Old Town Keller)

West: HWY 377 immediately adjacent, then: TCG Keller Multi-tenant retail building, zoned OTK (Old Town Keller)

**Requested Variances:**

None at this time. The applicant proposes to re-occupy an existing structure. Variances approved by Resolutions No. 2220 and No. 3013 would still apply to the existing building.

**Summary:**

Section 8.04 (B.2.a) of the UDC states that when considering a Specific Use Permit request, the Planning and Zoning Commission and the City Council shall consider the following factors:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;

***The use is surrounded by office, retail and service uses within Old Town Keller. This use is compatible with surrounding uses.***

- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;

***The general purpose of the OTK zoning district is defined as follows: The OTK District is designed to transform the area into a historic focal point of the City with the character of a small Texas town of the early to middle 1900's." The proposed use will occupy an existing building. No exterior changes are being proposed.***

***"Bank, saving, loan, and credit unions, including automated teller" and to include the use of an existing drive-through window are permitted by Specific Use Permit in the OTK zoning district. Per Section 4.03 (F.3) "Specific Use Permits (SUP) are approved to allow uses that with special conditions and development restrictions may be considered compatible in a district in which they are not allowed by right."***

***The proposed use does not conform to the stated goals of the neighborhood, merchants, and City Council to establish OTK as an arts, entertainment, and retail district.***

- 3) The nature of the use is reasonable and appropriate in the immediate area;

***The use requested is reasonable and appropriate for the immediate area. A bank was in operation in this building from 2005 until December 2016.***

- 4) Any negative impact on the surrounding area has been mitigated; and

***No negative impacts in terms of traffic, noise or light are anticipated.***

- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

***No additional conditions are proposed.***

**Citizen Input:**

On November 17, 2017, the City mailed out thirty-two (32) letters of Notifications for a Public Hearing to property owners within three hundred feet (300') of this subject property, to conform with state law. Staff also posted a public hearing notice sign on the subject property. Notice of a public hearing was posted in the Fort Worth Star Telegram fifteen (15) days prior to this meeting.

As of December 12, 2017, City staff has received no written responses from the public. This item **will not** require a supermajority vote from City Council to approve.

**Professional Opinion:**

It is the professional opinion of staff to not support this request as the requested use is not compatible with the stated goals of the neighborhood, merchants, and City Council to create an arts, entertainment, and retail district.

Staff forwards this Specific Use Permit request for City Council consideration as presented with the following condition:

1. This specific use permit is specific to Randolph Brooks Federal Credit Union. Any other "bank, saving, loan, and credit unions, including automated teller" will require a separate specific use permit.

**Board Review:**

The Planning and Zoning Commission considered this item on November 27, 2017 and provided a recommendation to approve by a unanimous vote (7-0), with the following condition:

1. This specific use permit is specific to Randolph Brooks Federal Credit Union. Any other "bank, saving, loan, and credit unions, including automated teller" will require a separate specific use permit.

**City Council Action:**

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

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