



City of Keller
Planning & Zoning Commission
Meeting Minutes

Keller Town Hall
1100 Bear Creek Parkway
Keller, TX 76248
817-743-4000
www.cityofkeller.com

Tuesday, September 13, 2022

PRE-MEETING BRIEFING 6:15 P.M.

A. CALL TO ORDER - Chairperson Gary Ponder

Chairperson Ponder called the meeting to order at 6:15 p.m.

The following Commission Members were present:

Gary Ponder, Chairperson
Ralph Osgood, Vice-Chairperson
Leslie Sagar
Paul Alvarado
Bob Apke
Tom Thompson
Ross Brensinger
Greg Will (Non-voting)

Staff present included Community Development Director (CDD) Julie Smith; Assistant Community Development Director (ACDD) Sarah Hensley; Public Works Director (PWD) Alonzo Linan; Planner I, Amber Washington; City Engineer, Chad Bartee; Economic Development Specialist Siale Langi, Planning Technician, Carlos Gutierrez

The Following Commission Members were absent:
Thomas Brymer

B. WORK SESSION

1. [Discuss Unified Development Code amendments related to sidewalk modifications.](#)

Public Works Director Alonzo Linan presented amendments to Unified Development Code (UDC) relating to side walks. PWD Linan reviewed the following; What was discussed last year in November 2021 at City Council, what is current in the Keller UDC, and best practices & regulatory requirements according to Federal Highway Administration; Texas MUTCD; and National Association of City Transportation Officials.

Commissioner Brensinger asked if the city is required to meet the presented standards.

PWD Linan explained what is required and what are best practices. He also explained the requirements of the Americans with Disabilities Act - Public Right of Way Accessibility Guidance (ADA - PROWAG).

PWD Linan gave the proposed UDC Updates as well as photographic examples showing why the updates are needed.

Commissioner Thompson asked if there requirement for new construction to come to grade to side walk with driveways.

PWD Linan explained what was done in the past with driveways and what would be required with the proposed change in the UDC.

Commissioner Osgood mentioned narrow sidewalk present a hazard when pedestrians do not have enough room to walk on the sidewalk at the same time. Commissioner Osgood stated he sees the need for the update and fully supports the proposed change to the UDC.

Commissioner Brensinger asked what the minimum set back for a house to the street would be. He mentioned that even in the smallest lot size the proposed extra foot of sidewalk would likely be unnoticed by the property owner.

Commissioner Alvarado stated he understands the five-foot requirement and is in support of it, because it the responsible thing to do. His only argument against it was how often are pedestrians actually spending time avoiding others to have to step off the sidewalk. Commissioner Alvarado asked if there was a way to tie some sort of index to the cost of concrete.

PWD Linan gave a brief description of how the index for cost of concrete would work.

Commissioner Will asked if the expanded width of the sidewalk would ever be encroaching the road or the right-of-way.

PWD Linan stated that historically sidewalks had been built one foot away from the right-of-away, and if needed would be able to build onto the right-of-way.

2. [Discuss Unified Development Code amendments for fuel pump sales in the Retail Zoning District](#)

ACCD Hensley gave background to what brought forth the proposed change to the Unified Development Code (UDC). A potential applicant had expressed desire to add fuel pumps at their business; however, the UDC did not provide a mechanism to do so.

ACCD Hensley reviewed current UDC for Town Center fuel pump sales as well as existing grocery stores and gas stations in Keller.

Chairperson Gary Ponder asked if Staff had statistics or information for other retailers like Sam's on having four or more gas pumps. Chairperson Ponder asked if Staff was wanting to use Town Center model for the retail zoning district.

ACCD Hensley said the proposed change would only relate to large grocery stores.

Commissioner Sagar asked about the impact fuel pumps would have on parking.

CDD Smith mentioned that in every review it is required to provide parking information and in the case of the potential applicant, their site is over-parked.

Commissioner Thompson mentioned his concern about the eyesore of outdoor displays at fuel pumps..

CDD Smith stated that the UDC Section 8.03 (P)(4)(b)(7) prohibits outdoor displays like described.

Commissioner Alvarado stated his support for the UDC amendment and had a question on whether there could be an expansion on the number of pumps.

CDD Smith stated yes, that this Commission could give such a recommendation to City Council.

Commissioner Apke asked if there are any requirements for canopies.

CDD Smith mentioned there is language in the UDC that requires a canopy.

C. ADMINISTRATIVE COMMENTS

1. [Briefing regarding City Council action on September 6, 2022.](#)

ACDD Hensley provided the Commission with a summary of City Council action from the September 6, 2022 meeting. During work session Council reviewed the proposed UDC amendment regarding fuel pumps. For new business the Specific Use Permit (SUP) for Beauteous Lash Studio was approved unanimously. Shotzee's indoor entertainment was approved unanimously. Shotzee's SUP for sign variance was approved 5-1. The language for UDC amendment on the OTK boundaries was approved.

CDD Smith provided the Commission with a summary of Leslie Sagar's plat approval, which was unanimously approved.

D. DISCUSS AND REVIEW AGENDA ITEMS

D-1 Consider the Minutes of the August 23, 2022 Planning and Zoning meeting.

D-2 Sit Means Sit SUP request.

