

### **ROANOKE**







## **LEWISVILLE**











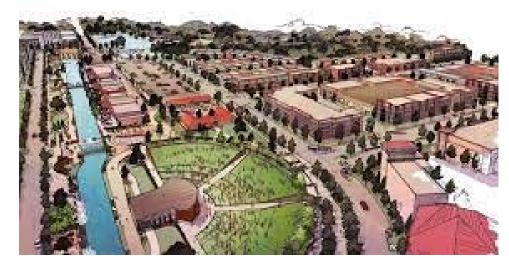




### **FLOWER MOUND**











### SITE



### **FUTURE LAND USE**



### **FLUP**

#### Mixed Use - MU

This land use category is intended to create unique community destinations and allow for a mix of higher density residential and nonresidential uses that are developed in an efficient and creative manner. Mixed use areas are envisioned to be an integration of retail/commercial, office, entertainment, residential units, and open space blended in either a horizontal or vertical configuration. Horizontal mixed use generally contains nonresidential and residential land uses in multiple buildings. Vertical mixed use generally contains nonresidential and residential land uses in a single building, with nonresidential on the ground floor and residential on the upper floors.





### **CURRENT ZONING**



#### **Town Center.**

### **CURRENT ZONING**

- a. The Town Center district is intended to serve as a mixed use community retail center. Mutually supportive office, civic, cultural, entertainment, and residential uses are planned to enhance the viability of this mixed use community retail center. Multiple, complementary uses may be mixed vertically within the same building and/or may be mixed horizontally in multiple buildings. The form of development is compact with tightly grouped buildings arranged around a connected street and sidewalk network that serves vehicle, pedestrian, and bicycle transportation. Building architecture reflects a distinct look and identity. Open space, street trees, street lighting, benches, and other amenities create a human scale environment. The standards of this district are unique to the Town Center district.
- b. The Master Plan for Town Center is a conceptual layout of buildings, streets, buffers, landscaping, and open space within the Town Center district (see Figure 1 within this section.) Building locations, sizes, orientations, and other features as shown on the Master Plan are intended to be illustrative rather than a mandatory development plan. The exact location and precise boundaries for various developments are established by the standards of this district and identified through the site plan review process required as part of this district.
- c. All requirements of this Code are applicable to Town Center district unless otherwise specifically noted in this section.



### **TC EXHIBIT**

Unified Development Code



**M** THE MAKENS COMPANY



## 





### **TC HISTORY**

#### **History of Town Center Zoning District**

- 1997 subject property met all of the building standards and allowed uses in the TC district
- 1999 Tom Thumb became interested in the property across the street
  - New design standards were created for TC which caused the subject property to fall out of design compliance
  - TIF was created, which the subject property paid into over the TIF's life
- 2002 new Town Hall was built
- 2002, 2008 changes to TC zoning, created further non-compliance of Design Standards
- 2003 2009 subject property could not rezone due to inclusion in the TIF
- 2015 TC zoning was updated
  - Removed Medical uses as an allowed use
  - Created an additional 15 SUP requirements



# TC Zone Use Table After July 7, 2015

Use	SUP or I
Administrative, professional or corporate office	P
Automobile electric charging station	SUP
Bakery (retail)	P
Bank, saving, loan, and credit unions, including automated teller	SUP
Barber shop or beauty salon within multi-use retail	P
Batching plant (temporary) N	Permit
Brewery with retail sales on and off premise KA	SUP
Brewery with entertainment inside or outside	SUP
Child Care (Center) as an accessory use only	SUP
Copy shop or printing shop Internet has put This use out of Busin	u.BS
Dance studio or aerobics center KA	P
Distillery with 1,500 square-foot tasting room KA	SUP
Dry cleaning (small shop) in a multi-use building Hab our That fayled	P
Dry cleaning free-standing building No Ass Jeft+City wants Post.	SUP
Entertainment Facility (Indoor)	SUP
Fitness Center/Health Club	P
Fuel Pumps/Sales* Kroser trind but sensed by city.	SUP*
Grocery store or food market	SUP
Gunsmith (repair only)	SUP
Hotel /	SUP
Liquor Store (10,000 sf or greater)	SUP
Minor medical emergency clinic ?	SUP
Mixed-Use Residential A	SUP
Museum or art gallery V	P
Offices, City, County, State, and Other Governmental	SUP
Optical store, optician or optometrist	P
Pharmacist or drug store R	SUP
Private club R	SUP
Private park	P
Public parking garage (associated with building)	P
Religious institution R	P
Residential Single Family Dwelling: Townhome/Patio Home	PD
Restaurant, café, cafeteria	P
Restaurant with Drive-thru/Drive-in	SUP
Retail uses and services wholly enclosed within a building	P
Seasonal Sales	SUP
Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in T	XSUP
Studio, art or photographic (within multi-use retail)	PI
Studio, art or photography (stand-alone) N	P
Temporary field construction office	P
Utility structures (Private or Franchised)	SUP
Utility structures (public)	P
Veterinarian Clinic (no outdoor pens) includes grooming facility	P
Winery with retail sales (either on or off premise)	SUP
* See supplemental regulations for Fuel Pumps/Sales in this district (below)	Joot

