



## Legislation Details (With Text)

<b>File #:</b>	18-321	<b>Version:</b>	1
<b>Type:</b>	New Business	<b>Status:</b>	Approved
<b>File created:</b>	11/7/2018	<b>In control:</b>	City Council
<b>On agenda:</b>	12/4/2018	<b>Final action:</b>	12/4/2018
<b>Title:</b>	Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.09 Residential District Detached Signs, for Ridgeview Elementary School, located on a 13.189-acre lot on the east side of Marshall Ridge Parkway, approximately 165 feet north of Silver Chase Drive and Marshall Ridge Parkway intersection, at 1601 Marshall Ridge Parkway, being Lot 1, Block A, Keller Elementary School No. 22, and zoned PH-6.5 (Patio Home - 6,500 square foot lots). Keller Independent School District, property owner/applicant/developer. (UDC-18-0021)		
<b>Attachments:</b>	1. 120418_RidgeviewElem_Res. No. 4075, 2. 120418_RidgeviewElem_ExhibitA_Application, Narrative & Support Petition, 3. 120418_RidgeviewElem_ExhibitA-Proposed Sign, 4. 120418_RidgeviewElem_Maps, 5. 120418_RidgeviewElem_StaffAttachement-KISD Elementary No. 22 Site Plan, 6. 120418_RidgeviewElem_StaffAttachement-Keller Elementary School No. 22 Final Plat, 7. 120418_RidgeviewElem_Existing Sign, 8. H-2 Presentation		

Date	Ver.	Action By	Action	Result
12/4/2018	1	City Council	approve	

**To:** Mark R. Hafner, City Manager

**From:** Katasha Smithers, Planner I

### Subject:

Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.09 Residential District Detached Signs, for Ridgeview Elementary School, located on a 13.189-acre lot on the east side of Marshall Ridge Parkway, approximately 165 feet north of Silver Chase Drive and Marshall Ridge Parkway intersection, at 1601 Marshall Ridge Parkway, being Lot 1, Block A, Keller Elementary School No. 22, and zoned PH-6.5 (Patio Home - 6,500 square foot lots). Keller Independent School District, property owner/applicant/developer. (UDC-18-0021)

### Background:

- On August 10, 2010, City Staff approved the final plat for Keller Elementary School No. 22.
- On August 19, 2010, City Staff approved the site plan for Keller Elementary School No. 22
- On July 5, 2016, the Sign Code of the UDC was updated. As part of the Sign Code update, staff had discussed electronic message board signs without meeting the 150' setback requirement. Based on the few circumstances where existing schools might run into this issue and the desire to protect residential property, the Council adopted the current language which requires electronic message board signs to meet the one hundred fifty-foot (150') setback from residential lots.

### Analysis:

Section 8.09 (D.7) Table 5 of the Unified Development Code (UDC) addresses Residential District Detached Sign standards. Section 8.09 (D.7) Table 5 states,

*An electronic message board sign shall be permitted as part of a monument sign for religious institutions and governmental entities only (federal, state, county, city, and school district) provided that the area of the electronic message board sign does not exceed 50% of the total allowable monument sign area and it meets the 150' setback from residential property for internally illuminated signs. Electronic signs of any kind shall include automatic dimmers so that brightness does not exceed 0.3 foot-candles above ambient light conditions and timers to turn signs off between 10 p.m. and 7 a.m.*

The proposed electronic message board sign for Ridgeview Elementary School would be located where the existing sign is, approximately one hundred and fifteen feet (115') from the nearest residential property. A UDC variance is required for this sign to have an electronic message board.

#### **Variance Request:**

1. An electronic message board within one hundred and fifty-feet (150') of residential lots shall be allowed.

#### **Sign Size:**

The existing sign size is thirty-one (31) square feet; a photo of the existing sign is included in the agenda packet. The proposed sign would not increase in area and is shown in Exhibit "A". The sign is reconfigured to have a larger static portion that reads 'Ridgeview Elementary' and the changeable area will be converted from manual changeable copy to an electronic message board.

#### **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 November 12, 2018, Planning and Zoning Commission made a recommendation to approve by a vote of 7-0.

#### **Staff Analysis and Opinion:**

Staff's professional analysis and opinion is supportive of this UDC variance request. There has been discussion in the past concerning illuminated signs impacting residential properties. These concerns are mitigated by the Code limitations on hours and in addition two (2) out of the four (4) homes that have signed in support of the project are within one hundred and fifty feet (150') of the illuminated sign.

Staff forwards this Specific Use Permit application for City Council consideration with the following condition:

1. An electronic message board within one hundred and fifty-feet (150') of residential lots shall be allowed.

#### **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