



City of Keller

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Legislation Text

File #: 20-504, **Version:** 1

To: Planning and Zoning Commission

From: Matthew Cyr, Planner I

Subject:

PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) to allow the use of “outside storage” for the business, Complete Trailers, located on a 1.72-acre-lot on the east side of South Main Street, approximately 1,300 feet north from the intersection of South Main Street and Calverley Place, being A.W. Crisp, Jr Addition, Lot 1A and 2A, Block 1, at 1425 South Main Street zoned Commercial (C). Complete Trailers, applicant; Woodall Properties, owner (SUP-20-0022).

Background:

- In early 2018, United Rentals moved out of 1425 S Main Street. August 3, 2018, United Rentals applied for a Specific Use Permit (SUP) for outside storage of enclosed trailers, used as portable toilets. During the Planning and Zoning Commission meeting, the Commission tabled the SUP, requesting further information on needed improvements to the structure and the property as it was not up to Code. In turn, United Rentals withdrew their application.
- Staff met with the Owner of the property regarding the improvements that would be required to be done prior to the issuance of a Certificate of Occupancy for a business on May 2, 2019, and also met with them many times during the Site Plan application process.
- Complete Trailers applied and was unanimously granted an SUP by City Council on August 6, 2019.
- On April 14, 2020, the Owner of the property brought forward a Site Plan Application with seven variances. The Planning and Zoning Commission tabled the application so the property owner and Staff could work together to reduce the number of variance requests.
- The Site Plan with two variances was approved unanimously by City Council on May 19, 2020. At this time, the property owners and Complete Trailers were offered a Temporary Certificate of Occupancy if they could address all Fire Code violations within the following ninety (90) days. This was unable to be met.
- Complete Trailers has currently leased the building (though they are not occupying it) and are still working with the owners to renovate the site according to the Council approved Site Plan. The following inspections are still required before a Certificate of Occupancy can be issued: Gate Inspection, Fire Inspection, Site Final, and Building Final.
- According to Section 8.02 (F) (2) (d) A Building Permit or Certificate of Occupancy shall be applied for and secured within one (1) year from the time of granting the Specific Use Permit. If the use for which the SUP applies is not issued a building permit or certificate of occupancy within one year, the SUP will automatically expire. The SUP for this business expired on August 6, 2020.

Proposed Hours of Operation:

- Monday- Friday: 9:00 A.M.-5:00 P.M.
- Saturday: 9:00 A.M.-1:00 P.M.

Citizen Input:

On October 30, 2020, the City mailed out 30 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 also posted on the site.

As of November 3, 2020, Staff has not received a response from the public regarding this SUP application.

Summary:

Section 8.02 (F)(2) 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.

Alternatives:

The Planning and Zoning Commission has the following options when considering an SUP application:

- Recommend approval as submitted.
- Recommend approval with modified 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 SUP application will be scheduled for City Council action on December 8, 2020.

Supporting Documents:

- Aerial and Zoning Maps
- Exhibit A - Application and Narrative Letter