R = Restriction by Kroger or other tenant in center N = Not practical or no room for this use in center KA = Needs Kroger approval

### **USE RESTRICTIONS**





#### ♦ Kroger Signature Anchored

- ♦ 1,360-2,390 sq ft. available
- ♦ Rent: \$22.00 psf NNN
- ♦ Finishout: Negotiable
- ♦ Phase III: +/- 30,000 sf Future Development

For more information, please contact:

#### National tenants include:

- ♦ Leslie's Pool
- ♦ Papa John's Pizza
- ♦ Great Clips
- Hollywood Feed

#### Location:

SW Corner FM 1709 & Rufe Snow In Keller Town Center District near Town Hall, Keller Recreation Aquatic Center, and Moviehouse & Eatery

**Brian Tobey** 

tobey@makens.com 817-540-3229 x 214

Licensed in the State of Te

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### **REQUEST**



### **ISSUES**

#### **Limitations on Medical Uses**

- Medical and other service uses are critical to the survival of many shopping centers today
- One third of the site occupancy is medical related uses
- Pediatric doctor's space cannot be re-let to a medical use. This space was very expensive to build and is perfect for another medical use

#### Other Use Limitations

- Hollywood Feed wants to expand pet grooming into the vacant GNC space, but this is not an allowed use in TC
- Drive throughs are discouraged the site has three existing
- A memorabilia and collectable store is interested but they sell 'used' merchandise

#### **Redevelopment Impediments**

 TC allowed uses in conjunction with the ownership restrictions and existing uses on site greatly reduces tenant prospects

#### **Dramatic Shift in Retail Sales**

Amazon has taken 21% of total retail sales in the US





### **OWNERSHIP**



#### **REA**

#### Reciprocal Easement Agreement (REA) Overview

- This deed restriction that was created on February 26, 1992 between Kroger and the other parcel owners of the Shopping Center.
- The purpose is to protect all the parcel owners to ensure the whole property remains a viable and maintained shopping center.
- All of the parcel owners have unrestricted parking and access across each other's parcels known as Common Areas
- No parcel owner may change their Common Area without the unanimous consent of all 5 parcel owners.
- Every parcel owner is prohibited (other than Kroger) to have a Pharmacy or Drug Store, the principal sale of health and beauty aids, a food store, a bakery, a deli, a produce store, and sell dairy produce for off premises consumption.
- No part of the center may be used for night club, theater, bowling alley or any other use that requires heavy parking.
- No restaurant or health spa is allowed in the building next to Kroger.
- No building shall exceed 24 feet in height.
- The use of the parcels is for a "Shopping Center" only.
- No residential use is allowed.
- Any changes to the above require approval from ALL 5 parcel owners.





### **LIMITATION**





2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020

Ecommerce Sales In-store retail sales\*



#### TC ZONING PURPOSE AND DESCRIPTION

**TC ZONING** 

The General Purpose and Description

The Town Center district is intended to serve as a mixed use community retail center. Mutually supportive office, civic, cultural, entertainment and residential uses ...The form of development is compact with tightly grouped buildings arranged around a connected street and side walk network that serves vehicle, pedestrian and bicycle transportation. Building architecture reflects a distinct look and identity. ...The Master Plan for Town Center is a conceptual layout of buildings, street, buffers, landscaping and open space within the Town Center district (see Figure 1)"... "uses in Town Center district shall be generally pedestrian oriented and encourage pedestrian traffic. Uses with drive-through lanes are discouraged in Town Center..."

