



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, November 22, 2022

PRE-MEETING BRIEFING 6:00 P.M.

A. CALL TO ORDER

Commissioner Sagar acting Chairperson called the meeting to order at 6:00 p.m.

The following Commission Members were present:

Leslie Sagar
Greg Will
Ross Brensinger
Erin Pfarner
Erik Leist
GiGi Gupta

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 Barteo; and Planner II Katasha Smithers.

The following Commission Members were absent:

Paul Alvarado
Vern Stansell

B. ADMINISTRATIVE COMMENTS

1. [Planning & Zoning Commission welcome.](#)

Introductions with Staff and Planning and Zoning Commissioners.

ACDD Hensley gave a brief tutorial on iPads, City website, and Keller Unified Development Code (UDC).

2. [Briefing regarding City Council action on November 15, 2022.](#)

ACDD Hensley gave a brief recap of the November 15, 2022 City Council meeting. A Special Use Permit (SUP) for Keller Prenatal Massage was approved unanimously. A request for a zoning change from Old Town Keller (OTK) to Retail was withdrawn by City Council, so no presentation was given.

C. WORK SESSION

1. [Discuss Unified Development Code \(UDC\) amendment request related to supplemental regulations for fuel pumps in the Retail Zoning District.](#)

CDD Hensley gave a brief background on Item C-1, a UDC amendment request for fuel pumps in the Retail Zoning District.

Discussion was held between Commissioners on fuel pumps.

Commissioners agreed that the work session item on fuel pumps should be scheduled for a future P&Z agenda item.

CDD Smith said Staff would schedule the item on a future P&Z agenda.

2. [Discuss proposed Old Town Keller Sign Overlay District.](#)

CDD Smith gave a brief presentation on Item C-2, monument sign overlay north of Keller Parkway.

There was no further discussion.

D. DISCUSS AND REVIEW AGENDA ITEMS

D-1: Minutes comments: grammatical error in fourth section from bottom (where instead of were, and check for misspelling of Tom Thompson's name)

D-2: ACDD Hensley gave background on Item D-2, Harmonson Farms' request for variance to screening wall requirements.

D-3: CDD Smith gave background on Item D-3, Sign Overlay District for Old Town Keller north of Keller Parkway.

E. ADJOURN

Commissioner Sagar adjourned the pre-meeting at 7:12 p.m.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER

Commissioner Sagar called the meeting to order at 7:15 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.

No one came to speak during this item.

D. NEW BUSINESS

1. [Consider the minutes of Planning & Zoning Commission meeting.](#)

A motion was made by Commissioner Gregory Will, seconded by Commissioner Erin Pfarner, to approve as amended, the minutes of the October 25, 2022 Planning & Zoning Commission meeting. The motion carried unanimously.

2. [Consider a request for a variance to the City of Keller Unified Development Code, Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.13 - Screening Wall Requirements for the Harmonson Farms Homeowners Association, legally described Lot 10, Block G and Lot 3, Block I of Harmonson Farms, zoned Single Family-Mixed Density \(SF-MD\) - Planned Development 1032, and addressed as 800 Norma Lane and 205 Foxcroft Court, Harmonson Farms Homeowners Association, Owner/Applicant. \(UDC-22-0011\)](#)

ACCD Hensley gave a presentation on Item D-2, related to the Harmonson Farms HOA screening wall variance.

The Applicant, Jarret Marcus spoke on behalf of the HOA.

Commissioner Brensinger asked Staff why the responsibility of replacing the screening wall doesn't fall back to Shannon Brewery.

CDD Smith stated that the SUP approved by Council in 2013 allowed Shannon to utilize the fence as a screening wall.

Commissioner Brensinger stated to the Applicant he didn't believe the 1/16th gap in the fence would dissipate the wind enough as was indicated in the application and recommended the Applicant to check with an engineer.

Commissioner Pfarner echoed Commissioner Brensinger in regards to 1/16th gap in the fence. Additionally, she asked why the subdivision is not doing the whole length of the fence of 420 feet.

The Applicant stated that is a lot of money for an HOA.

