



City of Keller

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Legislation Text

File #: 16-204, **Version:** 1

To: Mark Hafner, City Manager

From: David Hawkins, Planning Manager

Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for a single-story, 9,870 square-foot multi-tenant retail building, located on a 1.47-acre lot, on the north side of Keller Parkway (FM1709), approximately 380 feet west of the Rufe Snow Drive and Keller Parkway (FM1709) intersection, at 967 Keller Parkway (FM1709), being Lot 3R-1R6, Block 8, Bluebonnet Trails Addition, and zoned TC (Town Center). KWLee Properties, LP, owner/applicant. Ballard & Braughton Engineering, engineer. (SUP-17-0002)

Action

Requested: Consider an ordinance approving a Specific Use Permit (SUP) for a single-story 9,870 square-foot multitenant retail building.

Zoning: TC (Town Center)

Future Land

Use Plan: MU (Mixed Use)

Background: The subject property was originally platted as Lot 3, Block 8 of the Bluebonnet Trails Addition in 1984. This property was rezoned to TC (Town Center) as part of the citywide rezoning in 1992. It has since remained undeveloped. In March 2012, the property was re-platted to Lot 3R-1 and again in June 2012 to the current lot designation of Lot 3R1-1R1, Block 8. An SUP for an AT&T store was denied by City Council on August 4, 2014.

Analysis: The purpose of this SUP is to address the Town Center zoning requirement for a single story building. Section 8.03 (P.4.b.1) of the UDC states that building height in the Town Center District shall be two (2) stories. Single-story buildings may be approved by Specific Use Permit. The UDC also states that single-story building facades shall be a minimum height of twenty feet (20'). The applicant has submitted a site plan being considered with agenda item H-3. The purpose of this SUP is to address the single-story element of the building.

Site Design: The proposed building is a single story, 9,870 square-foot multitenant retail building. A site plan has been submitted for review concurrently to this SUP application, and any other variances to will be requested with the site plan.

Elevations: The building height ranges from twenty-four feet (24') to thirty-two feet (32').

Tree Preservation: There are no trees located on this property. A tree survey will not be required

Drainage &

Utilities: The applicant has submitted a grading plan with the site plan application. According to the grading plan, water will flow to the north into the existing drainage infrastructure. The City's engineering department has reviewed these plans with the Site Plan application and more detailed civil engineering plans will be required before a building permit can be released.

Trip Generation: The applicant has submitted a Trip Generation form. According to the form, the proposed building will generate four hundred twenty-four (424) trips per day. A Traffic Impact Analysis will not be required. The applicant has also contacted the Texas Department of Transportation and will not be required to install a deceleration lane on the driveway entrance from Keller Parkway (FM1709).

Existing Roadway

Access: All access to this site is through shared access easements that connect to:

Keller Parkway, a six-lane divided arterial to the south (through the access drive on Keller Parkway shared by Raising Canes).

Rufe Snow Drive, a four-lane undivided collector to the east (through the access drive at the rear of the property).

Pate Orr Drive, a four-lane undivided collector to the west (through the access drive at the rear of the property).

**Surrounding
Zoning & Land**

Uses: North: Undeveloped lot with an existing detention infrastructure, zoned TC
South: Kroger's Shopping Center, zoned TC
East: American National Bank, zoned TC
West: Raising Canes, zoned TC

Request: To allow a single-story, multiple-tenant retail building in Town Center.

Summary: Section 8.04 (B.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;

The multi-tenant retail use is permitted in Town Center; the SUP is

required only for the single-story structure proposed. Immediate surrounding buildings and uses include a bank, a grocery shopping center, and fast food restaurants. These structures are all single-story.

In addition, five (5) nearby developments have been recently approved with a single story building in Town Center.

Town Center SUP Chart (restaurants excluded)			
Name	Date Approved	Square Feet	Height
E-Care	5/6/2014	10,260	Single Story
Keller Marketplace	5/6/2014	10,125	Single Story
Sherwin Williams	3/4/2014	4,500	Single Story
Life Church	10/2/2012	36,800	Single Story
First Financial Bank	8/21/2015	5,127	Single Story

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

The Town Center zoning district does permit restaurant uses to be single-story by right. It is specifically stated that an SUP is required if a single story building is proposed, with the condition that if a single-story building is permitted it must have a minimum height of twenty feet (20'). The proposed structure height is twenty-four to thirty-two feet (24'-32').

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

As all surrounding buildings are single-story, the proposed single-story building is considered reasonable and appropriate.

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

Staff does not anticipate any negative impact to the surrounding area. The building will meet the minimum height of twenty feet (20') for a single-story building.

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

Staff does not anticipate any other factors that will substantially affect the health, safety, morals or general welfare.

Citizen Input: On Friday, January 13, 2017, the City mailed out seventeen (17) letters of Notifications for this Public Hearing to all property owners within three hundred feet (300') of the subject site. A public hearing notice sign was posted on the site. Notice of a public hearing was advertised in the local newspaper 15 days prior to this meeting.

As of February 14, 2017, no responses from the public have been received.

Professional

Opinion: The process for requesting a single story building is outlined by SUP in the TC (Town Center) zoning district. Staff's professional opinion is to support this Specific Use Permit request.

1. Allow a Specific Use Permit for a single story 9,870 square-foot multitenant retail building at 967 Keller Parkway (FM1709) in the Town Center Zoning District provided the minimum building height is twenty feet (20').

Board Review: The Planning and Zoning Commission considered this SUP application on January 23, 2017 and recommended approval as submitted, with a unanimous vote.

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

- 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