



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, December 8, 2020

PRE-MEETING BRIEFING 6:00 P.M.

A. CALL TO ORDER – Chairperson Gary Ponder

Chairperson Gary Ponder called the virtual Pre-Meeting Briefing to order at 6:00 P.M.

The following Commissioners were present:

Gary Ponder, Chairperson

Ralph Osgood, Vice Chairperson

Paul Alvarado

Bob Apke

James Dawson

Leslie Sagar

Phillip Maxwell- Alternate

The following Commissioner was absent:

Thomas Thompson

Staff present included Jerald Ducay, Planner I; Katasha Smithers, Planner I; Julie Smith, Director of Community Development; Chad Bartee, City Engineer; Justin Wilkins, Plans Examiner; Melinda Hernandez, Code Compliance Coordinator; Sean Vreeland, Director of Information Technology and Amy Botcher, Planning Technician.

B. ADMINISTRATIVE COMMENTS

Planner Smithers gave a briefing from the December 1, 2020, City Council Meeting. She said the SUP for Cryo Nation, PD Amendment for Trail Head and SUP for Windshields R Us all were unanimously approved 7-0. The SUP for Landscape Systems was approved 7-0 with a condition the SUP would expire in 6 months from the approval date. She also said City Council approved the detailed site plan for Center Stage (6-1) with a condition the façade in the courtyard area shall comply with the 80% masonry requirement.

C. DISCUSS AND REVIEW AGENDA ITEMS

C (1) PUBLIC HEARING: Consider amendments to the UDC related to fence requirements.

CDD Smith stated Staff had sent responses today regarding the suggestions Commissioner Sagar had previously made. She added Staff agreed with Commissioner Sagar and Commissioner Thompson on several of the suggestions and recommended adopting those as well as:

- A suggestion by Commissioner Sagar for Section L- removing “in/out” from the sentence regarding lots adjacent to parks or trails.
- A suggestion made by Commissioner Thompson to duplicate language for fence mesh into both residential and commercial zoning districts.
- A suggestion by Commissioner Sagar in Section M-3, to remove “Apartment Building.” Staff agreed, but, suggested moving it to Section 8-12 as to capture the language for multi-family.
- CDD Smith also stated the page numbers would be corrected when the ordinance was codified.
- Add language to indicate that drive gates may slide, or swing open.

Chairperson Ponder requested this part of the discussion be kept to 30 minutes.

Commissioner Sagar stated she was not able to review Staff’s comments until just prior to this meeting. She had a question regarding height requirements. She asked if it was possible for an interior fence (not a perimeter fence) to be adjacent to a street.

Melinda Hernandez, Code Compliance Coordinator, responded this verbiage clarified 8-foot fences adjacent to the street are not permitted.

Commissioner Sagar expressed her opinion that the verbiage should include “8-foot for all interior rear and side-yard fences.”

Commissioner Sagar questioned whether if the property was a corner lot, it would it be a perimeter fence.

CCC Hernandez responded a perimeter fence is any fence that is located on the property line.

Commissioner Sagar suggested the word “that” be added after “drainage easements” to a sentence in the ordinance to make it clearer.

CDD Smith responded that change would be made.

Commissioner Sagar asked if the swimming pool barrier materials were the same as what was listed under “general requirements.”

CCC Hernandez responded they were as long as they also met swimming pool barrier standards.

Commissioner Sagar asked about churches and schools in residential districts. She stated variances had been requested in the past regarding fencing. She shared her thought on providing a more cost effective option besides the wrought iron and stone fencing being required for schools and churches.

CDD Smith responded variances had to have an underlying hardship and cost specifically cannot be considered, by statute.

Commissioner Sagar said she had known of examples in the past that had been approved. She noted schools were permitted to have chain link fencing; however, we do not allow that.

CCC Hernandez stated chain link fencing was permitted in the past, were grandfathered in, and some had not yet reached the end of their life. She added if they were to be replaced, they would be required to come into compliance.

CDD Smith stated unless the City Council were to direct Staff to change this requirement, she would be reluctant to do so.

Commissioner Sagar asked if a drive gate variance in front of ZBA could allow a drive gate to also swing out.

CDD Smith responded the direction on the swing gate had been determined by Fire Department requirements as well as Public Works and the need to accommodate other large equipment (delivery trucks, utility trucks, etc.).

Commissioner Sagar stated sometimes topography would not allow for a swing gate to swing outward. She asked if a slide gate option would be added as well.

