



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, December 13, 2022

PRE-MEETING BRIEFING 6:00 P.M.

A. CALL TO ORDER - Chairperson Paul Alvarado

Chairperson Alvarado called the meeting to order at 6:00 p.m.

The following Commission Members were present:

Paul Alvarado, Chairperson
Greg Will
Leslie Sagar
Erin Pfarner
Erik Leist
Vern Stansell
John Baker
Ross Brensinger (Non-voting)
GiGi Gupta (Non-voting)

Staff present included Community Development Director (CDD) Julie Smith; Assistant Community Development Director (ACDD) Sarah Hensley; Public Works Director (PWD) Alonzo Linan; City Engineer Chad Barte; Planner II Katasha Smithers; Planner I Amber Washington; and Planning Technician Carlos Gutierrez.

Commission had a brief review over Planning and Zoning binder.

Chairperson Alvarado shared with the Commissioners procedures pertaining to agenda items prior to Planning and Zoning Meetings as well as procedures during the meeting.

B. ADMINISTRATIVE COMMENTS

1. [Briefing regarding City Council Action on December 6, 2022](#)

ACDD Hensley gave a recap of the December 6, 2022 City Council meeting. Final Plat for 1241 Village Trail was approved unanimously. Landscape Systems had multiple items: FLUP had a motion to approve but failed, due to need for Super Majority, 4 for AYE vs 2 for NAY; Rezone request had a motion to approve but failed, 2 for AYE vs 4 for NAY. The remainder of the items for Landscape Systems did not move forward.

CDD Smith stated that the Commissioners more than likely will see Landscape Systems

in the near future with a different proposal.

ACDD Hensley stated the other item addressed was Unified Development Code (UDC) reorganization, general clean up of schedule and fees that don't apply, and bookmarking for section 8.03. The item was approved unanimously.

C. WORK SESSION

1. [Plat approval orientation](#)

CDD Smith gave a brief orientation regarding plats.

There was a general discussion about plats and state law.

CDD Smith shared information about the process of a Planned Development (PD).

D. DISCUSS AND REVIEW AGENDA ITEMS

D-1: Planner Smithers gave background on the Preliminary Site Evaluation for the Beverly Grove Subdivision. Commissioner Pfarner asked if there are any connections from the trail to sidewalk. Planner Smithers shared the location of the sidewalk, and the natural trail that would connect them. Planner Smithers stated the Applicant would notate the 10ft hike and bike trail on the final PSE and Plat.

E-1: Chairperson Alvarado asked if there were any additional comments about the minutes. Staff stated all the comments sent prior to the meeting have been addressed.

E-2: Chairperson Alvarado asked the Commission if there were any questions for Item E-2.

There were no follow up questions to item E-2.

E-3 & E-4 : ACDD Hensley gave background to Items E-3 & E-4: approve fuel pump amendments to the City of Keller Unified Development Code (UDC) related to fuel pumps and an SUP request. Commissioner Brensinger asked if what is being requested could be achieved with a variance. CDD Smith said that City attorney stated the existing ordinance would have to be amended because of the current language, so a variance is not an option.

E-5: Will be tabled for a further date.

E. ADJOURN

Chairperson Alvarado adjourned the pre-meeting at 6:55 p.m.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Chairperson Paul Alvarado

Chairperson Alvarado called the meeting to order at 7:05 p.m.

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.

Brenda Daily, 1208 Fowler Street, left a list of concerns regarding item E-5 for the commissioners to review.

D. CONSENT

1. [Consider approving a Preliminary Site Evaluation \(PSE\) for the Beverly Grove Subdivision consisting of 33 residential lots and 4 open space lots, being approximately 11.79 acres located at the intersections of Rapp Road, Shady Grove Road, and Rufe Snow Drive, zoned Planned Development Single Family 8.4 \(PD-SF-8.4\), and addressed as 1301 Rufe Snow Drive. Sunrise Partners, Applicant/Developer; Peloton Land Solutions, Planner/Engineer; Bursay Commercial, LTD., Owner. \(PSE-22-0010\)](#)

A motion was made by Commissioner Leslie Sagar, seconded by Commissioner Vernon Stansell, to approve Item D-1 as presented. The motion carried unanimously.

E. NEW BUSINESS

1. [Consider the minutes of the November 8, 2022 Planning & Zoning Commission meeting.](#)
A motion was made by Commissioner Erik Leist, seconded by Commissioner Gregory Will, to approve the minutes of the November 8, 2022 Planning & Zoning Commission meeting. The motion carried unanimously.
2. [PUBLIC HEARING: Consider a request for three Specific Use Permits \(SUPs\) for a detached accessory building on 2.83 acres located on the east side of Whitley Road, approximately 250 feet northeast from the intersection of Whitley Road and Harper Lane, legally described as Lot 1, Block A of Andrews Addition, zoned Single-Family 36,000 square-foot lot size or greater \(SF-36\) and Single-Family 8,400 square-foot lot size or greater \(SF-8.4\) and addressed 1621 Whitley Road. Nathan Olmstead, Owner/Applicant. \(SUP-22-0037\)](#)

CDD Hensley gave a presentation on Item E-2, a request for three Specific Use Permits for a detached accessory building.

The Applicant shared the history and current condition of the existing structure as well as his vision for the new structure.

Chairperson Alvarado opened the public hearing.

No public comments were received.

A motion was made by Commissioner Leslie Sagar, seconded by Commissioner Erik Leist, to close the public hearing. The motion carried unanimously.

