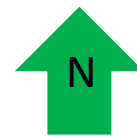


## Item H-3

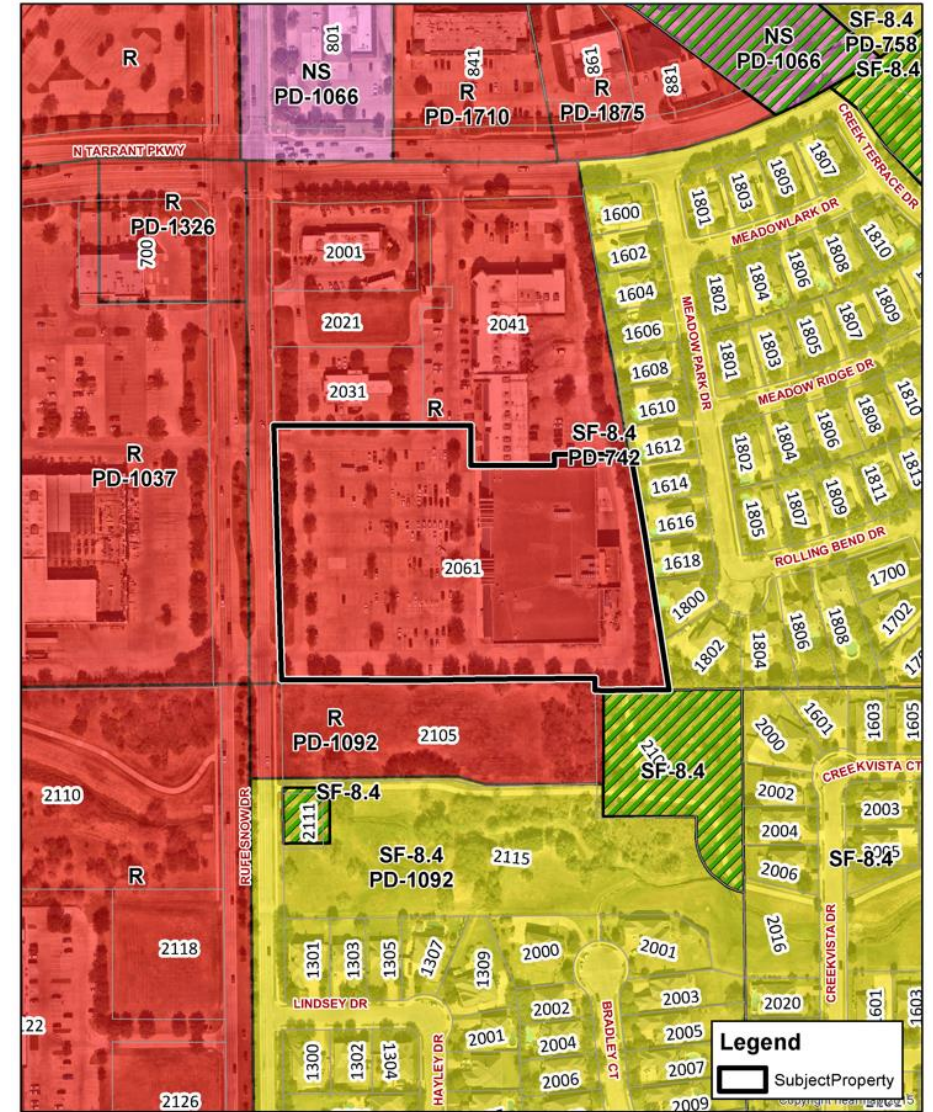
**PUBLIC HEARING:** Consider an ordinance approving a Specific Use Permit (SUP) for fuel pumps/sales as an accessory use to a grocery store on 6.6 acres located on the east side of Rufe Snow Drive, approximately 440 feet southeast from the intersection of North Tarrant Parkway and Rufe Snow Drive, legally 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)

