



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, February 22, 2022

PRE-MEETING BRIEFING 6:30 P.M.

A. CALL TO ORDER – Chairperson Gary Ponder

Chairperson Gary Ponder called the Pre-Meeting Briefing to order at 6:50P.M.

The following Commissioners were present:

Gary Ponder, Chairperson

Ralph Osgood

Paul Alvarado

Bob Apke

Leslie Sagar (Virtual)

Thomas Thompson

Thomas Brymer

Ross Brensinger (Non-Voting Commissioner)

Greg Will (Non-Voting Commissioner)

Staff present included: CDD Julie Smith, PWD Alonzo Linan; EDD Mary Culver; Siale Langi, ED; Katasha Smithers, Planner II; Amber Washington, Planner I; Sean Vreeland, Director of Information Technology; and Amy Botcher, Planning Technician

B. ADMINISTRATIVE COMMENTS

Planner Smithers stated on February 15, 2022, City Council hear 5 items. The SUP for horse boarding at 608 Norma Lane was approved with no conditions. The variance requests for 3 lots in Highland Terrace Mobile Home Park were approved 6-1. And the outside storage for Kid to Kid was approved 5-2 with the condition of the SUP expiring in one year.

C. DISCUSS AND REVIEW AGENDA ITEMS

D1. Public Hearing to request two SUPs for Dutch Bros. at 1241 Keller Parkway.

Planner Smithers gave a brief presentation. CDD Smith added this was the first drive-thru only business. She stated this small building would be placed on a larger piece of property.

Commissioner Brymer asked if anyone had seen the Dutch Bros in North Richland Hills. He stated there was a large number of cars, lack of landscaping and abundance of concrete. He asked Staff if there were any options for architecture.

CDD Smith responded this location proposed a different façade.

Commissioner Brymer stated there were at least five coffee shops in close proximity and questioned over saturation.

Commissioner Thompson asked what the projected revenue to the City was for the location. He added he would like to see those numbers in the future.

Commissioner Alvarado stated the discussion on over saturation and revenue have been had previously with other coffee shops. He had concern about not supporting due to the lack of businesses currently coming into Keller.

Commissioner Thompson responded the property was a large one, and questioned having this business on such a prime property, eliminating the potential businesses in the future.

Commissioner Will stated it was his understanding the residents did not want additional drive-thrus.

CDD Smith responded the SUP process on drive-thrus in Town Center allowed the City to have expectations for something special.

D2. Site Plan Amendment for Maple Street Biscuit Company at 967 Keller Parkway, Suite D & E.

Planner Smithers gave a brief presentation.

Commissioner Brymer asked if this business was in an existing building.

Planner Smithers responded it was. CDD Smith added there was no concern from Staff.

No additional questions or comments.

D. ADJOURN

Chairperson Ponder adjourned the Pre-Meeting at 7:01P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER –Chairperson Gary Ponder

Chairperson Gary Ponder called the meeting to order at 7:10 P.M.

B. PLEDGE OF ALLEGIANCE

1. Commissioner Osgood led the Pledge to the United States Flag.
2. Commissioner Osgood led the Pledge to the Texas Flag.

C. PERSONS TO BE HEARD

There were no persons to be heard.

D. NEW BUSINESS

1. [D \(1\) PUBLIC HEARING: Consider a request for two Specific Use Permits \(SUPs\) for Dutch Bros, a proposed 1,270 square-foot restaurant with drive-thru \(including a 320 square-foot covered patio with no patio seating and no interior seating\), on an approximately 1-acre tract of land, located on the north side of Keller Parkway \(F.M. 1709\), approximately 150 feet northwest of Country Brook Drive and Keller Parkway \(F.M. 1709\) intersection, at 1241 Keller Parkway, being a portion of Tract 2E out of the Pamela Allen Survey, Abstract No. 28, and zoned Town Center \(TC\), Greenway-Keller, L.P., Owner. BB Holdings TX LLP., Applicant. \(SUP-22-0001\)](#)

Planner Smithers stated the Applicant was proposing to construct a 1,270 square-foot building with drive-thru. The total square footage included a 950 square-foot enclosed building with a

320 square-foot covered patio. The facility would not offer any seating inside or outside the building. Sales would be strictly drive-thru.

She said on February 11, 2022, the City mailed out 25 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 today, Staff has received one opposition email.

Planner Smithers stated the SUPs were to allow the structure to be 1,270 square-feet (less than the required 6,000 square-foot requirement for the Town Center zoning district) and to allow the structure to have a drive-thru in the Town Center zoning district.

Chairperson Ponder asked if the Applicant had anything to add.

The Applicant was not available.

Chairperson Ponder opened the Public Hearing.

There were no persons to speak.

Commissioner Thompson made a motion to close the Public Hearing for Item D (1), seconded by Commissioner Alvarado. The motion carried unanimously.

Commissioner Thompson asked if the applicant would be able to speak on taxable revenue.