#### This Property Does not Conform

- The Town Center District described in Figure 1 does NOT include the property
- The property cannot meet the form of development described
- The Property is anchored by Kroger which draws customers from 2.5-3 miles away
- The property is not designed to encourage pedestrian and bicycle traffic
- There are 3 existing uses that have drive-through lanes



### PROPOSED ZONING

#### **General Purpose and Description**

The Retail Zoning district is established to provide locations for various types of general retail trade, business and service uses. The District allows shopping areas with a gross leasable floor area which exceeds six thousand (6000) square feet (those not permitted in the NS District)". These shopping areas should utilize established landscape and buffering requirements.

#### This Property conforms to the Retail (R) zoning

- The property meets the General Purpose and Description
- The property meets the general development design standards
- Medical uses are allowed
- Drive-through lanes are not discouraged
- Dog grooming is allowed with SUP in a retail store
- Retail zoning fits and TC doesn't



### ARTICLE EIGHT Unified Development Code



### R Zoning District Use Table P = Permitted Uses

SUP = May Be Approved as Special Use Permit
Additional uses permitted only by Planned Development Districts are listed in
Section 8.04(I).

- = Not Permitted

Use	SUP or
Administrative, professional or corporate office	Р
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Appliance Rental	SUP
Athletic stadium or field operated by the city or school district	P
Automobile electric charging station	P
Automobile parts retail sales wholly enclosed in a building	SUP
Automobile sales	SUP
Automobile renting	SUP
Automobile service station	SUP
Bakery (retail)	P
Bank, saving, loan, and credit unions, including automated teller	Р
Bar/Tavern	SUP
Barber shop or beauty salon stand alone	Р
Barber shop or beauty salon within multi-use retail	P
Batching plant (temporary)	Permit
Bed and Breakfast/Tourist Home	SUP
Building material and hardware	Р
Child Care (Center)	P
College, university or private boarding school	P
Community center	P
Copy shop or printing shop	P
Dance studio or aerobics center	P
Driving School	SUP
Dry cleaning (small shop) in a multi-use building	Р
Dry cleaning free-standing building	SUP
Entertainment Facility (Indoor)	SUP
Fitness Center/Health Club	Р
Fraternal clubs, lodges, sororities, and fraternities, etc.	P
Greenhouses and nurseries (commercial retail)	SUP
Grocery store or food market	SUP
Gunsmith (repair only)	SUP
Hospital	SUP
Hotel/Motel	SUP

### ARTICLE EIGHT Unified Development Code

Adopted: July 7, 2015 CYNKELLER

Indoor Gun Range	SUP
Light Manufacturing wholly enclosed within a building	SUP
Motorcycle sales	SUP
Medical/Dental clinic or office	Р
Minor medical emergency clinic	SUP
Museum or art gallery	Р
Nursing Home	SUP
Offices, City, County, State, and Other Governmental	Р
Optical store, optician or optometrist	Р
Outpatient Substance Use Treatment Program for Adolescents	SUP
Pet grooming, no outdoor kennels	SUP
Pharmacist or drug store	Р
Private club	SUP
Private park	Р
Public Parking Garage associated with a building	SUP
Radio broadcasting without tower	SUP
Religious institution	Р
Restaurant, café, cafeteria	Р
Restaurant with Drive-thru/Drive-in	SUP
Retall uses and services wholly enclosed within a building	Р
Sales of used goods and merchandise	SUP
School, Private	Р
School, Public	Р
School, Business or Trade	Р
Seasonal Sales	SUP
Spa to include Cosmetologists (Hair, Nails, Face) & Massage Therapists Licensed in TX	SUP
Studio, art or photographic (within multi-use retail)	Р
Studio, art or photography (stand alone)	Р
Temporary field construction office	Р
Tool and machinery rental shop	SUP
Utility structures (Private or Franchised)	SUP
Utility structures (public)	Р
Vehicle or car wash	SUP
Veteranarian Clinic (no outdoor pens) includes grooming facility	SUP
Veterinarian Clinic (with outdoor pens) may or may not include grooming facility	SUP
Wind Turbines	SUP