Commissioner Leist asked staff the number of accessory structures allowed on the Applicant's property.

ACCD Hensley stated that two accessory structures are permitted.

Commissioner Sagar stated her support for the requested SUP's.

Commissioner Stansell asked if the new structure will have the same dimensions as the current structure.

The Applicant stated that the dimensions would be near the same as before, however the new structure would be 3' shorter.

A motion was made by Commissioner Gregory Will, seconded by Commissioner Vernon Stansell, to approve Item E-2 as presented. 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 Eight - Zoning Districts, Development Standards, Tree Preservation, Section 8.03 - Zoning Districts, relating to supplemental regulations for fuel pumps; providing penalties; authorizing publication; and establishing an effective date. \(UDC-22-0013\)](#)

ACCD Hensley gave a presentation on item E-3, approve amendments to the Unified Development Code (UDC).

Chairperson Alvarado opened the public hearing.

Samantha Vargus, 1618 Meadow Park Dr., stated her concern over truck noise and air pollution.

Steve Flynn, 1612 Meadow Park Dr., stated that there are too many gas stations in the area, and doesn't think there is a need for another one.

Kelly Graber, 1610 meadow Park Dr., stated the trash, traffic and noise behind Kroger is terrible.

A motion was made by Commissioner Erin Pfarner, seconded by Commissioner Gregory Will, to close the public hearing. The motion carried unanimously.

Commissioner Brensinger stated that he cared about the footprint of the proposed fuel station because of the parking layout and the flow of traffic. He recommended that the Commission allow for six fuel dispensers.

Commissioner Leist echoed Commissioner Brensinger's comments.

Commissioner Sagar stated that she had an issue with the request for five fuel dispensers, much less six and cautioned the Commission of opening the door to allow more fuel pumps in other areas.

Commissioner Stansell echoed Commissioner Sagar's comments on the number of fuel dispensers.

Commissioner Baker stated that he liked the option to have five fuel dispensers given the current site plan presented.

Commissioner Pfarner stated that she agreed with having additional stations able to service electric vehicles in the future.

CDD Smith stated that City Council has supported business that have expressed interest in providing charging stations.

A motion was made by Commissioner Erik Leist, seconded by Commissioner Erin Pfarner, to approve Item E-3 as amended for 6 dispensers and 12 pumps. The motion carried by the following vote:

AYE: 5 - Chairperson Alvarado, Commissioner Will, Commissioner Pfarner, Commissioner Leist, Commissioner Baker.

Nay: 2 - Commissioner Sagar, Commissioner Stansell

4. [PUBLIC HEARING: Consider a request for a Specific Use Permit \(SUP\) for fuel pumps/sales as an accessory use to a grocery store on 6.6 acres located on the east side of Rufe Snow Drive, approximately 440 feet southeast from the intersection of North Tarrant Parkway and Rufe Snow Drive, legally described as Lot 2R1, Block A of Keller Place Addition, zoned Retail \(R\) and addressed 2061 Rufe Snow Drive. Whitestone Keller Place, LLC. Owner; Kroger Texas - Richard Binkley. Applicant. \(SUP-22-0038\)](#)

CDD Hensley gave a presentation on Item E-4, requesting an SUP for fuel pumps.

The Applicant encouraged the residents who spoke against the proposed fuel station meet with him after the meeting to address issues they have.

Chairperson Alvarado opened the public hearing.

No public comments were received.

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

Vernon Stansell, to close the public hearing. The motion carried unanimously.

Commissioner Sagar stated her thanks to the citizens for speaking on item E-3 and stated she is in support of the SUP.

Commissioner Sagar asked The Applicant if they would be willing to add brick masonry, similar to what other gas stations have done in the past.

The Applicant stated yes.

Commissioner Gupta asked if there is a traffic analysis on this project.

The Applicant stated that after meeting with Public Works, Kroger didn't meet the requirements for a traffic analysis.

Commissioner Gupta asked if there was an environmental study done for the gas station.

The Applicant shared the process for environmental studies and the process for breaking ground on a gas station.

Commissioner Baker stated he appreciated that Kroger is willing to address the issues that citizens have brought forth. He asked CDD Smith if the area of the parking that would be removed for the gas station would impact required parking for Kroger.

CDD Smith stated that Kroger would still be have plenty of parking and would still be over-parked.

Chairperson Alvarado stated his support for the item presented and thanked the Applicant for his willingness to address citizen concerns.

A motion was made by Commissioner Leslie Sagar, seconded by Commissioner Gregory Will, to approve Item E-4 with conditions that the canopy's architectural structure match the current store building and to add masonry around the columns. The motion carried unanimously.

5. [PUBLIC HEARING: Consider a request for a request for a Specific Use Permit \(SUP\) for a grocery store/restaurant on 1.25 acres located on the south side of Keller Parkway, approximately 160 feet east of the intersection of Keller Parkway and Town Center Lane, legally described as Lot 3, Block B of Keller Town Center Addition, zoned Town Center \(TC\) and addressed 1110 Keller Parkway. VC Keller Parkway LLC, Owner; Srinivas Chigullapalli, Applicant. \(SUP-22-0036\)](#)

Chairperson Alvarado opened the public hearing.

A motion was made by Commissioner Erik Leist, seconded by Commissioner Erin Pfarner, to table Item to E-5 to February 14, 2023. The motion carried unanimously.

F. ADJOURN

Chairperson Alvarado adjourned the meeting at 8:12 p.m.

Chairperson

Staff Liaison