CDD Smith confirmed it would be added.

Commissioner Sagar suggested spelling out 80% in Section 8.12(P) (4) (mesh screening).

CDD Smith stated those updates would be made.

Commissioner Sagar asked for clarification that Section 8.12 (A) would just refer people back to Section 8.11.

CCC Hernandez responded that multi-family units that have four or less units are more consistent with single-family, however, they are zoned as multi-family under the UDC.

CDD Smith stated the UDC defined four-plexes as “multi-family.”

Commissioner Sagar stated Section 8.12 (F), vinyl fencing, was not listed as prohibited in this section.

CDD Smith agreed to add it to this section as well.

Commissioner Sagar asked in Section 8.12 (F) when a site plan would not be required.

CCC Hernandez responded that construction of a fence would not require a property to be

platted.

CDD Smith explained a resident could use a survey to show where the fence would go.

Commissioner Sagar asked if site plan would not be applicable for an un-developed property in non-residential or multi-family.

CDD Smith responded if the zoning had changed from what was originally on the site plan, there would be a reason to go to ZBA.

Commissioner Sagar stated in Section 8.12 (H) (1) (B), she would like to see “percentage” spelled out.

CDD Smith agreed to change the language.

Commissioner Sagar notated one of the “percentages” that was approved last year, in December, did not transfer to the Municode.

CCC Hernandez said as Staff discovers such scrivener’s errors, they notify the City Secretary who can address it. She would pass this one over, too.

Commissioner Osgood stated in Section K8.12 (K), there was a typo. He also asked about the chain link fencing permitted at the High School.

CDD Smith stated the chain link fencing had been in effect for many years.

Commissioner Osgood asked if the City was following Federal guidelines on swimming pool fences.

CDD Smith stated Federal and State guidelines are followed. She also noted that drowning is the number one killer of children in Texas; therefore, the State has very strict guidelines.

Chairperson Ponder asked if there were any additional questions or comments.

There were no additional questions or comments.

D(1) Discuss and Approve Planning and Zoning Commission Meeting Minutes for November 10, 2020.

Chairperson Ponder asked if there were any questions or comments from Commissioners.

Commissioner Osgood stated it was Commissioner Dawson, not himself, who asked 4 questions regarding CryoNation.

There were no additional questions or comments.

D (2) PUBLIC HEARING: Consider approval of Final Plat Lot 1-R-1, Block 3 addressed as 245 Lorine Street.

Planner Ducay gave a brief presentation on Item D (2).

Jim Brown, Representative for First Baptist Church, explained their need to enlarge the campus in order to make room for a new school in the near future.

Chairperson Ponder asked if there were any questions or comments from the Commissioners.

There were no questions or comments.

D (3) PUBLIC HEARING: Request for SUP for Las Palapas to utilize the drive-thru at 455 Keller Parkway.

Planner Smithers gave a brief presentation on Item D (3).

CDD Smith added the Las Palapas restaurant was adjacent to a residential area, and their proposed hours were from 6AM-12AM, seven days per week.

Chairperson Ponder asked if there were any questions or comments from Commissioners.

There were no questions or comments.

D (4) PUBLIC HEARING- Request amending ordinance on previously approved SUP for home renovation and accessory structure at 1565 Nightingale Circle.

Planner Ducay gave a brief presentation on item D (4).

Chairperson Ponder asked if there were any questions or comments from Commissioners.

There were no questions or comments.

D (5) PUBLIC HEARING- Request SUP for Shell Gas Station to be used for U-Haul drop-off and pick-up.

Planner Ducay gave a brief presentation on item D (5).

Chairperson Ponder asked if there were any questions or comments from Commissioners.

There were no additional questions or comments.

D (6) Site Plan Amendment for Playful Puppy Sculpture Plaza at 330 Rufe Snow Drive.

Planner Smithers gave a brief presentation on item D (6).

Chairperson Ponder asked if there were any questions or comments from Commissioners.

There were no questions or comments.

D.ADJOURN

Chairperson Gary Ponder adjourned the Pre-Meeting at 7:14 P.M.

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Chairperson Gary Ponder

Chairperson Gary Ponder called the meeting to order at 7:00 P.M.

Chairperson Ponder expressed his gratitude to Staff, Sean Vreeland, Brent Rankin, Mark Hafner, the Mayor and City Council for granting the request of the Planning and Zoning Commission to have meetings virtually.

B. PERSONS TO BE HEARD

No one came forward.