8-72 Section 8.03 – Zoning Districts 8-71 Section 8.03 – Zoning Districts

### SITE

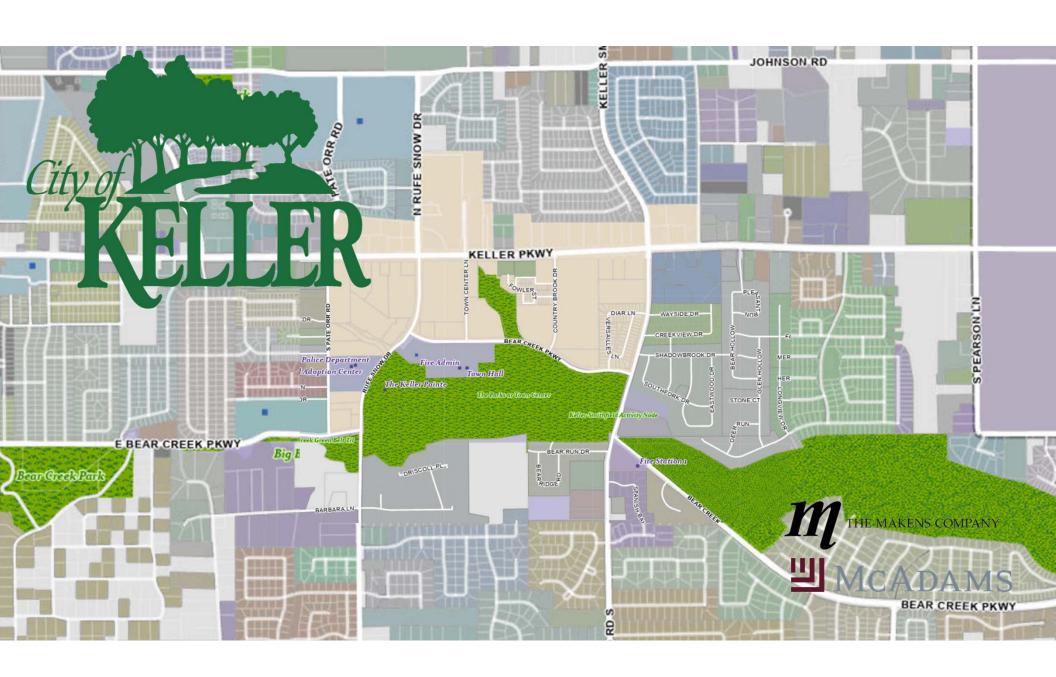


### **CENTER UPDATE**











### **ED PLAN**



#### Retention

- 2.1 Establish relationships with new businesses and provide them with resources to promote their success.
- 2.2 Maintain ongoing relationships with existing local businesses.
- 2.3 Continue to work closely with the Chamber of Commerce.

#### Focus Areas

- Old Town Keller
- Town Center and Keller Parkway
- North & South U.S. 377
- Southwest of FM 1709 and Rufe Snow Drive
- Southeast City Limits and Davis Road
- Southeast of Bear Creek Parkway and Main Street



#### Town Center & Keller Parkway

Opportunities for Development:

- Redevelopment of Keller Parkway, west of Town
- Develop vacant land Keller Parkway, east of Town Center