Commissioner Thompson asked are they doing anything to the existing building that would require anything beyond an SUP.

CDD Smith stated the applicant planned an extensive cosmetic remodel.

D-3 Consider the request to approve amendments to the City of Keller UDC regarding re-plats.

E. ADJOURN

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Chairperson Gary Ponder

B. PLEDGES TO THE FLAGS

C. PERSONS TO BE HEARD

This is a time for the public to address the Board/Commission on any subject. However, the Texas Open Meetings Act prohibits the Board/Commission from discussing issues which the public has not been given seventy-two (72) hours’ notice. Issues raised may be referred to City Staff for research and possible future action.

No public comments were received.

D. NEW BUSINESS

1. [Consider the minutes for Planning and Zoning Commission meeting August 9, 2022.](#)
A motion was made by Vice Chairperson Ralph Osgood, seconded by Commissioner Leslie Sagar, to approve the minutes for the Planning and Zoning Commission meeting on August 9, 2022. The motion carried unanimously.
2. [PUBLIC HEARING: Consider a request for a Specific Use Permit \(SUP\) for Sit Means Sit, a dog-training facility with no overnight boarding, to operate in an existing 2,090 square-foot lease space, within an 8,082 square-foot multi-tenant building, approximately 990 feet northwest from the intersection of Cindy Street and Keller Parkway, legally described as Lot 2, Block 11R of the Samuel Needham Addition, zoned Retail \(R\) and addressed as 363 Keller Parkway, Suite A. ABV Training DBA Sit Means Sit Fort Worth, Applicant. Haeju Investments, LLC, Owner. \(SUP-22-0031\)](#)

Planner I, Amber Washington, provided Staff’s presentation to the Commission related to the SUP requested for Sit Means Sit located at 363 Keller Park Way.

Chairperson Ponder opened the public hearing.

Alex Kim Property Owner 363 Keller Parkway. Mr. Kim expressed his support for the proposed tenant, and the importance of finding the right tenant for the property. He said Sit Means Sit will enrich the community of Keller.

A motion was made by Commissioner Leslie Sagar, seconded by Commissioner

Tom Thompson, to close the public hearing. The motion carried unanimously.

Commissioner Alvarado thanked the applicant for the letter that was included, and mentioned the proposed use is going to be far better than previous uses.

Commissioner Sagar echoed Commissioner Alvarado's statement about the heart-felt letter that was included, and said she Sit Means Sit will be a great addition to Keller.

Commissioner Brensinger asked for more information about parking spaces as well as the classes and dog occupants.

The Applicant, Stephanie Putnaum, responded by giving a schedule rotation with the business hours, which included the time of maximum parking lot use being after hours.

Commissioner Brensinger made mention of the operating hours not matching up with what's being proposed with evening classes.

CDD Smith informed the Commission that the application wasn't clear, and the Applicant would like to amend the hours of operation on the application. The business would close at 8:00 p.m. on operating days to allow for evening classes.

Commissioner Apke asked if staff knew the street address of the person that was in favor of applicant, as well as who would be in charge of cleaning up the yard and keeping it in good condition.

The Applicant said they would be cleaning and fixing up the area.

Commissioner Thompson asked how many dogs would be on site and inquired about the business' daily operations.

Director of Operations Melinda Yates explained the general day-to-day operations and teaching methods for the dogs. She said a max of 12 dogs would be on-site during the day, rotated out in groups of 3 to 4.

Commissioner Thompson said he liked the concept and the handle they had on the business.

Commissioner Will said he supports the application.

Commissioner Osgood echoed support of the application.

A motion was made by Commissioner Tom Thompson, seconded by Commissioner Leslie Sagar, to approve as amended with additional operating hours. The motion carried unanimously.

3. [PUBLIC HEARING: Consider a request to approve amendments to the City of Keller Unified Development Code \(UDC\), adopted by Ordinance No. 1746 dated July 7, 2015.](#)

by amending Article Four - Development Procedures and Requirements for Application Submittals, Section 4.10 - Replats, to mirror the Texas Local Government Code process for replatting; providing penalties; authorizing publication; and establishing an effective date. (UDC-22-0007)

ACDD Sarah Hensley gave brief summary of proposed UDC amendments.

1. Amend section 4.10(A) to clarify that a public hearing may be required.
2. Remove sections 4.10(c) and 4.10(E) in the entirety
3. Update Section 4.10(F) to clarify the process for filing a plat after approval.

Chairperson Ponder opened the public hearing.

No public comments were received.

A motion was made by Commissioner Leslie Sagar, seconded by Commissioner Tom Thompson, to close the public hearing: The motion carried unanimously.

Commissioner Apke said he appreciates staff's diligence in cleaning up records.

Commissioner Thompson asked how the proposed amendment will affect what staff does on a day-to-day basis concerning plat approval.

CDD Smith stated that there would be no changes because staff has been abiding by state law.

Vice-Chairperson Osgood asked if the language in the presentation indicating section 4.10(E)(1) would be deleted was accurate.

CDD Smith stated there was a typo and that the intention is to delete section 4.10(E) in its entirety.

A motion was made by Commissioner Paul Alvarado, seconded by Vice Chairperson Ralph Osgood, to approve Item D-3 as presented . The motion carried unanimously.

E. ADJOURN

Chairperson

Staff Liaison