# Item H-3

## Aerial Map



## Zoning Map

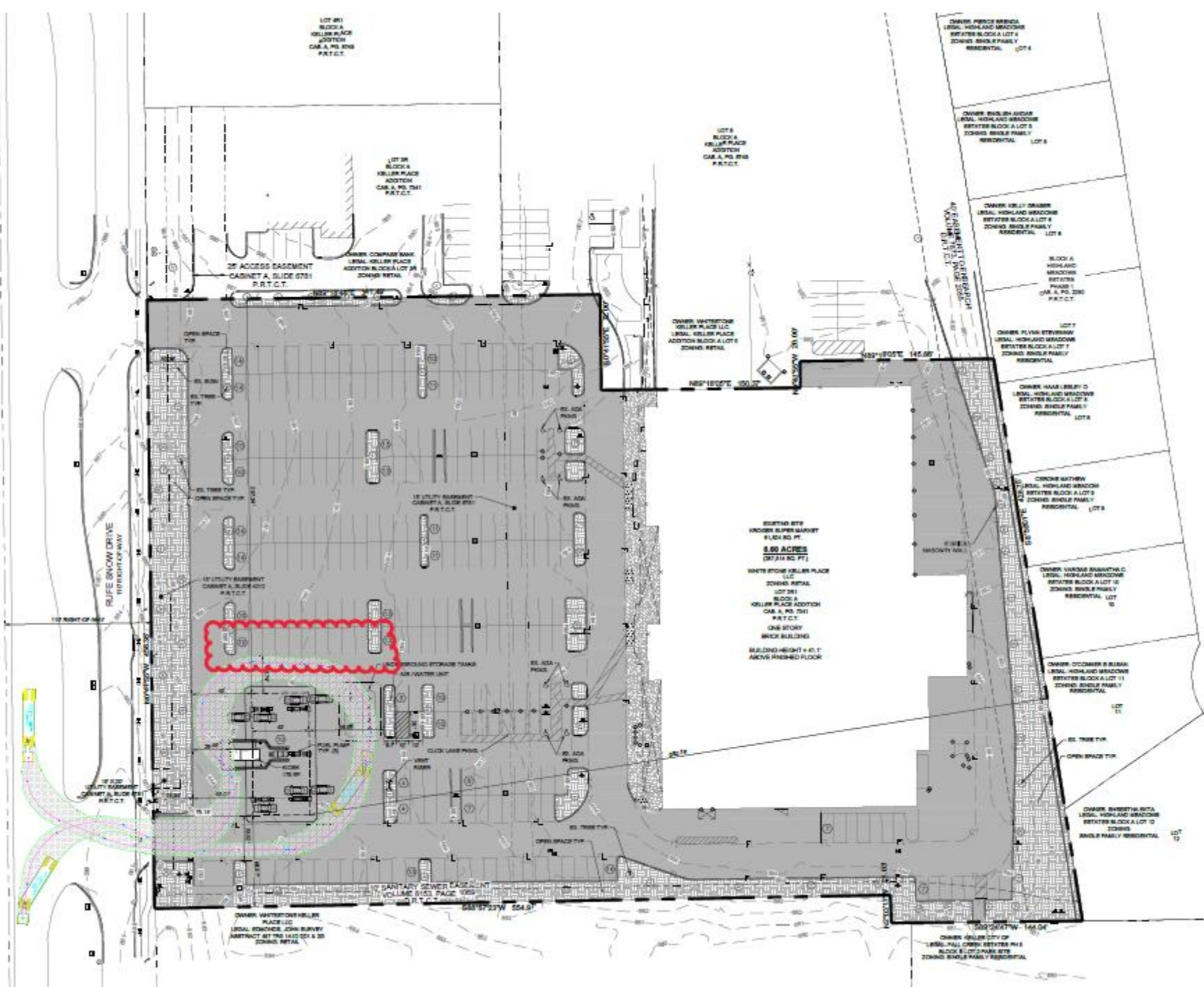


# Item H-3

## Background

City Council recently approved a UDC amendment that added supplemental fuel pump regulations for the Retail Zoning District. The regulations are identical to those in place for the Town Center Zoning District:

- Requires SUP
- Only as an accessory use with a grocery or food store, fifty thousand (50,000) square feet or larger in size
- Kiosks allowed (<350 square feet by right if SUP approved; larger by variance)
- No convenience stores
- Limited to five (5) fueling dispensers or ten (10) fueling pumps



LOT 6N1  
BLOCK A  
KELLER PLACE  
ADDITION  
CAR A, PG. 2011  
P.F.T.C.T.

