



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, May 25, 2021

PRE-MEETING BRIEFING 6:30 P.M.

A. CALL TO ORDER – Chairperson Gary Ponder

Chairperson Gary Ponder called the virtual Pre-Meeting Briefing to order at 6:30P.M.

The following Commissioners were present:

Gary Ponder, Chairperson

Paul Alvarado

James Dawson

Bob Apke

Leslie Sagar

Thomas Thompson

Phillip Maxwell

The following Commissioners were absent:

Ralph Osgood, Vice Chairperson

Logan McWhorter- Alternate

Staff present included Matthew Cyr, Planner I; Katasha Smithers, Planner I; Julie Smith, Director of Community Development; Sean Vreeland, Director of Information Technology; Chad Bartee, City Engineer and Amy Botcher, Planning Technician.

B. ADMINISTRATIVE COMMENTS

1. Briefing regarding City Council action on Tuesday, May 18, 2021.

Planner Smithers stated there were four items considered by Council on May 18th. First Baptist Church SUP for Harvest Christian Academy was unanimously approved by City Council for three years with conditions including that before the SUP would be renewed, the Church and the

Academy would work with KISD to develop a traffic management plan and Harvest Christian shall incorporate an entrance and exit to traffic flow to the southwest of the property. She added the UDC text amendment for the fire lane testing, 151 Coffee drive-thru and Greenway Park PD were all unanimously approved.

There were no questions or comments from Commissioners.

2. In-Person Meeting

All Commissioners stated their support to return to meeting in-person beginning June 22, 2021.

C. DISCUSS AND REVIEW AGENDA ITEMS

C1. Minutes for May 11, 2021

Commissioner Dawson stated he had sent a list to Staff of possible changes.

CDD Smith responded those changes had been implemented as needed.

C2. Public Hearing for SUP, White Bridle Learning and Therapy at 696 Pryor Court.

Planner Smithers gave a brief description.

No questions or comments from Commissioners.

C3. Public Hearing for SUP to allow Waterwerkz DFW at 8801 Davis Blvd, Suite 2B&C.

Planner Smithers gave a brief description.

Commissioner Maxwell asked if there were other tenants at this location with an automotive use.

Planner Smithers responded there was one paint and body shop. She added there were six opposition letters from residents concerning debris and work-related noise after hours and late at night by the other tenant. They were concerned this tenant's business could cause similar concerns.

CDD Smith stated Staff was aware and there was a code case on the other automotive use location.

Commissioner Thompson asked for confirmation there was no affiliation between this business and the other automotive provider with the code case.

Planner Smithers confirmed the two businesses were not affiliated.

C4. Public Hearing for SUP to expand barn at 640 Bancroft Road.

Planner Cyr gave a brief description.

Commissioner Sagar asked Staff for clarification on the maximum lot coverage for SF-36.

Planner Cyr explained 50% maximum lot coverage included main structure, accessory structures, and impervious surfaces.

Commissioner Thompson asked if the animals kept would solely be owned by the Applicant.

Planner Cyr responded the property was 2.3-acres and it was his understanding the animals all belonged to the Applicant.

Commissioner Alvarado asked how the City assured the addition would not increase existing drainage especially for the adjacent neighbors to the east.

Planner Cyr responded an engineered drainage plan would be required as part of the building permit submittal. CDD Smith stated the flow would be to the southeast into the Gene Estates detention pond.

Chad Bartee, City Engineer, confirmed the drainage to the pond in Gene Estates. He added the lots in Gene Estates were designed for the water to flow to that area.

Planner Cyr stated three additional letters of support were received at the end of the day.

D. ADJOURN

Chairperson Gary Ponder adjourned the Pre-Meeting at 6:55P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Chairperson Gary Ponder

Chairperson Gary Ponder called the meeting to order at 7:00 P.M.

Chairperson Ponder expressed his gratitude to Staff, Sean Vreeland, Brent Rankin, Mark Hafner, the Mayor and City Council for granting the request of the Planning and Zoning Commission to have meetings virtually.

B. PERSONS TO BE HEARD

There were no persons to speak.

B. NEW BUSINESS

1. [C \(1\) Consider the minutes for the May 11, 2021, Planning and Zoning Meeting.](#)

Commissioner Alvarado made a motion to approve Item C (1), seconded by Commissioner Thompson. The motion carried unanimously.

