



# City of Keller

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## Legislation Text

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**File #:** 16-338, **Version:** 1

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**To:** Mark Hafner, City Manager

**From:** David Hawkins, Planning Manager

**Subject:**

**PUBLIC HEARING:** Consider an ordinance approving a Planned Development Amendment to amend the previously approved Planned Development for the Century 21 Worldwide development, to allow an additional 2,000 square-foot office building, located on a 1.643-acre tract of land, being Lot 1, Block 1, Flower Addition, on the north side of Keller Parkway, approximately 560 feet west of Bloomfield Drive, at 1727 Keller Parkway, and zoned PD-R (Planned Development-Retail). Ellen Johnston, owner/applicant/developer. Thomas Hoover Engineering, Inc., engineer. (Z-17-0006)

**Action Requested:**

Conduct a public hearing and consider an ordinance approving a Planned Development Amendment to amend the previously approved Planned Development for the Century 21 Worldwide development, to allow an additional 2,000 square-foot office building.

**Current Zoning:** PD-R (Planned Development-Retail)

**Proposed Zoning:** No changes. Maintain PD-R (Planned Development-Retail)

**Future Land Use Plan:**

RT (Retail)

**Background:**

City Council approved the original Planned Development (PD) for the Flower Addition on August 4, 1998 by Ord. No. 913 for a 6-lot retail and office development and the creation of a private cul-de-sac street. A restaurant was planned for this property on Lot 1, Block 1, Flower Addition. A copy of the original concept plan and Ordinance No. 913 is attached under "Staff Attachment".

The PD was later amended for this Lot 1 to change the land use from a restaurant use to an 8,655 square-foot office building for Century 21 Worldwide. A 6,877 square-foot Phase II addition to the office building was also a part of the PD Amendment which was approved by City Council on February 19, 2002 (Ord. No. 1095). This Phase I office building was later built in 2003. The Phase II building addition was never constructed and this PD concept plan is still in effect. The approving Ordinance No 1095 and concept plan are included under "Staff Attachments".

**Analysis:**

The purpose of this Planned Development Amendment is to change the previous concept plan to

allow a smaller 2,000 square foot detached office building in lieu of the previous Phase II building addition and to subdivide the property into two (2) separate lots. There are two (2) variances being requested for this PD Amendment.

**Property Uses:**

The property has a base zoning district of Retail (R). Any uses listed in the Retail zoning district, either Permitted by-right or by Specific Use Permit (SUP) could be located within this new 2,000 square-foot building.

**Lot Size:**

In the Retail zoning district, the minimum lot size is thirty-three thousand (33,000) square feet. The current PD had a Phase I and II single office building on a single lot. The applicant intends to subdivide the property into two (2) lots for purposes of conveyance of the rear of the property. There is not a requirement for each building to be on its own separate lot but in this case, the applicant intends to sell the rear lot.

**Variance Request:** The applicant is requesting a variance to allow the northern lot to be a minimum of twenty-one thousand five hundred and ninety-eight (21,598) square feet. The new dividing property is located where it is so that the existing parking lot behind the building will remain on the southern lot to serve the existing office building. The southern lot will still meet the minimum lot size requirement with forty-nine thousand and nine hundred and seventy-six (49,976) square feet.

**Building Setbacks:**

The property line goes to the center of the cul-de-sac which is within an ingress/egress easement. All of the buildings are set approximately forty feet (40') from the centerline of the street. The new office building is planned to be forty-four feet (44') from the centerline of the street.

**Building Exterior:**

Section 8.06 (A.2.b & c) of the UDC requires seventy-five percent (75%) masonry for the entire exterior of the building. The use of three-quarter inch (3/4") Portland cement stucco with a minimum fire rating of one (1) hour shall be permitted provided the area does not exceed fifty percent (50%) of the total façade area excluding doors, windows and glass wall construction. Applicant intends to meet this requirement as well building height, building articulation requirements at time of Site Plan application.

**Building Height:**

The Retail zoning district (Section 8.03.O.3) states that the maximum height for all buildings shall be two (2) stories, not to exceed thirty-five feet (35') in height. The applicant intends to meet this requirement for the PD Amendment.

**Landscaping:**

Ten-foot (10') landscape buffers with a row of large canopy trees are planned along the north, south, east, and west property lines adjacent to non-residential properties for the new northern lot as required by the UDC. All landscape buffers will be maintained for the southern lot including the previously approved variance along Keller Parkway which granted a parking lot encroachment into the south landscape buffer.

**Variance Request:** The applicant is requesting a variance to allow a reduction to the required ten-

foot (10') along the north property line to two feet (2') for the portion adjacent to the existing parking lot (approximately seventy-two feet (72') in length) due to the new property line between the two (2) lots. Buffer trees will still be planted on both sides of the parking area within the remaining ten-foot (10') landscape buffer.

**Dumpster Enclosure:**

Section 8.06 (D.2) of the UDC states that all trash receptacles shall be located at the rear of the property and shall not face a street. There is (1) proposed dumpster to be located behind the building with the doors facing the rear of the building. The dumpster enclosure will have six-foot (6') masonry walls with solid metal doors and pedestrian access door/wall extension to meet the screening requirements of the UDC.

**Site Access:**

This facility will be served by a single point of access from the private cul-de-sac street.

**Trip Generation Form (TGF):**

The current PD has established an office building with 15,532 square feet. With the reduction of the square footage to 10,655 square feet, it is expected that the number of trips will be reduced. Section 5.03(E.1) UDC requires a Traffic Impact Analysis (TIA) to be completed and submitted to the City whenever there are more than five hundred (500) trips per day generated by a residential use or more than two thousand (2,000) trips per day generated by non-residential uses. A TIA is not required to be submitted for this Planned Development Amendment request.

