



Legislation Text

File #: 19-024, **Version:** 1

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 - Attached Wall Signs, for one (1) additional attached wall sign for Café Sicilia located on the north elevation, situated on approximately 1.876-acres of land on the west side of Bear Creek Parkway, approximately 450 feet southwest of Bear Creek Parkway and Davis Boulevard intersection, being Lot 5, Block A, Hidden Lakes Center, at 8849 Davis Boulevard, Suite 100, zoned C (Commercial). Café Sicilia, applicant; Paul Moss, TAK Enterprises, owner. (UDC-19-0001)

Background:

- On June 10, 2008, the property was platted as Lot 5, Block A, Hidden Lakes Center.
- On May 2, 2018, the site plan for Hidden Lakes Phase 5 was approved by staff.
- On May 7, 2018, a building permit was issued and currently the development is under construction.
- On December 21, 2018, a sign permit for the three (3) wall signs was applied for and the permit was issued on January 9, 2019 for one (1) sign located on the east elevation and one (1) sign located on the north elevation. The third wall sign is to be located on the north elevation and requires a sign variance, as this is not a corner.

Sign Location:

The third wall sign is to be located on the north elevation, facing Bear Creek Parkway.

Section 8.09 of the UDC allows for one (1) sign per building elevations or lease space elevations visible from a public street or with a public entrance.

Variance Request

1. To allow one (1) additional sign located on the north side elevation, facing Bear Creek Parkway.

Sign Size:

The sign measures two foot (2') by ten foot (10'), or twenty (20) square feet.

The two (2) existing signs located on the north and east elevations are three foot (3') by twelve foot (12'), or thirty-six (36) square feet.

Section 8.09 (D.6) Table 2 of the Unified Development Code (UDC) addresses Attached Wall Sign standards. Bear Creek Parkway is a four (4) lane divided arterial per our Master Thoroughfare Plan. The maximum sign size for arterials with four lanes with a setback greater than one-hundred feet (100') is one

hundred (100) square feet.

Summary:

The applicant is requesting one (1) variance request to be allowed. If the request were to be approved by the City Council, then the applicant would be allowed to apply for a sign permit.

Section 8.09 (B.4.a) of the UDC, lists criteria for approval of a special exception.

1. Whether the requested exception will not adversely affect public safety,
2. Whether the requested exception will not adversely affect surrounding properties,
3. Whether the requested exception will be in harmony with the spirit and purpose of this sign code,
4. Whether special conditions exist which are unique to the applicant or property,
5. Whether the requested exception demonstrates increased quality and standards, and
6. Whether the requested exception will be aesthetically appropriate in the area.

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.

Board Opinion:

On January 28, 2019, Planning and Zoning Commission recommended approval by a vote of 5-2.

Professional Analysis and Opinion:

Staff's Professional analysis and opinion is not supportive of this variance request. The requested sign will not be in harmony with the spirit and purpose of the sign code that was previously updated in June 2016. The proposed sign is not unique to the business and is not located on the corner.

Staff is forwarding this UDC Variance application for City Council consideration with the following condition:

1. To allow one (1) additional sign located on the north side elevation, facing Bear Creek Parkway.

Alternatives:

City Council has the following alternatives when considering a UDC Variance request application:

- Approve as submitted with special exceptions
- Approve with additional condition(s) or modifications
- Table the agenda item to a specific date with clarification of intent and purpose
- Denial