C. OLD BUSINESS

PUBLIC HEARING: Consider amendments to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article 8 – Zoning Districts, Development Standards, Tree Preservation, related to fence requirements; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-20-0008)

Community Director Smith stated the current Unified Development Code (UDC) fence regulations were amended in August 2019 and December 2019. She said after the proposed changes were implemented, contractors and residents still found the text was challenging to navigate because of duplications and lack of organization. In addition to addressing these issues, staff also proposed one change (requested by the City Council, driven by public inquiry) to address challenges for homeowners of corner lots related to setbacks and fence materials.

Amendments address corner lots, fences along thoroughfares, “Rot/kick boards,” swing gates next to drainage areas, privacy fences next to passive parks, swimming pool barriers, drive-gates, temporary construction fences, agricultural fences, MF fences and any unclear or repetitive language.

Chairperson Ponder opened the Public Hearing.

There were no persons to speak.

Commissioner Sagar made a motion to close the Public Hearing, seconded by Commissioner Apke. The motion carried unanimously.

Commissioner Apke commended Staff for incorporating Commissioner Sagar’s suggestions.

Commissioner Alvarado stated the relationship between the Commission and Staff was important and therefore it was important to express appreciation.

Commissioner Sagar stated all of her comments had been addressed.

Commissioners Dawson, Osgood and Ponder expressed their appreciation for Staff and Commissioner Sagar.

Commissioner Sagar made a motion to approve Item C (1), seconded by Commissioner Osgood. The motion carried unanimously.

D. NEW BUSINESS

- 1. [Consider approval of the Planning and Zoning Commission Meeting Minutes on November 10, 2020.](#)

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

- 2. [Consider recommending approval of Final Plat Lot 1-R-1 Block 3, being a replat of Lot 3 and 5-13, Block 3, Johnson Addition, and Lot 1R, Block 3, Johnson Addition, on a 3.28 acre tract of land, on the north side of Lorine Street, approximately 200’ north-west of the North College Avenue and Lorine Street intersection, addressed as 245 Lorine Street, and zoned SF-8.4. First Baptist Church Keller, owner/applicant. \(P-20-0019\)](#)

Planner Ducay stated the subject property was originally platted in April 2008, when First Baptist Church utilized a section of the property as a parking lot. First Baptist Church was looking to expand its campus and construct accessory buildings to accommodate the existing needs. He explained that in this case, First Baptist had been shuttling elderly church goers via golf carts from their cars to the church. However, they do not have sufficient storage locations to store the golf carts. Moving forward, First Baptist Church intended to use the property to accommodate those needs.

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

- [3. PUBLIC HEARING: Consider a request for a Specific Use Permit \(SUP\) for Las Palapas to occupy a 4,065 square-foot restaurant with drive-thru, situated on a 1.16-acre tract of land, located on the north side of Keller Parkway \(FM 1709\), approximately 250 feet northwest of the intersection of Cindy Street and Keller Parkway, being Lot 1, Block A, Southwest LTC Addition, zoned retail \(R\), located at 455 Keller Parkway, Crista Hubbard, owner. Michael Twitchell, L.P., applicant. \(SUP-20-0025\).](#)

Planner Smithers stated in January 2015, Dairy Queen received their Certificate of Occupancy for a drive-thru restaurant. She noted at that time, the Code did not require a specific use permit (SUP) for a drive-thru component. She added in July 2015, the Unified Development Code (UDC) was amended to require an SUP for a drive-thru restaurant. In December 2019, Dairy Queen vacated the property; and was still vacant today.

She explained Las Palapas proposed to occupy the drive-thru restaurant and utilize the drive-thru component. The business was planning a significant remodel for the structure. The property abutted residential property to the north. She noted the buffer between the parking lot and the neighborhood included cedar and live oak trees and an eight-foot masonry screening wall.

Planner Smithers stated the hours of operation were 7 days a week from 6AM to 12AM. She added the restaurant would employ a maximum of twenty people.

Chairperson Ponder asked if the Applicant had anything to add.

Mike Twitchell, Architect, stated this was a San Antonio-based company that would have a franchise location in Keller. He added there would be some remodeling of the exterior of the building and substantial remodeling of the interior.

Chairperson Ponder opened the Public Hearing.

There were no persons to speak.

Commissioner Dawson asked the Applicant to explain further about the food service. He also commented on the long hours.

Mr. Twitchell stated all food was made fresh daily and included breakfast, lunch and dinner options. He also stated they had been in business for 35 years.