LOT 3N  
BLOCK A  
KELLER PLACE  
ADDITION  
CAR A, PG. 2011  
P.F.T.C.T.

LOT 8  
BLOCK A  
KELLER PLACE  
ADDITION  
CAR A, PG. 2011  
P.F.T.C.T.

OWNER: PERCE BRINCO  
LEGAL: HIGHLAND MEADOWS  
REPTER BLOCK A LOT 4  
ZONING: SINGLE FAMILY  
RESIDENTIAL LOT 4

OWNER: ENGLISH AUSTIN  
LEGAL: HIGHLAND MEADOWS  
REPTER BLOCK A LOT 5  
ZONING: SINGLE FAMILY  
RESIDENTIAL LOT 5

OWNER: KELLY GRABER  
LEGAL: HIGHLAND MEADOWS  
REPTER BLOCK A LOT 6  
ZONING: SINGLE FAMILY  
RESIDENTIAL LOT 6

BLOCK A  
HIGHLAND  
MEADOWS  
REPTER  
PHASE 1  
CAR A, PG. 2011  
P.F.T.C.T.

LOT 7  
OWNER: PLYNN STEVENSON  
LEGAL: HIGHLAND MEADOWS  
REPTER BLOCK A LOT 7  
ZONING: SINGLE FAMILY  
RESIDENTIAL

OWNER: HAAS LESLEY D  
LEGAL: HIGHLAND MEADOWS  
REPTER BLOCK A LOT 8  
ZONING: SINGLE FAMILY  
RESIDENTIAL LOT 8

CONCRETE  
OWNER: HIGHLAND MEADOWS  
REPTER BLOCK A LOT 9  
ZONING: SINGLE FAMILY  
RESIDENTIAL LOT 9

OWNER: VANDER BENTHE C  
LEGAL: HIGHLAND MEADOWS  
REPTER BLOCK A LOT 10  
ZONING: SINGLE FAMILY  
RESIDENTIAL LOT 10

OWNER: O'CONNOR B  
LEGAL: HIGHLAND MEADOWS  
REPTER BLOCK A LOT 11  
ZONING: SINGLE FAMILY  
RESIDENTIAL LOT 11

EL. TREE TYP  
OPEN SPACE TYP

OWNER: BARRETTAL BETA  
LEGAL: HIGHLAND MEADOWS  
REPTER BLOCK A LOT 12  
ZONING: SINGLE FAMILY  
RESIDENTIAL LOT 12

5.80 ACRES  
(257,111 SQ. FT.)  
WHITE STONE KELLER PLACE  
LLC  
ZONING: RETAIL  
BLOCK A  
KELLER PLACE ADDITION  
CAR A, PG. 2011  
P.F.T.C.T.  
ONE STORY  
BRICK BUILDING  
BUILDING HEIGHT = 45 FT  
ABOVE FINISHED FLOOR

25' ACCESS BASEMENT  
CABINET A, SLIDE 6781  
P.F.T.C.T.

OWNER: COMPASS BANK  
LEGAL: KELLER PLACE  
ADDITION BLOCK A LOT 2  
ZONING: RETAIL

OWNER: WATERSTONE  
KELLER PLACE LLC  
LEGAL: KELLER PLACE  
ADDITION BLOCK A LOT 3  
ZONING: RETAIL

18' UTILITY BASEMENT  
CABINET A, SLIDE 6781  
P.F.T.C.T.

17' UTILITY BASEMENT  
CABINET A, SLIDE 6781  
P.F.T.C.T.

NO STORAGE STORAGE TRUCK  
AIR WATER UNIT

CLICK LAMP POOL  
VENT PIPES

SANITARY SEWER CASING  
VOLUME 6103 PAGE 100

OWNER: WATERSTONE KELLER  
PLACE LLC  
LEGAL: FORTCHON, JOHN SURVEY  
ADDITION AT THE 1412 204 & 20  
ZONING: RETAIL

OWNER: KELLER CITY OF  
LEGAL: PAUL OWEN REPTER PH 1  
BLOCK A, 2011 PAGE 2011  
ZONING: SINGLE FAMILY RESIDENTIAL

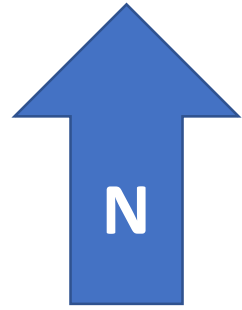
RUFE SNOW DRIVE  
10' RIGHT OF WAY

17' UTILITY BASEMENT  
CABINET A, SLIDE 6781  
P.F.T.C.T.