Commissioner Pfarner asked if the Applicant had reached out to Shannon Brewery to help with payment.

The Applicant said that the property owner told them to speak with their insurance company and then reach back out after doing so.

Commissioner Gupta asked the Applicant if they received a quote for a screening wall and asked who built the existing fence.

The Applicant said the screening wall could cost \$50,000 or more, and stated the

Developer built the fence.

Commissioner Will asked if the Shannon Brewery site plan can be modified to put the burden of the screening wall on the brewery.

CDD Smith indicated that the only way it can be modified, if Shannon Brewery expands use or changes use.

Commissioner Will asked Staff if the zoning was the same as prior?

CDD stated the records aren't clear but most likely.

Commissioner Will asked the Applicant if Harmonson Farms knew there would be fence maintenance.

The Applicant said the HOA most likely took over the responsibility of the developer. Also, he stated that he is unaware of any type of development prior to Shannon Brewery. The fence was a safety issue.

Commissioner Leist asked if the screening wall was going to be double-sided.

The Applicant stated no, but the pickets will be dipped in stain, 2 x 3 cedar rails, and steel posts.

CDD Smith stated they are required to re-erect the same fence material per Code.

Commissioner Sagar asked the Applicant why he didn't want to go back to the original material and if the cedar fence would be beneficial due to the wind.

The Applicant stated the cost was the main reason for the material change.

Commissioner Sagar asked the Commissioners to look at what is fair and reasonable. She also expressed she believes this is a reasonable request.

Commissioner Brensinger stated if the Applicant is approved with this fence variance request, that in retrospect they are approving the rest of the fence to be approved for a later time.

The Commission had additional discussion regarding material, sound, and code.

A motion was made by Commissioner Ross Brensinger, seconded by Commissioner GiGi Gupta, to deny Item D-2. The motion failed by the following vote:

AYE: Commissioner Ross Brensinger, Commissioner Erin Pfarner, Commissioner

GiGi Gupta

NAY: Commissioner Leslie Sagar, Commissioner Gregory Will, Commissioner Erik Leist.

The Commissioners had additional discussion regarding material, sound, and code.

The Commission discussed the conditions on the motion.

A motion was made by Commissioner Erik Leist, seconded by Commissioner GiGi Gupta, to approve Item D-2 with the conditions; That the fence be treated on both sides; pickets be spaced a quarter inch apart; the finished side of the fence will face Hwy 377. The motion carried by the following vote:

AYE: Commissioner Leslie Sagar, Commissioner Gregory Will, Commissioner Erin Pfarner, Commissioner Erik Leist, Commissioner GiGi Gupta.

NAY: Commissioner Ross Brensinger.

- [PUBLIC HEARING: Consider a recommendation to rezone from Old Town Keller \(OTK\) to Old Town Keller - Sign Overlay District, approximately 96.067 acres generally located north of Keller Parkway, south of Johnson Road, east of the railroad, and west of Elm and Charles Streets; including the properties listed below, and to consider 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, by creating a new overlay district for monument signs; authorizing publication; providing for penalties; and establishing an effective date. City of Keller, applicant. \(Z-22-0004 and UDC-22-0012\)](#)

CDD Smith gave a presentation on the proposed Old Town Keller - Sign Overlay District.

Commissioner Sagar opened the public hearing.

No public comments were received.

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

Commissioner Pfarner asked staff to show on the map the location of the property owner who submitted a letter of opposition.

CDD Smith indicated the property on the map and explained the property opposed was not in the OTK zoning district, and gave further clarification on what properties were within the OTK Main Street sub-district.

Commissioner Will asked what the parameters for the Main Street sub district were.

CDD Smith explained that it applies to properties with frontage on Main Street or Keller Parkway.

A motion was made by Commissioner Gregory Will, seconded by Commissioner Ross Brensinger, to approve Item D-3 with the condition that the overlay district be limited to the Main Street sub-district of the Old Town Keller Zoning District north of Keller Parkway).The motion carried unanimously.

E. ADJOURN

Commissioner Sagar adjourned the meeting at 8:49 p.m.

Chairperson

Staff Liaison