



**City of Keller**  
**Planning & Zoning Commission**  
**Meeting Minutes**

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

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**Tuesday, March 10, 2020**

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PRE-MEETING BRIEFING 6:30 P.M.

**A. CALL TO ORDER – Vice-Chairperson Ralph Osgood**

Vice-Chairperson Ralph Osgood called the Pre-Meeting Briefing to order at 6:30 P.M.

The following Commissioners were present:

Leslie Sagar

Tom Thompson

Paul Alvarado

Bob Stevens

Bob Apke

James Dawson, Alternate

Phillip Maxwell, Alternate (Non-voting)

Staff present included Katasha Smithers, Planner I; JP Ducay, Planner I; Matthew Cyr, Planner I; Julie Smith, Community Development Director (CDD); Alonzo Linan, Public Works Director (PWD), Chad Bartee; City Engineer, and Tracy Talkington, Police Captain.

CDD Smith informed the Commissioners that Council requested, beginning in April, quarterly CIP and Development project reports to follow development throughout the City.

**B. DISCUSS AND REVIEW AGENDA ITEMS**

D (1) Approval of the Minutes for February 25, 2020.

There were no comments or questions.

CDD Smith opened a discussion regarding the nature of the minutes and asked whether they were too-detailed. Commissioners noted the staff time and work entailed in creating such a record and asked whether it could be out-sourced. This would also free up staff

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time for more planning/business-related work. CDD Smith stated that they are attempting to hire a Planning Tech who could also help with this task, in part because the expense for outsourcing was significant. She also added that the video and audio of the meetings were beneficial, but occasionally audio or video or both become corrupted and sometimes could not be recovered. She explained that detailed minutes sometimes provide the only accurate record for a meeting.

#### D (2) Milestone Tree Preservation Appeal & D (3) Milestone Site Plan Amendment

Vice-Chairperson Osgood emphasized that neither item required a public hearing. Any citizens from Marshall Ridge present for the meeting could speak during the 'Persons to be Heard' section of the Agenda. He noted that the original opposition petition from Marshall Ridge was filed several months before the conservation easement proposal had been submitted.

CDD Smith explained that Milestone Church's extensive membership growth had resulted in a parking shortage. This occurred most commonly because of multiple services overlapping on Sundays when one service was ongoing and members were arriving for the next service. The UDC parking ratio for churches didn't anticipate large churches with multiple services and a high demand for parking.

CDD Smith explained that the UDC, in terms of tree mitigation, also did not anticipate the need to build a stand-alone parking lot or a parking lot expansion. (Some flexibility was provided for parking lots associated with buildings.)

However, CDD Smith noted that Milestone agreed to plan its site in anticipation of buildout. They have added several buildings including the chapel currently under design and have immediate plans constructing a 58,000 square-foot building expansion for their main building.

CDD Smith also explained that normally a site plan amendment would include a Traffic Impact Analysis. However, this was still in the works along with finalizing drainage for the 58,000 square-foot building expansion. In an attempt to not require the applicant to come back in a couple of weeks with a second site plan amendment for the building expansion,

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staff was recommending the Commission to recommend approval of the parking lot and also approval of the building expansion pending TIA approval.

She explained that if the TIA did require more than two turn-lanes (on Mount Gilead and Ridge Point Parkway), then the Applicant would have to bring the site plan back to P&Z and City Council again.

CDD Smith stated that the conservation easement was a mutually beneficial situation for both parties. It would save a significant number of Post Oak trees and would also provide trail connections. CDD Smith stated that the variances related to landscaping the parking lot were staff driven to minimize impact to the surrounding tree stand. Also, the landscape islands were doubled in size. She explained that the landscape islands adopted in the UDC cannot support the full growth of large canopy trees.

CDD Smith explained how the tree mitigation was calculated: 20% were removed for mitigation to mirror the UDC parking lot mitigation requirements, 3% of the trees were diseased and subtracted from the mitigation requirements, trees in the rights-of-way are not required to be mitigated under the UDC and were subtracted, and an additional 20% were taken out assuming the parking lot would serve the four future buildings on the east property line. She stated this was how they arrived at total of 8,180 caliper inches for mitigation.

CDD Smith also explained that rather than surveying the whole site, trees and caliper inches were extrapolated from a section surveyed by the arborists. Both the arborist for the City and the arborist for the Church agreed the stand was consistent across the area. CDD Smith also noted that Milestone had to redesign their drainage plans to accommodate the conservation easement.