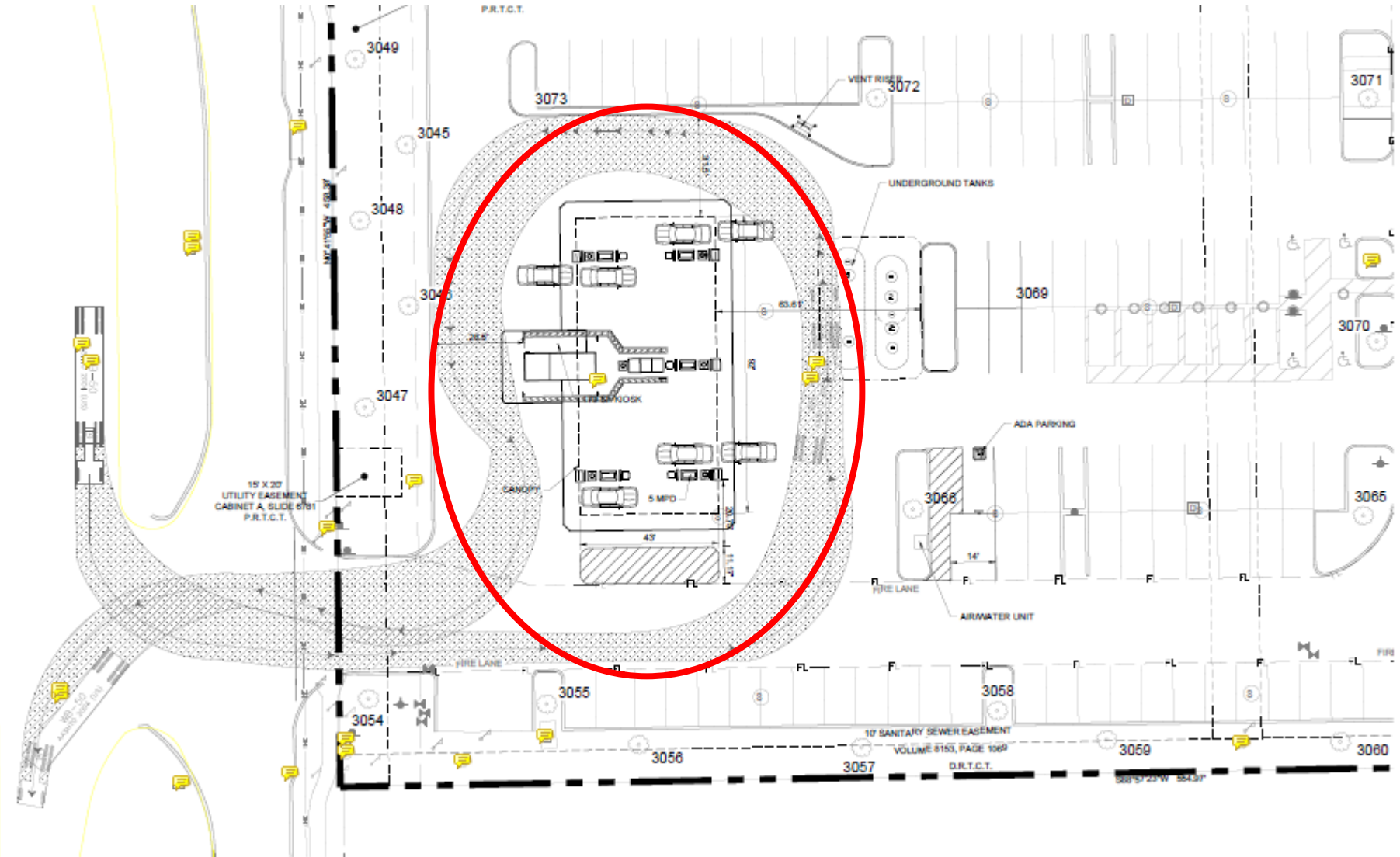
58157231W 254.01

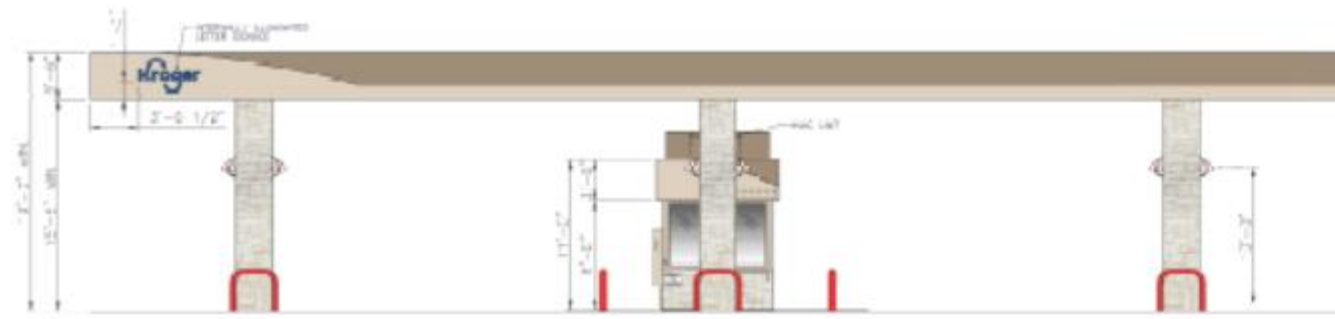
580' 06" 144.04'

# Item H-3



The Applicant proposes 5 fueling dispensers with pumps on each side; the 3 dispensers closest to the store will have diesel pumps in addition to gasoline on each side.





