



City of Keller

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Legislation Text

File #: 20-530, **Version:** 1

To: Mark Hafner, City Manager

From: Julie Smith, Community Development Director

Subject:

PUBLIC HEARING: Consider an ordinance approving 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:

- 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 [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 and told to address all Fire Code violations within the following ninety (90) days. This has not been 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 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.
- The applicant is now requesting a new SUP for the same business- Complete Trailers.

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 thirteen letters of notification 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 20, 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.

Planning and Zoning Commission Action:

The Planning and Zoning Commission recommended approval by a vote of 7-0 with the condition to shorten the SUP expiration to six-months in lieu of one-year at the November 10, 2020, Planning and Zoning Commission meeting. Should City Council adopt the recommendation, a Certificate of Occupancy would have to be obtained in six months or the SUP would expire. No one spoke in opposition or favor during the public hearing.