**Parking:**

The applicant is proposing ten (10) parking spaces for the new office building, using the parking ratio for medical office at one space for every two hundred (200) square feet. General office use requires a parking ratio of one space for every three hundred fifty square feet (350) which would require a minimum of 6 spaces. A parking variance to allow forty (40) parking spaces to serve the Phase I office building was granted for the previous PD. The applicant intends to maintain this variance for the PD Amendment.

**Fire Protection:**

Fire lanes and fire hydrants have been provided and meet the fire protection requirements of the UDC.

**Signage:**

All new signs for the new 2,000 square-foot office building will meet signage requirements as stated in Section 8.09 of the UDC at time of sign permit review. If the property is subdivided, the new office building may have a new monument sign facing the cul-de-sac street. The applicant intends to maintain the signage conditions that were approved for the Phase I building under Ord. No. 1095 that states:

- *"All signage on this site shall be externally illuminated."*
- *"Only three (3) attached building signs, one (1) each on the three (3) tower elements as illustrated on the south elevation, shall be allowed. These signs shall not exceed eighteen-inches (18") in height." and*
- *"Only one (1) masonry monument sign with a brick frame, a maximum of six feet (6') in height and forty-two square feet (42 sq. ft.) in total surface area shall be allowed in front of the office*

*building adjacent to Keller Parkway (F.M. 1709)."*

### **Drainage & Utilities:**

Water and sanitary sewer services are already in place to serve this property. Detailed grading, drainage and utility plans will be reviewed by the Public Works Department at time of Site Plan application for the new office building and will meet all requirements of the UDC.

### **Existing Roadway Access:**

Quest Court (formerly Flower Court) a two (2) lane private cul-de-sac street.

### **Zoning & Land Uses:**

North: Office buildings, zoned PD-R (Planned Development-Retail)

South: Undeveloped properties zoned PD-O (Planned Development-Office)

East: Bowden Event Center under construction zoned PD-R

West: Keystone Church, zoned PD-R

### **Requested Conditions:**

There are three (3) conditions being requested with this Planned Development Amendment application.

1. Request a variance to allow the northern lot to be a minimum of twenty-one thousand five hundred and ninety-eight (21,598) square feet.
2. Request a variance to allow a two-foot (2') landscape buffer along the north property line of the southern lot only adjacent to the existing parking lot.
3. All conditions listed under Ordinance No. 1095 shall be continued for this PD and shall apply to the southern lot (proposed Lot 1R1).

### **Summary:**

The applicant has met the requirements of the UDC for this Planned Development Amendment application and requesting two (2) variances.

Section 8.02 (D.1.e) of the UDC states that when considering a zoning change request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 1) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole, and in compliance with the Future Land Use Plan.

***The Future Land Use Plan designates this property as RT (Retail). Office uses are permitted within the Retail zoning district. There are existing offices uses located to the north and west of the subject property. The previous PD had plans for an office building. The use of the property is not changing for this PD Amendment but the size of the building is.***

- 2) Whether the proposed change is in accord with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area, and shall note the

findings.

***There are water, sewer and utilities services ready to serve this property.***

- 3) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

***There are several vacant parcels of land zoned for Retail located to the east and west of the subject property. In this case, the property was already planned for a larger office building but is reducing the overall square footage proposed for this property.***

- 4) The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

***There are adjacent properties to the east and west that are zoned for Retail uses which includes office uses. All immediate properties on the north side of Keller Parkway are developed with the exception of the two (2) pad sites in front of the Bowden Event Center currently under construction. The vacant property to the west next to Cook's Children had a Site Plan recently approved by the City for additional office buildings.***

- 5) How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.

***The property was already planned for an office use. All surrounding properties are developed with the exception of two (2) pad sites to the east which will not have access to this property. No impact on adjacent properties is expected if PD Amendment is approved.***

- 6) Any other factors which will substantially affect the health, safety, morals, or general welfare.

***Staff does not anticipate that this PD Amendment will substantially affect the health, safety, morals, or general welfare.***

**Other Items for Consideration:** None.

**Citizen Input:**

On April 28, 2017, as required by State law, the City mailed out ten (10) letters of Notifications for a Public Hearing to all property owners within two hundred feet (300') of the subject site. A public hearing notice sign was also posted on the site. Notice was published in the Fort Worth Star Telegram on May 21, 2017.

As of May 26, 2017, City staff has not received any responses from the public for this Planned Development Amendment request.

**Professional Opinion:**

Staff's professional opinion is to support this Planned Development Amendment application for Planning and Zoning Commission consideration with the concept plan and development standards provided in Exhibit "A" and variances and condition requested:

1. The variance request to allow the northern lot to be a minimum of twenty-one thousand five hundred and ninety-eight (21,598) square feet to be considered.
2. The variance request to allow a two-foot (2') landscape buffer along the north property line of the southern lot only adjacent to the existing parking lot to be considered.
3. All conditions listed under Ordinance No. 1095 shall be continued for this PD and shall apply to the southern lot (proposed Lot 1R1).

**Board Review:**

The Planning and Zoning Commission conducted a public hearing and considered this item at their May 8, 2017 meeting recommended approval by a vote of 7-0 with the following conditions:

1. The variance request for the northern lot to be a minimum of twenty-one thousand five hundred and ninety-eight (21,598) square feet shall be allowed.
2. The variance request for a two-foot (2') landscape buffer along the north property line of the southern lot only adjacent to the existing parking lot shall be allowed.
3. All conditions listed under Ordinance No. 1095 shall be continued for this PD and shall apply to the southern lot (proposed Lot 1R1).

**Alternatives:**

The City Council has the following options when considering a Planned Development Amendment application:

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