Commissioner Apke asked what percentage of the business was drive-thru traffic.

The Applicant stated that during COVID-19, it had gone up 7%. The drive-thru accounted for 50-60% of business.

Commissioner Apke asked what the hours were when Dairy Queen was in this building.

Planner Smithers responded the hours were 10AM-10PM. She added that the other similar locations included Braum's with the hours of 6AM-10:45PM (7 days per week), and Freddy's with the hours of 10:30AM-10PM (Sunday-Thursday) & 10:30AM-11PM (Friday & Saturday).

Commissioner Alvarado asked the Applicant if he had considered changing the hours of operation to Sunday through Thursday at 10 pm and Friday and Saturday at Midnight.

The Applicant said he had discussed the time changes with the owners, and they had agreed to close Sunday thru Thursday at 10:00PM and Friday and Saturday at 12:00AM.

CDD Smith stated she wanted to confirm the Applicant was comfortable with these changes.

The Applicant responded he was comfortable with the amended hours.

Commissioner Sagar stated she was comfortable with all aspects, but would prefer the closing time Sunday through Thursday to be 11:00PM.

**Commissioner Alvarado made a motion to approve Item D (3) with closing times at 10:00PM Sunday through Thursdays and 12:00AM Friday and Saturdays, seconded by Commissioner Apke. The motion carried by a vote of 6-1. Aye: Commissioner Dawson, Commissioner Ponder, Commissioner Thompson and Commissioner Apke Commissioner Alvarado and Commissioner Osgood
Nay: Commissioner Sagar.**

4. [PUBLIC HEARING: Consider a request to amend the ordinance of a previously approved Specific Use Permit \(SUP\) for a home renovation in conjunction with the construction of an existing accessory structure, on a 1.01-acre lot on the north side of Nightingale Circle, approximately 450 west of the intersection of Greenbriar Drive and Nightingale Circle, being Lot 9, Block 1, Florence Place Addition, zoned SF-36 \(Single Family Residential – 36,000 square-foot minimum\), located at 1565 Nightingale Circle. David Johnson, owner/applicant. \(SUP-20-0024\)](#)

Planner Ducay stated in 2018 the Applicant submitted a SUP application requesting to do substantial renovations to the main house as well as constructing an accessory dwelling unit. The remodel of the main structure proposed an addition of approximately 4,718 square-feet for a total of 6,722 square-feet under roof after remodel. In addition to the main structure expansion, the applicant proposed to build a 2,334 square-foot accessory dwelling unit located to the rear of the subject property. The initial purpose of this structure was to house the Applicant while the main structure was being remodeled.

He added the purpose of the 2018 SUP request was to permit the construction of the proposed 2,334 square foot, twenty-two foot (22') high accessory building with variances to the building material, garage door exposure, and maximum height.

Planner Ducay explained the applicant had to also request an SUP to allow the accessory dwelling unit to temporarily exceed 50% of the main structure. Once the main structure remodel was completed as proposed, the accessory structure would no longer exceed 50% of the main structure. The Applicant also requested several variances related to building materials, number of accessory structures, and garage door exposure.

He said during the November 20, 2018, City Council meeting, the Applicant requested and was given approval on the following SUPs:

- Allow the accessory structure to exceed a maximum 1,200 square-foot floor size and allow a 2,334 square-foot structure, total.
- Allow the accessory structure to exceed the maximum size ratio of 50% of the main structure and allow a maximum 116.47% of the main structure. (Until the main structure was remodeled).
- Allow the accessory structure to exceed the 15-foot height requirement and allow a total height of 22-feet.

Planner Ducay added along with these three SUPs, the Applicant also received approval for the following variances:

- UDC Section 8.10 (A) (3) states all accessory buildings will be complimentary to the main structure, constructed of brick or stone, or the same material as the main structure. The applicant proposed to use stucco for the accessory building in lieu of complimenting the main structure's predominately brick material. This was in effect a temporary variance, because the applicant proposed to convert the main structure façade to stucco as well during the remodel.
- UDC Section 8.07 (C) (4) states that the "maximum garage door(s) exposure to the street shall not exceed one hundred forty-four square feet." The applicant proposed accessory structure garage doors that would total 264 square-feet of street exposure.
- UDC Section 8.10 (A) (10) states "there shall be no more than two (2) detached accessory buildings per single-family lot. The Applicant has five accessory structures on the property. They include four storage containers and one agricultural building. The Applicant intends on utilizing the accessory containers as storage for home furnishings during the remodel process. The Applicant proposed to remove all accessory structures with the exception of the new 2,334 square-foot structure upon the completion of the remodel.