CDD Smith pointed out that the creation of this first conservation easements could open the door to more conservation-easement plans in the future.

Commissioner Thompson stated that the Conservation easement was the first in the City, and so needed to be right so it could fairly be applied to the next applicant. He asked how this one would be set up.

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CDD Smith responded that the Church would manage it and had agreed to keeping it in its natural state.

CDD Smith suggested amending the ordinance to address Conservation Easements in detail. Then all applicants would know what to expect.

Commissioner Thompson stated that shared parking had been discussed with the Center Stage concept plan. CDD Smith responded that Milestone and Center Stage did not have a formalized shared parking agreement but were working together on the access drive. Center Stage had also agreed to allow the Church to use any of its parking that was available when the Church was having big events and multiple services.

Commissioner Thompson asked about the uses of the buildings on the east side.

CDD Smith responded that one of the buildings would be a chapel that was currently under design.

Commissioner Thompson asked how many total parking spaces there would be, and Planner Smithers responded there would be 1,466.

Commissioner Thompson asked for the anticipated average attendance.

CDD Smith responded that the applicant was attending and could answer that question in the meeting.

Commissioner Sagar asked if the applicant looked at other design alternatives such as a parking garage and altering service times.

CDD Smith stated that a parking garage was indicated on the site plan, but it would be better to ask the applicant about the timing of that as well as the services.

Commissioner Thompson stated that he was very happy about the idea of a conservation easement, but did have some questions for the applicant.

Commissioner Sagar stated that a tremendous amount of work had gone into the proposal.

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Commissioner Dawson asked how big the campus of Milestone would be in the future and whether they would be opening a door to keep coming back through this process.

Commissioner Alvarado stated that a couple of other churches like Northwood and Gateway tend to maximize their properties in order to serve their clients.

Commissioner Thompson stated that churches that saturate their immediate area often convert to a satellite model when they outgrow the home campus.

Planner Smithers answered Commissioner Apke's question about the distance between the residential area to the southeast and the parking lot: it would be 70 feet.

Commissioner Sagar stated she had some concern the traffic flow coming into and out of Milestone in addition to the Center Stage development.

#### **D. ADJOURN**

Vice-Chairperson Ralph Osgood adjourned the Pre-Meeting at 6:57 P.M.

### **REGULAR MEETING 7:00 P.M.**

#### **A. CALL TO ORDER – Vice-Chairperson Ralph Osgood**

Vice-Chairperson Ralph Osgood called the meeting to order at 7:00 P.M.

#### **B. PLEDGE OF ALLEGIANCE**

Commissioner Apke led the Pledge of Allegiance to the United States Flag and the Pledge to the Texas Flag.

#### **C. PERSONS TO BE HEARD**

No one came forward.

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## D. NEW BUSINESS

### 1. Consider approval of the minutes of the Planning and Zoning Commission Meeting on February 25, 2020.

**Commissioner Sagar made a motion to approve Item D (1) as presented, seconded by Commissioner Apke. The motion carried unanimously.**

### 2. Milestone Tree Preservation Appeal

Planner Smithers gave a brief presentation on item D-2.

Given that the project would set a precedent, Commissioner Thompson asked what the definition of a “passive trail” would be.

CDD Smith stated that the trail could not be a concrete trail; it could be of crushed granite or similar natural, pervious material. She also explained that the construction of the passive trails could not involve removing trees nor grading and would need to follow the natural topography of the land.

Commissioner Sagar stated that she realized that the Site Plan Amendment item was related to the tree preservation appeal, but would ask what other alternatives to such a large parking lot were considered.

Jeff Little, the applicant and Pastor of Milestone Church, stated there was some early discussion with Center Stage regarding shared parking but did not think that would be an option. In terms of a parking garage, Jeff Little responded that they would look at this for the future if their campus expanded again, but was not one of their main options at this time.

Commissioner Sagar thanked the applicant for cooperating with the staff regarding the conservation easement and stated this was something she could support.

Jeff Little responded that the location of the conservation easement would also benefit their neighbors as well by providing a buffer between Marshall Ridge and the Church’s property.

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Commissioner Stevens stated that he appreciated the work of staff and believed the layout would be a great improvement.

Commissioner Alvarado stated that the people in opposition originally might have changed their minds if they saw the new plan. He explained that he thought the plan was great but noted

one of the concerns of the neighbors related to noise issues late at night. He asked if the Church would assess if they were being too loud.

