



Legislation Details (With Text)

File #:	18-183	Version:	1
Type:	New Business	Status:	Tabled
File created:	6/18/2018	In control:	City Council
On agenda:	7/17/2018	Final action:	
Title:	Consider a resolution approving a Special Exception to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.09 - Detached Signs, for Turquoise Gypsy, located on 0.04-acres of land on the west side of South Main Street (377), approximately 150 feet southwest of South Main Street (377) and West Hill Street intersection, being Lot 12, Block 3, Keller City Addition, at 156 South Main Street (377), zoned OTK (Old Town Keller). Kasey Jackson, Turquoise Gypsy, applicant; Norma Steward, Steward Realty LLC, owner. (UDC-18-0010)		
Attachments:	1. 071718_TurquoiseGypsySign_Resolution, 2. 071718_TurquoiseGypsySign_ExhibitA_Application, 3. 071718_TurquoiseGypsySign_ExhibitA_Site_photos, 4. 071718_TurquoiseGypsySign_Photos, 5. 071718_TurquoiseGypsySign_StaffAttachment, 6. 071718_TurquoiseGypsySign_Maps, 7. H-5 Presentation		

Date	Ver.	Action By	Action	Result
7/17/2018	1	City Council		

To: Mark R. Hafner, City Manager

From: Susan Kenney, Community Development Director

Subject:

Consider a resolution approving a Special Exception to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.09 - Detached Signs, for Turquoise Gypsy, located on 0.04-acres of land on the west side of South Main Street (377), approximately 150 feet southwest of South Main Street (377) and West Hill Street intersection, being Lot 12, Block 3, Keller City Addition, at 156 South Main Street (377), zoned OTK (Old Town Keller). Kasey Jackson, Turquoise Gypsy, applicant; Norma Steward, Steward Realty LLC, owner. (UDC-18-0010)

Action Requested:

Consider a resolution approving of a Special Exception to Section 8.09 (D.1.c), for one (1) detached sign to be located on the existing four foot (4') high wrought iron fence at Turquoise Gypsy, located at the rear of the property.

Property Description:

Located on approximately 0.04-acres of land, on the west side of South Main Street (377), approximately 150 feet southwest of South Main Street (377) and West Hill Street intersection, being Lot 12, Block 3, Keller City Addition, at 156 South Main Street.

Background:

According to Tarrant County Appraisal District, the building was built in 1980.

In June 2014, Turquoise Gypsy received their Certificate of Occupancy.

In March 2016, a fence permit for a four foot (4') high wrought iron fence was approved by staff.

In August 2016, staff approved a 29 square foot attached sign to face South Main Street (377) for Turquoise Gypsy.

In March 2018, Code Enforcement sent a letter regarding an unpermitted sign.

In May 2018, Turquoise Gypsy applied for a variance request for the existing sign located on the fence to remain.

Sign Location:

The detached sign is located on the four foot (4') high wrought iron fence, adjacent to a parking area in Old Town Keller (OTK) and facing Lamar Street.

Section 8.09 (D.1.c) of the UDC states that No person shall attach or maintain any sign upon any tree, utility pole or similar structure.

Special Exception Request

1. A special exception is requested to allow one (1) sign to be located on the rear property fence, adjacent to a parking lot area as shown in "Exhibit A".

Sign Size:

The sign total measurement is twenty-two and a half (22.5) square feet.

The height of the sign is approximately three and one-third feet (3.33') tall from grade level. The length of the sign is approximately eight feet (8').

Surrounding Zoning & Land Uses:

North, South, East, West: Various retail uses zoned OTK (Old Town Center)

Summary:

The applicant is requesting one (1) special exception to be considered. If the request were to be approved by the City Council, then the applicant would be allowed to apply for a sign permit.

Section 8.09 (B.4.a) of the UDC, lists criteria for approval of a special exception.

1. Whether the requested exception will not adversely affect public safety,
2. Whether the requested exception will not adversely affect surrounding properties,
3. Whether the requested exception will be in harmony with the spirit and purpose of this sign code,
4. Whether special conditions exist which are unique to the applicant or property,
5. Whether the requested exception demonstrates increased quality and standards, and
6. Whether the requested exception will be aesthetically appropriate in the area.

Citizen Input:

A UDC variance application 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. The public will have an opportunity to speak on this agenda item at the "Persons To Be Heard".

Board Opinion:

On June 11, 2018, the Planning and Zoning Commission voted to recommend approval of this request by a vote of (3-1).

Ayes: Stansell, Apke, McCrea

Nays: Ponder

Professional Opinion:

It is the opinion of the staff to **not** support this Special Exception request. The requested sign will not be harmonious with the spirit and purpose of OTK (Old Town Keller). OTK (Old Town Keller) has unique design standards for signage requirements and the location of the sign would potentially bring forth other businesses to advertise on other permanent fixtures.

Staff is forwarding this UDC special exception application for Planning and Zoning Commission consideration with the following condition:

1. A special exception is requested to allow one (1) additional sign located on the rear property fence, adjacent to a parking lot area as shown in "Exhibit A".

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