2. [C \(2\) PUBLIC HEARING: Consider a request for a Specific Use Permit \(SUP\) to allow White Bridle Learning and Therapy, a proposed \(home-based\) child-care facility, situated in a home on a .2632-acre tract of land, located on the west side of Pryor Court, approximately 100 feet northwest from the intersection of Pryor Court and Bear Creek Parkway, legally described as Lot 19, Block 14 High Chaparral Addition, zoned Single-Family – 8,400 square-foot lot \(SF-8.4\), located at 696 Pryor Court, Susan Bullen, Owner/Applicant. \(SUP-21-0018\)](#)

Planner Smithers stated White Bridle Learning and Therapy began operation in 2015 at the Rocky Top Ranch to provide support and care for autistic children. In 2018, The Birch Tennis and Racquet Club purchased and developed the property. Due to the change of use at the property, Susan Bullen (Owner/Applicant) had to find another location. She felt a residential home would be more beneficial for the children she provides for than a commercial site.

The Owner has been operating within her 2,730 square-foot residential home as a home occupation and believed she was within the code. However, a home-based child-care facility is not a home occupation and requires an SUP in the SF-8.4 zoning district. The Owner said the hours of operation were Monday through Friday, 8:30am to 5:30pm. The maximum number of employees and children would be five.

Planner Smithers stated on May 13, 2021, the City mailed out 39 Letters of Notification for the Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site. The Owner/Applicant provided a support petition with 38 signatures from her neighbors, and Staff received two additional letters in support and one opposition letter within the 200-foot buffer.

Chairperson Ponder asked if the Applicant had anything to add.

Susan Bullen, owner, stated she felt it was beneficial to work with a small group in a home setting. She explained the typical day with the children and the importance of continuity.

Chairperson Ponder opened the public meeting.

There were no persons to speak.

Commissioner Apke made a motion to close the Public Hearing for Item C (2), seconded by Commissioner Sagar. The motion carried unanimously.

Commissioner Alvarado asked if there was a SUP at the previous location at Rocky Top Ranch.

The Applicant responded she was told by the previous owner that the business was grandfathered in and did not require one.

CDD Smith clarified that an SUP should have been obtained, the previous location was not grandfathered, but the Applicant was not aware.

Commissioner Alvarado asked about the parking availability in relation to employees.

The Applicant explained the permissions she had been given by neighbors to park on or in front of their properties. She added she had a maximum of five employees and a maximum of five children.

Commissioner Sagar asked the age range of the children. She also commended the Applicant on her level of support from her neighbors.

The Applicant responded most of her children are between seven and nine years old.

Commissioner Dawson asked what the types of therapy were being used.

The Applicant stated it was all one-on-one therapy.

Commissioner Apke agreed with Commissioner Sagar that it was amazing to have people in the neighborhood in support of her therapy business.

Commissioner Thompson asked the Applicant to confirm her hours. He questioned if the children were dropped off by their parents. He said he did not see any intrusion and supported the request.

The Applicant responded the hours were 8:30AM to 5:30PM. She added only two cars at drop off children at this time, because some of the clients were siblings.

Commissioner Maxwell stated his initial concern was the operation of a business out of a home. However, after discussion, he felt it was a good idea for the children and appreciated the neighbors' support.

Chairperson Ponder said what the Applicant did for the children was amazing, and he supported the request.

Commissioner Sagar made a motion to approve Item C (2), seconded by Commissioner Thompson. The motion carried unanimously.

3. [C \(3\) PUBLIC HEARING: Consider a request for a Specific Use Permit \(SUP\) to allow Waterwerkz DFW, a proposed automobile repair, sales and services to occupy a 2,500 square-foot lease space with an approximately 5,880 square-foot multi-tenant building, situated on a 2.21-acre tract of land, located on the west side of Davis Boulevard and Bear Creek Parkway, legally described as Lot 1A, Block 1 Ryon Place Addition, zoned Commercial \(C\), located at 8801 Davis Blvd Suite 2B & C. Conner Ivy, Owner. Jose Goyanes, Applicant. \(SUP-21-0016\)](#)

Planner Smithers stated the Applicant, Jose Goyanes, proposed to occupy a 2,500 square-foot lease space within an approximately 5,880 square –foot multi-tenant building for his auto detailing business. Due to the nature of the business, this use required a Specific Use Permit (SUP) in the Commercial (C) zoning district.

The Applicant stated the services included: full-vehicle detailing, corrections, protection, ceramic coatings, window and mirror glass-parency, and hand car washing inside/outside. He added the hours of operation were Monday through Saturday 9:00am to 5:00pm, and said there would be three employees.

Planner Smithers stated on May 14, 2021, the City mailed out 34 Letters of Notification for the Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site. Staff had received one email and six letters of opposition that are within the 300-foot buffer (related to concerns about noise and debris).

Chairperson Ponder asked if the Applicant had anything to add.

Jose Goyanes, Applicant, confirmed his hours of operation and added it would be by appointment only. He said the only services would be detailing and washing and all would occur inside of the building.

Conner Ivy, property owner representative, was available for questions.

Chairperson Ponder opened the public meeting.