#### Target Industries:

- Professional/medical offices
- Hotel/convention centers
- Retail
- Restaurants



#### Southwest of FM 1709 and Rufe **Snow Drive**

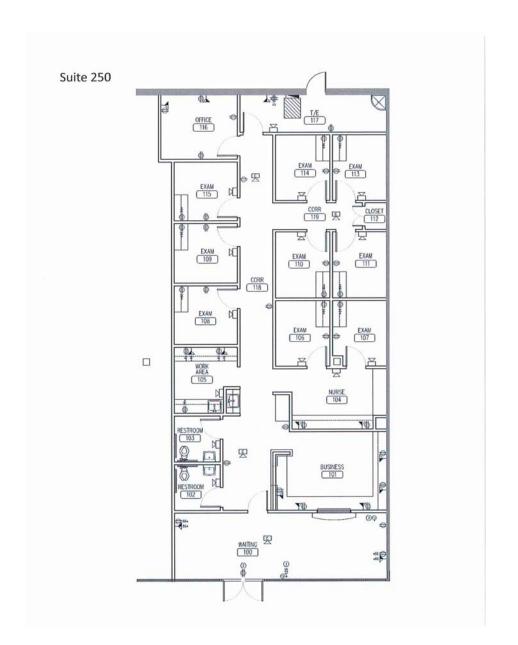
Opportunities for Development: - 5 acres of undeveloped land

- Target Industries:
   Shopping center
   Retail boutique style
   Family entertainment
- Restaurant
- Recreation



27 35





#### Suite 250









### **GROCERY ANCHORED CENTER**

		U.S. Sh	opping-Cente	r Classif	ication and	Charac	teristics	;		3		
Type of Shopping Center General-Purpose C	Concept	Center Count	Aggregate GLA (Sq. Ft.)	% Share of Industry GLA	Average Size (Sq. Ft.)	Typical GLA Range (Sq. Ft.)	Acres	# of Anchors	% Anchor GLA	Typical Number of Tenants	Typical Type of Anchors	Trade Area Size
delicitii-i dipose c	untura	111,520							-	*	Full-line or junior department	
Super-Regional Mall	Similar in concept to regional malls, but offering more variety and assortment.	620	778,336,548	10.2%	1,255,382	800,000+	60-120	3+	50-70%	NA	store, mass merchant, discount department store and/or fashion apparel store.	5-25 miles
Regional Mall	General merchandise or fashion-oriented offerings. Typically, enclosed with inward-facing stores connected by a common walkway. Parking surrounds the outside perimeter.	600	353,795,548	4.7%	589,659	400,000- 800,000	40-100	2+	50-70%	40-80 stores	Full-line or junior department store, mass merchant, discount department store and/or fashion apparel store.	5-15 miles
	General merchandise or convenience- oriented offerings. Wilder range of apparel and other soft goods offerings than neighborhood centers. The center is usually configured in a straight line as a strip, or may be laid out in an L or U shape, depending on the site and design.	9,776	1,930,849,736	25.4%	197,509	125,000- 400,000	10-40	2+	40-60%	15-40 stores	Discount store, supermarket, drug, large-specialty discount (toys, books, electronics, home improvement/furnishings or sporting goods, etc.)	3-6 miles
Neighborhood Center	Convenience oriented.	32,588	2,340,711,371	30.8%	71,827	30,000- 125,000	3-5	1+	30-50%	5-20 stores	Supermarket	3 miles
Strip/Convenience	Attached row of stores or service outlets managed as a coherent retail entity, with on-site parking usually located in front of the stores. Open canopies may connect the store fronts, but a strip center does not have enclosed walkways linking the stores. A strip center may be configured in a straight line, or have an "L" or "U" shape. A convenience center is among the smallest of the centers, whose tenants provide a narrow mix of goods and personal services to a very limited trade area.	68,936	911,202,922	12.0%	13,218	< 30,000	<3	Anchor-less or a small convenience- store anchor.	NA	NA	Convenience store, such as a minimart.	<1 mile
Specialized-Purpos	e Centers	3,275										
Power Center	Category-dominant anchors, including discount department stores, off-price stores, wholesale clubs, with only a few small tenants.	2,258	990,416,667	13.0%	438,626	250,000- 600,000	25-80	3+	70-90%	NA	Category killers, such as home improvement, discount department, warehouse club and off-price stores	5-10 miles
Lifestyle	Upscale national-chain specialty stores with dining and entertainment in an outdoor setting.	491	164,903,247	2.2%	335,852	150,000- 500,000	10-40	0-2	0-50%	NA	Large format upscale specialty	8-12 miles
Factory Outlet	Manufacturers' and retailers' outlet stores selling brand- name goods at a discount.	367	87,368,113	1.2%	238,060	50,000- 400,000	10-50	NA	NA	NA	Manufacturers' and retailers' outlets	25-75 mile:
Theme/Festival	Leisure, tourist, retail and service-oriented offerings with entertailment as a unifying theme. Often located in urban areas, they may be adapted from older-sometimes historic-buildings and can be part of a mixed-use project.	159	23,498,769	0.3%	147,791	80,000- 250,000	5-20	Unspecified	NA	NA	Restaurants, entertainment	25-75 mile:
Limited-Purpose Pr	operty	62										
Airport Retail	Consolidation of retail stores located within a commercial airport	62	15,452,860	0.2%	249,240	75,000- 300,000	NA	NA	NA	NA	No anchors; retail includes specialty retail and restaurants	NA
Total Industry		115,857										
Total Industry	Traditional + Specialty + Special Purpose	115,857	7,596,535,781	100.0%	65,568							

