



City of Keller

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Legislation Text

File #: 19-012, **Version:** 1

To: Mark Hafner, City Manager

From: JP Ducay, Planner I

Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for Pecan Park, a single story 5,860 square-foot professional office building, located on a 0.73-acre lot, on the east side of South Pate Orr Road, approximately five hundred and fifty feet (550') northeast of the South Pate Orr Road and Bear Creek Parkway intersection, being Lot 1R, Block A, Pecan Park Addition, at 351 South Pate Orr Road, and zoned TC (Town Center). Twin Pillar Properties, LLC, owner/applicant. (SUP-18-0025)

Action Requested:

Conduct a public hearing and consider an ordinance approving a Specific Use Permit (SUP) to construct a single-story building in lieu of the required two-story in Town Center and to construct a 5,860 square foot building in lieu of the required minimum 6,000 square feet for an Office building.

Zoning:

TC (Town Center)

Background:

- In 2008 a site plan for the subject property was approved by City Council consisting of two office buildings to be constructed in two phases. The developer was to construct a 4,300 square foot building along Rufe Snow Drive for Phase I and a 5,870 square foot building at a later date. The first building was then constructed upon approval in 2008.
- During this time the property was platted as Lot 1, Block A of the Pecan Park Addition in 2008.
- After two years of not acting upon the second phase, the site plan was no longer valid. Thus, to build a second building a new site plan would be required.
- On July 7, 2015 the City of Keller adopted the 2015 UDC update requiring additional standards for Town Center Developments.
- The property was replatted into two lots in 2016, making the subject property lot 1R, Block A of the Pecan Park Addition, and addressed as 351 Pate Orr Road.
- On June 25th, 2018 a site plan was submitted to develop the second phase of the original site plan at 350 Rufe Snow and 351 Pate Orr. The current site plan proposes to construct a 5,860 square foot office building being architecturally compatible with the existing building on site while also meeting the updated standards of the UDC.

Analysis:

The applicant is requesting a Specific Use Permit (SUP) to construct a building that is single-story in the Town Center zoning district in place of the required two-story building and to construct a building less than the required 6,000 square foot minimum. SUP requests must be considered by the Planning and Zoning Commission and approved by City Council. Proposed building elevations and site plan are included with this SUP application within Exhibit "A".

Building Height:

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

Variance Request: The applicant is requesting a variance to allow this building to be single-story in height. Though the proposed building is single-story the average height is approximately twenty one feet (21') with architectural elements reaching just under twenty-seven feet (27') in height

Building Size:

Section 8.03 (P.4.b.2) states that no building footprint in Town Center shall be less than 6,000 square feet of air-conditioned space.

Variance Request: The applicant is requesting a variance to allow the proposed building to be 5,570 square feet of air conditioned space with 290 additional square feet of covered porches totaling 5,860 square feet.

Other Design Elements:

The applicant has also submitted a site plan application for this development which is on tonight's meeting agenda. The site plan application will address the other design elements such as building design, landscaping, parking, fire protection, drainage and utilities, etc. The aforementioned elements are in compliance. The purpose of this SUP application is to only consider the building height and square footage.

Existing Roadway Access:

The applicant is proposing the only access to the building would be from Rufe Snow Drive, a six lane divided arterial to the east.

While there would be cross access from Rufe Snow to Pate Orr through the site, a sliding gate is proposed for emergency access only off of Pate Orr. This design was approved by the Fire Department.

Surrounding Zoning & Land Uses:

North: City of Keller Police Department property, zoned Town Center

South: Single Family Residence, zoned Town Center

East: The Keller Pointe recreation facility, zoned Town Center

West: Bear Creek Intermediate School and the Cloverfield Estates neighborhood, both zoned SF-8.4

Summary:

The purpose of this SUP application is to consider the building height and building square footage. If this SUP is approved by the City, then a site plan must be approved by the City Council before a building permit will be issued and construction may begin for this development.

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;

Immediate surrounding businesses include offices, and a variety of retail establishments just north of the subject property. The use of an office would be compatible with immediate surrounding uses.

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

Professional Office uses are permitted in the Town Center zoning district, however, single story structures and buildings under 6,000 square feet are not compatible with the desired design standards set by the Town Center zoning district.

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

Since Professional Office uses are permitted in the Town Center zoning district, the use is considered reasonable and appropriate.

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

Landscape buffers on the north, south, and east sides of the property would create separation between the properties. Additionally, a 60' foot build line was enforced on the west side of the property as a result of Single Family Residential being adjacent to the subject property.

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

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

Other Items For Consideration:

A chart that shows other recent developments located in Town Center which requested an SUP for either the building size and/or building height has been provided as Staff Attachment 5.

Citizen Input:

Not applicable. On November 30, 2018, the City mailed out thirteen (13) letters of Notifications for a Public Hearing to property owners located within three hundred feet (300') of this subject property. Staff also posted a public hearing notice sign on the subject property.

As of January 8, 2018, City staff has not received any responses from the public regarding this SUP request.

Professional Opinion:

Staff is aware that this SUP request is proposing to complete an unfinished site development that is architecturally compatible with the existing building, however, staff is not in support of this SUP as the requests are not harmonious with the desired architectural character and spirit of Town Center which encompasses a pedestrian oriented entertainment and mixed-use community center.

Staff forwards this Specific Use Permit application for City Council consideration as submitted with the following conditions:

1. The variance request to allow a single-story building to be constructed in Town Center to be allowed.
2. The variance request to allow a building less than the required minimum six thousand (6,000) square feet in Town Center to be allowed.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission recommended approval of the SUP and subsequent Site Plan by a vote of 7-0

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
- Denial