John O'Neil, resident, asked the applicant to confirm the hours of operation. He also asked to confirm there would be no heavy machinery, handwashing only and all work done inside.

Dan Trudy, resident, stated his concern about the noise and hours of operation. He also shared his concern on the drainage inside of the bays and where the run-off would go. He asked what UDC definition applied to this use.

Commissioner Sagar made a motion to close the Public Hearing for Item C (3), seconded by Commissioner Alvarado. The motion carried unanimously.

The Owner responded to Mr. Trudy's questions. He said currently there was not a drain in the building. However, he had submitted for sand trap installation. He added all services would be inside of the building once the drains were installed. Mr. Goyanes also confirmed the hours of operation from 8 to 5pm and that there would not be any heavy machinery.

CDD Smith addressed the concerns of Mr. Trudy and the definition of automotive use. She explained the services Mr. Goyanes was going to have including handwashing were best served by this UDC definition.

Commissioner Sagar asked the Owner what the purpose of a sand trap was.

The Applicant explained sand traps catch the debris and chemicals before water is flushed down the drain.

Commissioner Sagar asked if there was another automotive service provider in this location that residents had concerns about. Staff confirmed there had been issues with another nearby automotive business. Commissioner Sagar said the Applicant's proposal was well defined and did not think it would cause a problem for the residents.

Commissioner Dawson stated he did not think the noise would be an issue since the work would be inside, and the "by appointment only" would further limit noises.

Commissioners Apke, Thompson, Ponder, Maxwell and Alvarado had no additional questions and supported the item.

Commissioner Alvarado made a motion to approve Item C (3), seconded by Commissioner Sagar. The motion carried unanimously.

4. [C \(4\) PUBLIC HEARING: Consider a request to amend a Specific Use Permit \(SUP\) to allow the applicant to expand the existing 1,997 square-foot barn by approximately 1,550 square-feet \(3,547 total square-feet\) situated on a 2.30-acre tract of land, located on the south side of Bancroft Road, approximately 1500 feet southeast from the intersection of Bancroft Road and Bourland Road, legally described as Lot 3, Block A Leidy Estates, zoned](#)

[Single-Family – 36,000 square-foot lot \(SF-36\), located at 640 Bancroft Road. Ken Slough, Owner/Applicant. \(SUP-21-0019\)](#)

Planner Cyr stated City Council unanimously approved a Specific Use Permit for a 1,997 square-foot barn on October 17, 2017. However, the Applicant only built a 1,774 square-foot structure. When publicly noticed, Staff assumed the original square-footage had been built. The expansion of the current barn would be utilized for additional livestock. According to the Applicant, the number of livestock at this time of the year was five show lambs. There would be additional livestock in the fall (approximately 8-10 pigs). There would be no production or breeding of animals at the property.

The Applicant proposed to expand the 1,774 square-foot structure by approximately 1,550 square-feet (3,324 sf total). The two proposed amendments to the current SUP would allow an expansion of the barn from 1,997 square-feet to 3,324 square-feet and would allow the structure to exceed 50% of the main structure's square-footage. (Main structure is 6,120 square-feet, so the barn would be 54% of the size of the home).

Planner Cyr stated on May 14, 2021, the City mailed out 18 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. Staff had received three letters of support. Staff received one email expressing concern over the potential increased run-off, however they did not express opposition or support.

Chairperson Ponder asked if the Applicant had anything to add.

Kenneth Slough, owner, stated his children competed in 4-H and it was an excellent experience for their family.

Chairperson Ponder opened the public meeting.

There were no persons to speak.

Commissioner Sagar made a motion to close the Public Hearing for Item C (4), seconded by Commissioner Apke. The motion carried unanimously.

Commissioner Dawson asked the Applicant if only his animals would be kept in the barn.

The Applicant responded it would only be his children's animals.

Commissioner Apke stated he was comfortable with the increase in structure size due to the 2.3-acre lot. He added the water would flow to the detention pond and not across the neighbor's properties.

Commissioner Thompson said the benefits outweighed the negatives.

Commissioner Sagar said she concurred with the previous comments and commended the Applicant for gaining the support from neighbors.

Commissioners Alvarado, Maxwell and Ponder had no additional questions and were in support.

Commissioner Sagar made a motion to approve Item C (4), seconded by Commissioner Thompson. The motion carried unanimously.

CDD Smith stated the Citizens Academy would be starting soon. She encouraged Commissioners who had never gone through the academy, to think about doing so. She added this provided people with the ability to see what different departments in the City do.

Chairperson Ponder said June 22nd would be the next Planning and Zoning meeting and it would be in person. He also thanked Staff and Commissioners for their efforts during the time of virtual meetings.

C. ADJOURN

Chairperson Gary Ponder adjourned the meeting at 8:13P.M.

Chairperson

Amy Botcher, Planning Technician