Planner Ducay said in response to the six aforementioned requests, City Council added the following ordinance conditions:

- The accessory building shall not exceed 2,334 square-feet.
- The accessory building shall not exceed (116.47%) of the maximum size ratio of the main structure initially and not more than 34.72% in 24 months.

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- The accessory building shall not exceed 22' height.
 - Exterior stucco constructions material shall be utilized specifically as depicted in Exhibit "A".
 - The garage door shall not exceed 264 square-feet of exposure to the street.
 - There shall not be more than (5) accessory structures on the subject property and all accessory structures except the 2,334 square-foot accessory structure shall be removed upon the completion of the remodel.

Chairperson Ponder asked the Applicant if they had anything to add.

David Johnson, owner, thanked Planner Ducay and his associates for helping him through these times. He expressed concerns with the drainage issues on his property. He stated he had done a LOMA. (FEMA letter of map amendment).

He said he has now spoken with his lender, and he proposed to go back to the original plan that he had submitted. He said with the Public Right-of-Way changing, his driveway and front of his home would have to change. They would like to go back to their 4,000 square-foot addition, not including a section in the southeast corner that will also be closed in. The garage would be closed in. There would be a breezeway between the new structure and the pool house to make it all one continuous space. He said eventually there would be 3 structures.

CDD Smith asked the Applicant if he was proposing to do the 4,000 square-foot addition.

The Applicant said it would be close to that with the exception of the portico that was in the original plan.

CDD Smith clarified that he would be keeping the garden shed, accessory dwelling unit and she asked if he was also building a cabana for the pool.

The applicant said yes.

CDD Smith stated when permission was given to build the accessory dwelling first, they had discussed the future pool and cabana. At that time, the Applicant had agreed to remove all accessory structures including the garden shed. She added under the UDC, only two

accessory structures were allowed. Therefore, when all of the Applicant's building was complete, there would be a main structure, pool cabana, and the accessory dwelling unit.

CDD Smith stated when the latest proposed plans came in, it included keeping the garden shed, and thus suggested there would not be a cabana.

The Applicant stated there would be a breezeway between the pool cabana and main structure.

CDD Smith clarified this meant the cabana would effectively be a part of the main structure and not an accessory structure.

The Applicant responded yes. He added the plans originally had been submitted with those connecting.

CDD Smith stated the plans had changed a couple of times. She asked if the pool cabana would be built at the same time as the 4,000 square-foot addition.

The Applicant stated yes.

CDD Smith asked the Applicant if he would be removing the all of the cargo containers, leaving only the house expansion including pool cabana (all as one), the garden shed and the accessory dwelling unit.

The Applicant stated this was correct.

CDD Smith asked what the time frame was to have everything completed.

The Applicant stated his funding was tied into some road work Public Works was doing. CDD

Smith explained the Public Notice that was sent out was different than what was being proposed now. She suggested to the Commission that this needed to be noticed accurately for their first meeting in January.

Chairperson Ponder agreed.

The Applicant agreed.

CDD Smith suggested to Chairperson Ponder that Planner Smithers would contact Mr. Johnson to get the updated information in order to notice the correct application. She added the Commission might not table the item, but just not hear it instead.

Chairperson Ponder stated to the Applicant that the Commission would not hear this item until such a time when the Applicant worked with Planner Smithers to get the corrected information and notice given.

The Applicant agreed to this proposed process.

Commissioner Osgood made a motion to take no action on Item D (4), seconded by Commissioner Sagar. The motion carried unanimously.

5. [PUBLIC HEARING: Consider a request for a Specific Use Permit \(SUP\) for an Automobile Renting Use and Outside Storage, for Shell Gas Station to also be utilized as a U-Haul pick-up and drop-off location on a 0.9-acre lot on the north side of Keller Parkway, approximately 800 feet west of the intersection of North Pate Orr Road and Keller Parkway, being Lot 9B, Block 2, Meadowlands Addition, zoned R \(Retail\), located at 797 Keller Parkway. HAR 26 Inc., owner. Freeway Investment Inc., applicant/developer. \(SUP-20-0008\)](#)

Planner Ducay stated 797 Keller Parkway was currently occupied by a Daily Stop Convenience Store and Shell Gas Station. The Applicant was now requesting an additional accessory use by proposing a U-Haul drop off location for this site. He said this request would be considered an Automobile Renting use as well as outside storage.