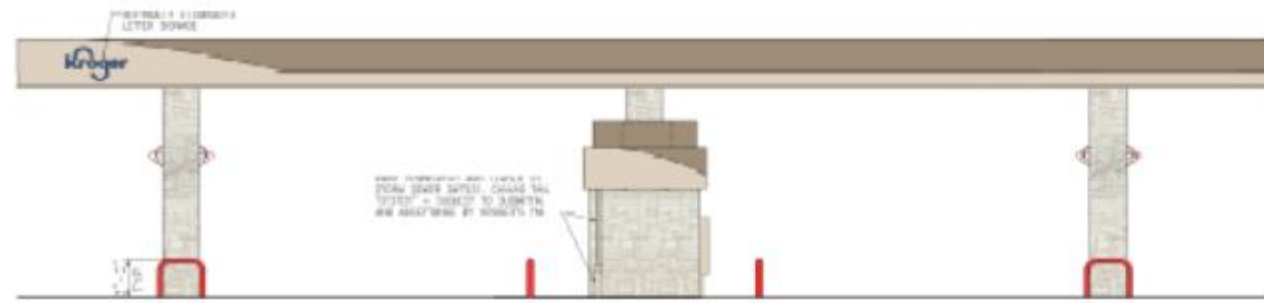
1 FUELING CENTER  
FRONT (EAST) ELEVATION  
SCALE: 3/16\"/>



2 FUELING CENTER  
LEFT (SOUTH) ELEVATION  
SCALE: 3/16\"/>



3 FUELING CENTER  
RIGHT (NORTH) ELEVATION  
SCALE: 3/16\"/>



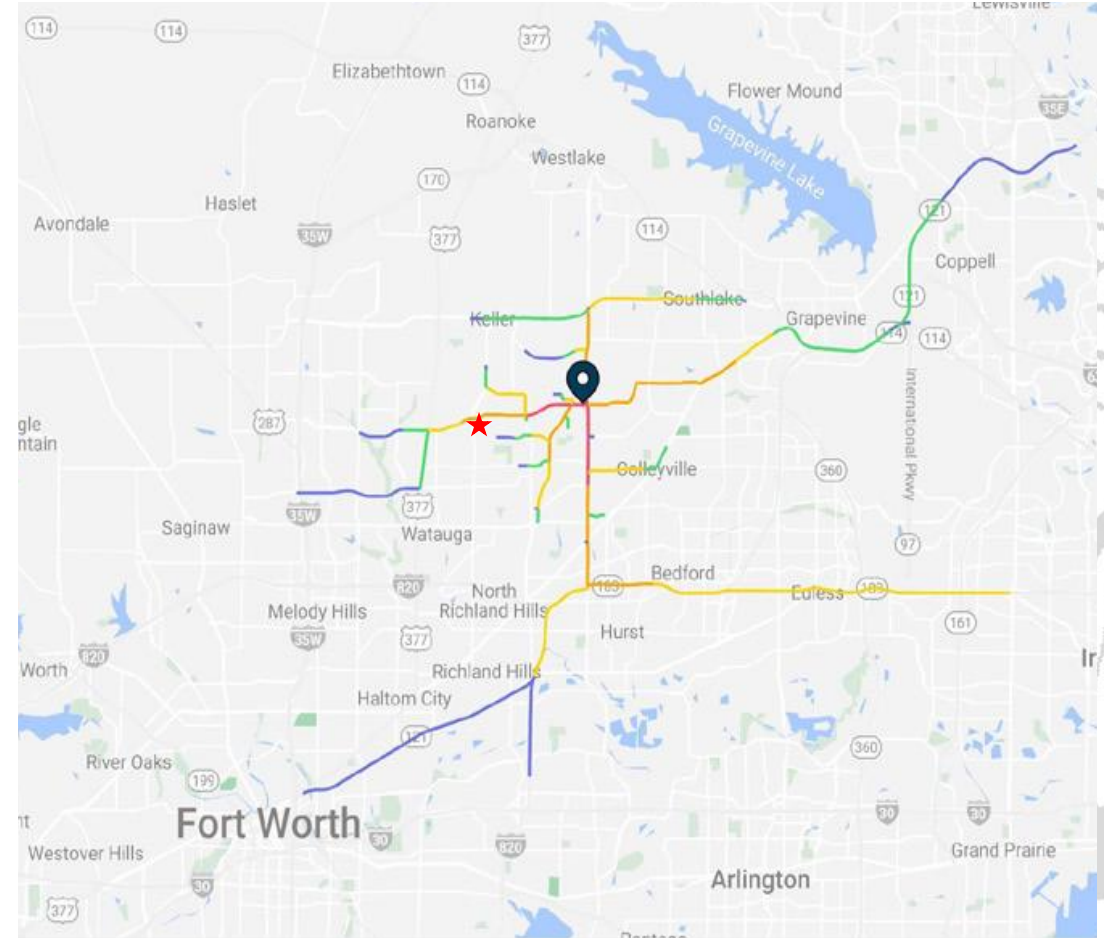
4 FUELING CENTER  
REAR (WEST) ELEVATION  
SCALE: 3/16\"/>



# Item H-3

## Mobile Data Analysis

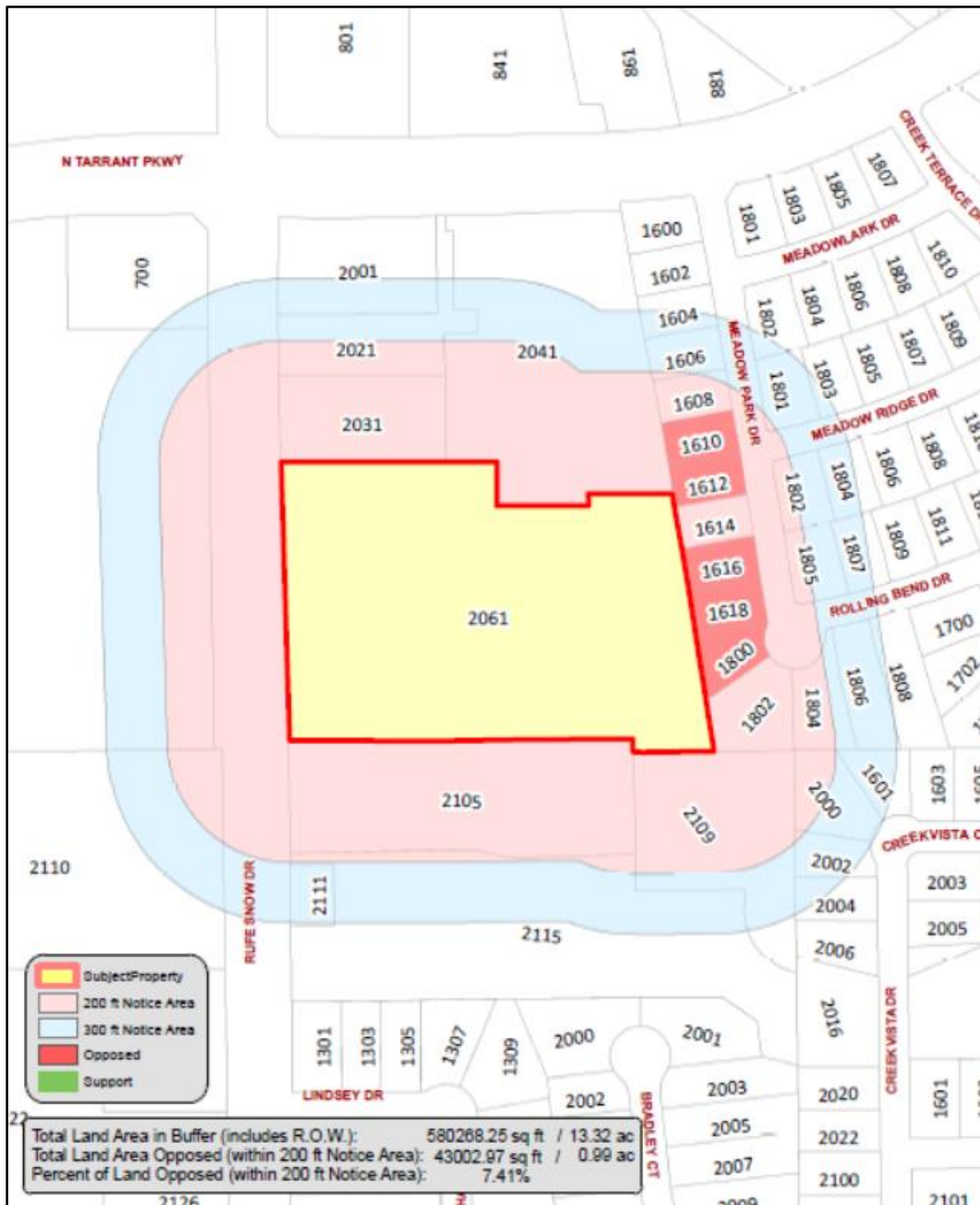
- Kroger Fuel Center at 9170 North Tarrant Pkwy, North Richland Hills
- Calendar Year 2022
- Est. # of Visits – 28,100 (6,553)
- Est. # of Customers – 18,400 (4,311)
- % of Customers in zip code 76248 – 23.43%
- Visit Frequency – 1.52



Mobile Data Analysis prepared by  TheRetailCoach.



## Item H-3



- On Dec. 2, 2022, the City mailed 36 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 posted on the site.