The Applicant was not available, but Jason Mollett, spoke on his prior experience with Dutch Bros and stated it was approximately 3 million dollars.

Chairperson Ponder asked if Mr. Mollett was a representative for Dutch Bros.

Mr. Mollett stated he was not.

Chairperson Ponder asked Staff to confirm the Applicant was not available.

Planner Smithers confirmed the Applicant was aware of the meeting but did not have a representative present.

Commissioner Alvarado made a motion to table Item D (1) until March 8, 2022, seconded by Commissioner Thompson. The motion carried unanimously.

2. [D \(2\) Consider a request for a Site Plan Amendment for Maple Street Biscuit Company, in existing 3,516 square-foot lase space, within a 9,670 square-foot, multi-tenant building, situated on a 1.47-acre property, located on the north side of Keller Parkway \(F.M. 1709\), approximately 450-feet northwest of the intersection of Keller Parkway and Rufe Snow Drive, being Lot 3R-1R6, Block 8 of Bluebonnet Trails Addition, and addressed as 967 Keller Parkway, Suite D and E. Timothy Schenk, Applicant. K.W. Lee Properties LP., Owner. \(SP-22-0004\)](#)

Planner Smithers stated The City of Keller approved and issued an interior tenant finish-out permit for Maple Street Biscuit Company on January 6, 2022. On January 26, 2022, the Applicant submitted a Site Plan Amendment to modify the front elevations by creating a patio area. All Site Plans in the Town Center Zoning District must receive approval by City Council following a recommendation by the Planning and Zoning Commission.

She said the Applicant proposed to remove a small portion of the storefront to create a patio area by removing two shrubs within the five-foot foundation plantings and add sidewalk to construct the wrought iron fencing for the patio. A 3-foot black wrought iron fence with gate would be installed around the exterior portion of the patio. The 255 square-foot patio area would incorporate 14 seats on the patio and 8 seats along the sidewalk (total 22 seats).

Chairperson Ponder asked if the Applicant had anything to add.

The Applicant did not.

All Commissioners stated their support for this item.

Commissioner Osgood made a motion to approve Item D (2), seconded by Commissioner Alvarado. The motion carried unanimously.

E. ADJOURN

Chairperson Ponder adjourned the meeting to continue work session at 7:29P.M.

D. WORK SESSION (continued after the regular meeting at 7:32PM)

CDD Smith stated the work session item of Food Trucks would be returning as a New Business item at the March 8, 2022, Planning and Zoning meeting. She said the City wanted to embrace food trucks, however there was a need for an ordinance. City Council did not want to regulate food trucks on private property, other than not allowing them to stay overnight. She added the one exception to that would be in a Food Truck Court. CDD Smith explained Food Trucks were not regulated by the City at this time.

She said on the public and commercial side, there were locations such as Bates Street that would be available and would be signed up through Parks for use. It would be on a first come, first serve basis.

CDD Smith stated fire inspections would be required as well as requiring a \$50.00 annual registration fee and proof of insurance.

Commissioner Brensinger asked about the need to have a site plan for the food trucks.

CDD Smith responded that a site plan would be required due to the use of parking spots and possibly having outdoor seating.

Commissioner Alvarado stated some food trucks change locations. He asked if that would be an issue.

CDD Smith stated most sites were overparked and it would not be an issue.

Commissioner Thompson said the City should be in control of managing where the food trucks are. It would add accountability. He added his concept of food trucks was more of a culinary experience.

Commissioner Alvarado questioned if there were too many restrictions.

CDD Smith stated construction sites would be somewhat different.

Commissioner Will stated the compliance of the food trucks locations could be difficult to manage.

Commissioner Brymer asked if there was a requirement for an inspection from the Health Department.

CDD Smith responded that was part of the Fire inspection and was required.

Commissioner Sagar stated hours of operation may should be tied to the business hours when located on private property. She adds the key would be not allowing the food trucks overnight.

CDD Smith stated she would hesitate to tie the hours to the business hours, due to some offering breakfasts or dinners that are different than business hours.

Commissioner Alvarado asked about other mobile vendors such as dog groomers or hairstylists.

CDD Smith stated they would also be covered by this ordinance.

Commissioner Thompson asked about potable water. He would like to see more clarity on language.

CDD Smith stated they would be required to supply their own water, unless, in a Food Truck Court, where water would be available.

Commissioner Alvarado asked about the section on generators and the 25-foot requirement.

CDD Smith stated that was a fire requirement. She acknowledged additional language maybe necessary to clarify.

Commissioner Alvarado asked about lidded trash receptacles.

ACDD, Sarah Hensley stated it was intended to be more of an event type trash can.

Chairperson Ponder asked if the ordinance was being too restrictive.

CDD Smith responded one of the most restrictive cities on food trucks was Denton. However, they have a large food truck community.

Chairperson Ponder adjourned the meeting to continue work session at 9:15P.M.

Chairperson

Amy Botcher, Planning Technician