Jeff Little responded that he was not aware of this complaint but would take a look at it.

Commissioner Alvarado commended the effort of the applicant and staff for the plan that was brought forward.

Vice-Chairperson Osgood concurred with Commissioner Sagar's thoughts.

**Commissioner Stevens made a motion to approve Item D (2) as presented, seconded by Commissioner Alvarado. The motion carried unanimously.**

### [3. Milestone Site Plan Amendment](#)

Planner Smithers gave a brief presentation on Item D-3. She described the eight variances that the applicant was requesting.

Commissioner Stevens asked about the variance for the foundation plantings at the time the original site plan was approved.

CDD Smith responded that the original site plan was approved with a variance for the foundation plantings.

Commissioner Sagar asked about the proposed building in the southeast corner.

CDD Smith stated this was unlikely to be developed as a building due to construction challenges related to topography and more likely to be developed as a gathering spot for young adults – volleyball pit, a pavilion, etc. They may need to remove some trees to create

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that and so did not include it in the conservation easement but rather presented it as a footprint.

Commissioner Apke confirmed that the distance between the parking lot and the house located at 321 Mount Gilead Road was at least 30 feet as would be required by the UDC between a commercial and residential development.

Planner Smithers responded that the distance from that house to the parking lot is seventy-feet.

In answering Commissioner Thompson, Pastor Little explained they currently hold four services and were discussing going to five. One service was offered Saturday night and three on Sunday Morning with about 5,500 in attendance total. The most congested time was between 9 A.M. and 11 A.M.

Commissioner Thompson observed the parking problem reflected the overlap due to the socialization that would take place after service. Pastor Little concurred and remarked that the City code doesn't account for that.

Commissioner Thompson asked about the shared drive agreement with Center Stage, and Pastor Little stated that they had met with their team to start the designing of the road. The Church believed it would be beneficial for everyone involved.

Commissioner Thompson asked staff about the motion if the Commission were to recommend City Council approve the proposed Site Plan Amendment.

CDD Smith stated that draft motion distributed to the Commissioners was crafted in conjunction with Public Works Director Linan and was an attempt to ensure a smoother process so that the applicant would not have to go through this process again in a couple of weeks for the building expansion. She explained that if the TIA is not approved, then they would be required to go back to Planning and Zoning and City Council for approval. CDD Smith also clarified that Public Works does not anticipate any problems.

Pastor Little asked if the TIA from the Realty Capital Center Stage project could be used.



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PWD Linan stepped forward and stated that the study would not include the Center Stage project. Public Works would piece together the TIA from the Church and the TIA from Center Stage.

Commissioner Thompson thanked the Pastor Little for setting the precedent for conservation easements and working with staff.

Commissioner Dawson asked the applicant what their projected growth was and how long until they would need to expand again.

Jeff Little responded that he was not sure but did state they are in a fast growing part of the nation and anticipated their Church to grow similarly. He also stated that they did have a master plan and all of this was part of that plan. He went into detail of the master plan and explained it to the Commission.

Commissioner Dawson asked what the membership of Milestone Church would be.

Pastor Little responded that this is a hard number to project, but if he were to estimate, it would probably be around 8,000 people. They also were partnering with Oral Roberts University and would start classes in the next few weeks. He explained that the College would be primarily between Monday and Friday.

Vice-Chairperson Osgood asked about the projected full build-out of this campus.

Jeff Little stated that they bought fifty-acres for the sole reason to build a large campus. He wasn't sure how long it would take to reach that build-out.

Vice-Chairperson Osgood thanked the applicant and staff for putting the plan together. He thought that this would be an extremely valuable asset for the community.

**Commissioner Alvarado made a motion to approve Item D-3 with respect to the parking lot expansion, trail connections, and Conservation Easement. In terms of the 58,000 square-foot building expansion, he moved to recommend approval pending City acceptance of the Traffic Impact Analysis (TIA). If the TIA's recommended off-site mitigating improvements require more than turn lanes on Mt. Gilead and on Ridge**

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Point Parkway, then the modified site plan amendment must return to the Planning and Zoning Commission for separate review and recommendation to the City Council. Seconded by Commissioner Stevens. The motion carried unanimously.

**F. ADJOURN**

Vice-Chairperson Osgood adjourned the meeting at 8:04 P.M.

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Chairperson

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Staff Liaison