He added under the Retail Zoning District, Automobile Rental uses required an SUP. He said per the UDC, Automobile Rental is defined as the “renting of automobiles, motorcycles, and light load vehicles”. Planner Ducay said considering this, the only U-Haul equipment that could meet this requirement would need to have a Gross Vehicle Weight Rating (GVWR) of 11,000 pounds or less. After researching the U-Haul fleet, the 26’, 20’, 17’, and 15’ moving trucks all exceeded the 11,000 pound requirement.

Planner Ducay stated the Applicant had agreed to limit the truck types to the less than 11, 000 pounds that can be dropped off at this location via the U-Haul app and website. He said this would also be considered outside storage, which was not permitted unless approved by a SUP in the Retail Zoning District.

Mr. Ducay added there were currently four 'truck rental and moving equipment' businesses currently operating in the City of Keller and many other options in the surrounding area. This was not an industry that had been identified for active recruitment. Vehicle rentals did not bring significant sales tax revenues to the city (less than \$500 YTD) and adding these services would not have a positive economic impact.

Chairperson Ponder asked the Applicant if they had anything to add.

Kyle McAfee, U-Haul Field Manager, stated this location would be limited and watched closely.

CDD Smith asked Mr. McAfee when U-Haul had been at this location previously.

Mr. McAfee responded it was before his tenure with U-Haul.

CDD Smith asked Mr. McAfee to provide any information he had about it to Planning. It appeared they had operated without the requisite SUP.

Chairperson Ponder opened the Public Hearing.

There were no persons to speak.

Commissioner Sagar made a motion to close the Public Hearing, seconded by Commissioner Alvarado. The motion carried unanimously.

Commissioner Maxwell stated his desire to know the previous history with U-Haul at this location as well as the support/opposition.

Planner Ducay responded the opposition was from nearby medical offices. The reason for the opposition was "extensive amounts" of this type of business as well as being an "eyesore". He added the letters of support were from people working at surrounding

stores, however it could not be verified if they were the actual property owner signatures on the letters.

Mr. McAfee stated he had spoken with the owner and it was 2015/2016 that U-Haul was doing business at this location.

Commissioner Alvarado, he could see the benefit this type of business would be for this part of the City. He also asked if there would be an additional need for lighting.

Planner Duway stated the Applicant would be required to provide a photometric plan as well as a complete site plan.

Commissioner Sagar explained she understood the Applicant wanting to expand his business; however, she did not see the benefit to the City. She added she did not think the use in that area was appropriate.

Commissioner Osgood stated he was concerned about the use of "outside storage" and potentially setting a precedence along Keller Parkway.

Chairperson Ponder was concerned about saturation. He said we seemed to have plenty of this type of business and did not see a beneficial impact to the City.

Commissioner Apke stated there would not be incremental revenue and did not think the use was appropriate for the area with it being so close to the High School.

**Commissioner Osgood made a motion to deny Item D (5), seconded by Commissioner Sagar. The motion carried by a vote of 6-1. Aye: Commissioner Dawson, Commissioner Ponder, Commissioner Thompson and Commissioner Apke Commissioner Sagar and Commissioner Osgood
Nay: Commissioner Alvarado.**

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- 6. [Consider a request of a Site Plan Amendment for the Playful Puppy Sculpture Plaza, located on the north side of Rufe Snow Drive at 330 Rufe Snow Drive, being Lot 1R, Block 1 of the Public Safety Addition, and zoned Town Center \(TC\). City of Keller, owner/applicant. \(SP-20-0036\)](#)

Planner Smithers stated the project was located in the Town Center Zoning District, and approval of the site plan by the Planning and Zoning Commission and City Council was required per the UDC.

Commissioner Sagar stated she wished there were more projects like this in Keller.

Commissioner Dawson asked what the size of the puppy was.

Planner Smithers responded that it was 84 inches tall and 53 inches wide.

Commissioner Sagar made a motion to approve Item D (6); seconded by Commissioner Osgood. The motion carried unanimously.

Commissioner Ponder announced the December 22, 2020, Planning and Zoning meeting would be cancelled. He stated his appreciation, on behalf of the Commissioners, to Planner Ducaj for his work during his tenure at the City. He also wished everyone a special holiday and thanked Staff and Commissioners.

D. ADJOURN

Chairperson Gary Ponder adjourned the meeting at 9:14P.M.

Chairperson

Amy Botcher, Planning Technician