Sources: ICSC Research and CoStar Realty Information, Inc . (www.costar.com)

anuary 2017

### **GROCERY ANCHORED CENTER**

				TYP	ICAL ANCHOR(S)		
TYPE	CONCEPT	SQ. FT. (Inc. Anchors)	ACREAGE	NUMBER	TYPE	ANCHOR RATIO*	PRIMARY TRADE AREA**
NEIGHBORHOOD CENTER	Convenience	30,000 - 150,000	3 - 15	1 or more	Supermarket	30 - 50%	3 miles
COMMUNITY CENTER	General Merchandise; Convenience	100,000 - 350,000	10 - 40	2 or more	Discount dept. store; super-market; drug; home improvement; large specialty/discount apparel	40 - 60%	3 - 6 miles
REGIONAL CENTER	General Merchandise; Fashion (Mall, typically enclosed)	400,000 - 800,000	40 - 100	2 or more	Full-line dept. store; jr. dept. store; mass merchant; disc. dept. store; fashion apparel	50 - 70%	5 - 15 miles
SUPERREGIONAL CENTER	Similar to Regional Center but has more variety and assortment	800,000+	60 - 120	3 or more	Full-line dept. store; jr. dept. store; mass merchant; fashion apparel	50 - 70%	5 - 25 miles
FASHION/SPECIALTY CENTER	Higher end, fashion oriented	80,000 - 250,000	5 - 25	N/A	Fashion	N/A	5 - 15 miles
POWER CENTER	Category-dominant anchors; few small tenants	250,000 - 600,000	25 - 80	3 or more	Category killer; home im- provement; disc. dept. store; warehouse club; off- price	75 - 90%	5 - 10 miles
THEME/FESTIVAL CENTER	Leisure; tourist-oriented; retail and service	80,000 - 250,000	5 - 20	N/A	Restaurants; entertainment	N/A	N/A
OUTLET CENTER	Manufacturers' outlet stores	50,000 - 400,000	10 - 50	N/A	Manufacturers' outlet stores	N/A	25 - 75 miles

<sup>\*</sup> The share of a center's total square footage that is attributable to its anchors

ICSC Shopping Center Definitions is published by International Council of Shopping Centers

International Council of Shopping Centers 1221 Avenue of the Americas New York, New York 10020-1099 Phone: 646-728-3671

Fax: 212-589-5555 http://www.icsc.org





<sup>\*\*</sup>The area from which 60 - 80% of the center's sales originate

### **CURRENT ZONING**



#### Department Overview

#### Overview of Department:

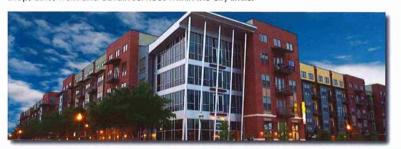
Economic Development has been identified as a vital function of the City of Keller and the Economic Development Department is working to ensure that Keller maintains a dynamic and sustainable business climate. The Keller Economic Development Department provides many services to current businesses within the city limits and to businesses seeking to expand, relocate or start a new business in Keller. The Department offers assistance that includes site selection, demographic analysis, incentives and connections to local commercial real estate professionals and groups. The Department strives to recruit, retain and expand quality commercial businesses that will serve the needs of the community and improve the quality of life for the citizens of Keller. The Department will assist the City of Keller in the following areas:

- o Focus on attracting top-tier businesses
- o Work to ensure the strength and sustainability of existing businesses
- o Expand the commercial property tax base
- Enhance retail opportunities that will assist in the increase of the local sales and use tax
- o Create job opportunities
- o Provide local goods and services
- Encourage patronage from those living outside of Keller

#### Economic Development Mission Statement:

To improve the quality of life for residents and the business community of Keller through the recruitment and retention of targeted businesses that will increase property value and sales tax within the City.

