



Legislation Details (With Text)

File #: 19-603 **Version:** 1

Type: New Business **Status:** Agenda Ready

File created: 11/8/2019 **In control:** City Council

On agenda: 11/19/2019 **Final action:**

Title: PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for Greenway Keller Addition, a single story 12,076 square-foot multi-tenant building, located on a 1.42-acre tract of land, on the north side of Keller Parkway, approximately 400' northeast of the Keller Smithfield Road and Keller Parkway (F.M. 1709) intersection, being Lot 2, Block A, Greenway Keller Addition, at 100 Chandler Road, and zoned TC (Town Center). Greenway-Keller, LP, owner/applicant. (SUP-19-0001)

Attachments: 1. 111919_GreenwayAdditionSUP-19-0001_ProposedOrdinance, 2. 111919_GreenwayAdditionSUP-19-0001_Maps, 3. 111919_GreenwayAdditionSUP-19-0001_ExhibitA(1), 4. 111919_GreenwayAdditionSUP-19-0001_ExhibitA(2), 5. 111919_GreenwayAdditionSUP-19-0001_StaffAttachment(1), 6. 111919_GreenwayAdditionSUP-19-0001_StaffAttachment(2), 7. 111919_GreenwayAdditionSUP-19-0001_StaffAttachment(3), 8. Item H-9 & H-10 - Greenway Presentation

Date	Ver.	Action By	Action	Result
11/19/2019	1	City Council	close the public hearing	
11/19/2019	1	City Council	approve	

To: Mark Hafner, City Manager

From: JP Ducay, Planner I

Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for Greenway Keller Addition, a single story 12,076 square-foot multi-tenant building, located on a 1.42-acre tract of land, on the north side of Keller Parkway, approximately 400' northeast of the Keller Smithfield Road and Keller Parkway (F.M. 1709) intersection, being Lot 2, Block A, Greenway Keller Addition, at 100 Chandler Road, and zoned TC (Town Center). Greenway-Keller, LP, owner/applicant. (SUP-19-0001)

Action Requested:

Conduct a public hearing and consider a recommendation for a Specific Use Permit (SUP) to construct a 12,076 square-foot single-story building in lieu of the minimum two-story requirement in Town Center.

Zoning:

Town Center (TC)

Background:

- A preliminary plat was approved on November 8, 2016, for the Greenway Keller Addition. The Developer subdivided the site later to develop Natural Grocers. (Staff Attachment-1)
- The remaining property is still undeveloped.
- The Applicant submitted a Preliminary Site Evaluation on December 21, 2018, with the objective of again subdividing 1.4228 acres out of the remaining 7.3375 acres contained in the

Joseph A. Dunham Survey to develop a 12,076 square-foot multi-tenant retail/restaurant building. The Preliminary Site Evaluation was approved by the Planning and Zoning Commission on September 23, 2019. (Staff Attachment-2)

Analysis:

The Applicant is requesting a SUP to construct a single-story building in lieu of the required two-stories in the TC zoning district. SUP requests must be considered by the Planning and Zoning Commission and approved by City Council. Proposed building elevations and the site plan are included with this SUP application. (Exhibit A-2)

Building Height:

Section 8.03 (P.4.b.1) states that the building height in the Town Center District shall be two (2) stories. Single-story buildings may be approved by SUP. It also states that single-story building facades shall be a minimum height of twenty feet (20').

SUP Request: The Applicant is requesting a SUP to allow this building to be single-story in height. The minimum height requirement for a single story building is approximately 25'.

Other Design Elements:

The Applicant has also submitted a site plan application for this development which is on tonight's agenda. The site plan application will address the other design elements such as building design, landscaping, parking, fire protection, drainage and utilities, etc. The purpose of this SUP application is to only consider the proposed number of stories.

Existing Roadway Access:

Keller Parkway to the south, a six (6)-lane divided arterial.

Surrounding Zoning & Land Uses:

North: Undeveloped land, zoned Town Center.

South: 7-Eleven, Taco Bueno and Keller Crossing Shopping Center, zoned PD-R (Planned Development - retail).

East: Undeveloped land and Cook's Children Medical offices, zoned R (Retail).

West: Natural Grocers, zoned Town Center.

Summary:

Section 8.02 (F.2.a) of the UDC states that when considering a SUP request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;
- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;
- 3) The nature of the use is reasonable and appropriate in the immediate area;
- 4) Any negative impact on the surrounding area has been mitigated; and
- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

Citizen Input:

On October 18, 2019, the City mailed out eleven (11) letters of Notification for a Public Hearing to property owners located within three-hundred feet (300') of this property.

City staff has received one email of opposition from the public that was not in support of the building because of potential vacancy concerns with other strip malls in town. (Staff Attachment 3)

Planning and Zoning Recommendation:

The Planning and Zoning Commission recommended approval by a vote of 7-0 on October 28, 2019.

Alternatives:

The City Council has the following options when considering a SUP:

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