- The Applicant reached out to the Fall Creek Estates HOA (located south of the site) at the beginning of the SUP process and incorporated the neighborhood's comments into the preliminary Site Plan.
- As of today (Jan. 17, 2023), staff has received 10 letters in opposition to the SUP, 5 of which fall within the 200' buffer. Several neighbors also voiced their concerns at the Planning and Zoning Commission Public Hearing. Those concerns included after-hours deliveries, noise, trash, all-night idling and increased traffic.

# Item H-1

## **Planning and Zoning Recommendation:**

On Dec. 13, 2022, the Planning and Zoning Commission unanimously recommended approval of the SUP request with the condition that the fuel station canopy match the main store building roofline and that the columns be masonry.

## Item H-3

Section 8.02 (F)(2)(a) of the UDC states that when considering an SUP request, the City Council shall consider the following factors:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;
- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;
- 3) The nature of the use is reasonable and appropriate in the immediate area;
- 4) Any negative impact on the surrounding area has been mitigated; and
- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

## Item H-3

### **SUP Request:**

1. To operate fuel pumps (10 pumps; 5 dispensers)/sales as an accessory use to a grocery store in the Retail zoning district.

The City Council has the following options when considering a Specific Use Permit (SUP) request:

- Approve as submitted
- Approve Planning and Zoning Commission recommendation to alter the canopy roof to match the building and utilize masonry materials for the columns
- Approve with modifications or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



**Questions?  
Sarah Hensley  
817-743-4130**