



# City of Keller

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## Legislation Text

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**File #:** 19-323, **Version:** 1

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**To:** Planning and Zoning Commission

**From:** Scott Bradburn, Planner I

**Subject:**

PUBLIC HEARING: Consider a recommendation for a Specific Use Permit (SUP) to allow the “rental of tools and machinery” and for the use of “outside storage” on a 4.77-acre-lot on the east side of South Main Street, approximately 400 feet south from the intersection of South Main Street and Calverley Place, being Steelwright Addition, Lot 1A, Block 1, at 1675 South Main Street (Account # 06427324) zoned (LI) Light Industrial, Roy Holdeman, applicant; Johnson-Keller 377, LLC, owner (SUP-19-0015).

**Background:**

Improvements to the property were recorded with the Tarrant County Appraisal District in 1981.

The original plat was approved by the Planning and Zoning Commission on July 23, 1990.

On March 2, 2000, O'Brien Concrete Pumping Company was issued a Certificate of Occupancy to operate their business on the property.

On December 4, 2007, AUI Contractors applied for a Specific Use Permit (SUP) to operate a “contracting yard” on the property. City Council unanimously approved the request.

On July 7, 2015, the Unified Development Code (the Code) was updated and the applicant's property was zoned (LI) - Light Industrial (33,000 square-foot lot-minimum).

The current applicant, also known as Equipmentsshare.com, requests a SUP to allow the use for “rental of tools and machinery” and for the use of “outside storage” on the property. The outside storage is predominately for large equipment rental.

**UDC**

**Requirements:**

The UDC Section 8.03 LI Zoning District Use Table states the use of tools and machinery rental and outside storage is only permitted with approval of an SUP

**Analysis:**

The base zoning district is Light Industrial and designed for light manufacturing, assembling, fabrication, warehousing, wholesaling and service operations not relying on frequent customer visits. Current adjacent uses are also light industrial, commercial and to the east is single-family residences. The hours of operation for the Keller location are Monday through Friday (9AM-5PM). The

equipment yard is secured by an 8-foot Iron Gate and a heavy gauge steel chain fortified with a heavy-duty padlock. The gate for the fencing is set up with an automatic gate opener which is shut off after hours. The yard is under CCTV surveillance set for recording in real-time.

If the SUP request is granted, the applicant proposes to make updates to the existing three structures on the property; he has already begun clean-up efforts to make the property more aesthetically appealing.

**Citizen Input:**

On June 14, 2019, as required by State law, the City mailed out twenty-three (23) letters of notifications for a Public Hearing to all property owners within three-hundred feet (300') of the subject property. Staff also posted a public hearing notice sign on the subject property. As of June 24, 2019, Staff has not received any letters either in opposition or support from the public regarding this SUP application. However, the applicant supplied staff with a petition of support signed by five adjacent property owners. (See Attachment C).

**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.

**Recommended**

**Actions:**

The Planning and Zoning Commission has the following options when considering a Specific Use Permit application:

- Recommend approval as submitted
- Recommend approval with modifications or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Recommend denial

**City Council Action:**

If the Planning and Zoning Commission takes action and makes a recommendation on this agenda item, then this Specific Use Permit application will be scheduled for City Council action on July 16, 2019.

**Attachments:**

Attachment A: Aerial Photo

Attachment B: Elevated Tank Documents with Specifications

Attachment C: Petition of Support