The essence of the mission statement of the Department focuses on recruiting and retaining commercial business that will continue to increase both the sales tax revenue and commercial property value that will benefit the City of Keller's tax base as a whole. The Department will continue to seek opportunities that provide the citizens of Keller with additional locations to shop, dine, work and obtain services within the city limits.



### RRENT ZONING

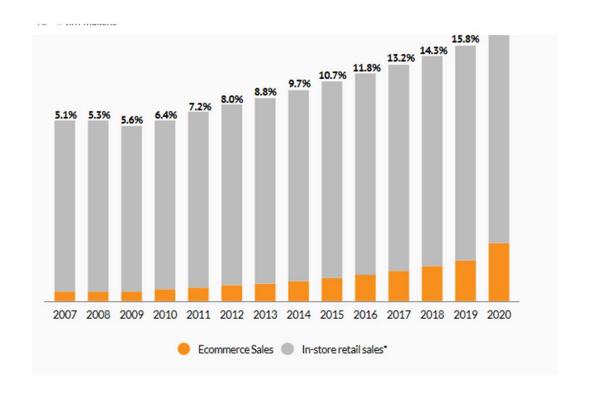


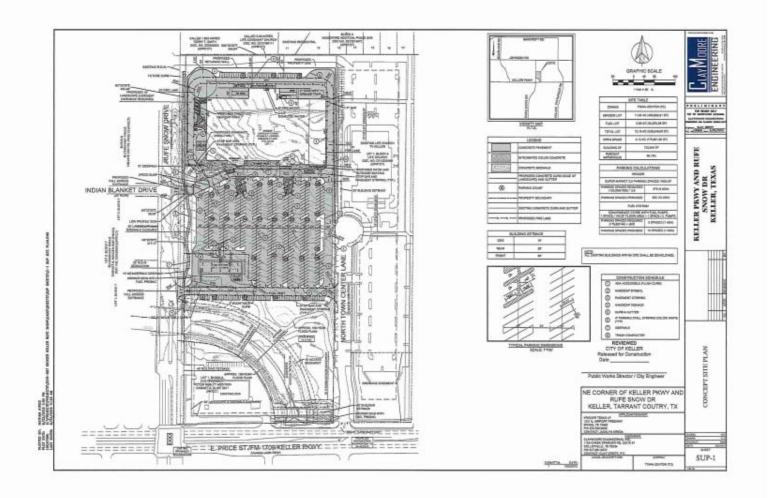


#### Retail/Commercial - RTC

This land use category is characterized by retail and commercial uses that are more intense than office establishments. This category is intended to provide for a variety of restaurants, boutique shops, grocery stores, hotels, big box retailers, etc. These uses require high visibility locations and should be located on major roadways. Design guidelines for retail/commercial developments should encourage compatibility with adjacent residential uses.







#### Keller TIF #1- Town Center

Keller Tax Increment Financing District #1 was established on November 17, 1998 to develop a 270-acre Town Center. The Town Center retail/commercial/municipal complex bound by FM 1709, Keller-Smithfield Road, and Rufe Snow in Keller. The development is estimated to be \$21 million in public improvements such as parking, drainage, street design and construction, park open space and trails, and a town hall municipal building.

Base Year	1998
Term of Zone	20 Yrs (1998-2018)
Base Year Value	\$10,896,833
ncrement Value 2012	\$140,358,022
County Participation	66%
County Contribution Cap	\$3,700,000
County Contribution	\$239,940.63
Total County Contribution to Date	\$2,251,414.52
Fotal Authorized Project Costs	\$32,950,000
Project Costs Completed/Encumbered to Date (2012)	\$31,960,034 (97%)





