

MINUTES OF THE REGULAR MEETING
PLANNING AND ZONING COMMISSION

May 8, 2017

REGULAR MEETING 7:07 P.M.

A. CALL TO ORDER – Chairperson

A regular meeting of the City of Keller Planning and Zoning Commission was called to order by Chairperson Gary Ponder with the following members present:

Leslie Sagar
Vernon Stansell
Amanda Bigbee
Dave Reid
Carey Page
Bill McCrea

Staff present included, Trina Zais, Director of Public Services; Daniel Turner, Planner I; Katasha Smithers, Planning Technician; Chad Bartee, City Engineer; and Tracey Talkington, Police Captain.

B. PLEDGE OF ALLEGIANCE

1. Pledge to the United States Flag.
2. Pledge to the Texas Flag.

C. PERSONS TO BE HEARD

No public comments were received.

D. CONSENT

1. Consider approval of the minutes for the meeting of April 24, 2017.

Commissioner Sagar moved to approve the consent agenda as presented. Commissioner Reid seconded and the motion carried unanimously (7-0).

E. OLD BUSINESS

1. None

F. NEW BUSINESS

1. PUBLIC HEARING: Consider a recommendation of a Specific Use Permit (SUP) for an approximately 2,100 square foot detached garage, located on approximately 3.8-acres, on the west side of Randol Mill Avenue, approximately seventy-five feet (75') north of Wildwood Way, at 1150 Randol Mill Avenue, being Lot 1R1, Block , Aspen Oaks Addition, and zoned SF-36 (Single Family Residential – 36,000 square foot minimum). Marshall and Lynette Kovalik, owners/applicants. (SUP-17-0011)

Daniel Turner, Planner I, came forward to give staff's presentation and recommendation for Item F-1. Marshall and Lynette Kovalik, owners/applicants, were present to answer any questions or concerns.

Chairperson Ponder opened the public hearing for Item F-1.

Commissioner Page moved to close the public hearing for Item F-1.

Commissioner Stansell seconded and the motion carried unanimously (7-0).

No additional discussion was held.

Commissioner Stansell moved to approve Item F-1 as presented with the following conditions:

1. The Specific Use Permit request for an approximately 2,100 square-foot detached accessory building shall be allowed.
2. The variance request for the accessory building height to exceed fifteen feet (15'), up to thirty-two feet (32') shall be allowed.
3. A variance for the accessory building to be located in front of the main structure shall be allowed.

Commissioner Reid seconded and the motion carried unanimously (7-0).

2. PUBLIC HEARING: Consider a recommendation of a Planned Development Amendment to amend the previously approved Planned Development for the Century 21 Worldwide development, to allow an additional 2,000 square-foot office building, located on a 1.643-acre tract of land, being Lot 1, Block 1, Flower Addition, on the north side of Keller Parkway, approximately 560 feet west of Bloomfield Drive, at 1727 Keller Parkway, and zoned PD-R (Planned

[Development-Retail\). Ellen Johnston, owner/applicant/developer. Thomas Hoover Engineering, Inc., engineer. \(Z-17-0006\)](#)

Trina Zais, Director of Public Services, came forward to give staff's presentation and recommendation for Item F-2.

Chairperson Ponder opened the public hearing for Item F-2.

No public comments were received.

Commissioner Page moved to close the public hearing for Item F-2.

Commissioner Stansell seconded and the motion carried unanimously (7-0).

Discussion was held regarding the use of the property as a restaurant, the lot size, the existing office building, and the existing concept plan.

Commissioner Stansell moved to approve Item F-2 as presented with the following condition:

1. The variance request for the northern lot to be a minimum of twenty-one thousand five hundred and ninety-eight (21,598) square feet shall be allowed.
2. The variance request for a two-foot (2') landscape buffer along the north property line of the southern lot only adjacent to the existing parking lot shall be allowed.
3. All conditions listed under Ordinance No. 1095 shall be continued for this PD and shall apply to the southern lot (proposed Lot 1R1).

Commissioner Reid seconded and the motion carried unanimously (7-0).

3. PUBLIC HEARING: Consider a recommendation of a Planned Development Amendment to amend the previously approved Planned Development for the Birch tennis club and training facility, to allow permanent tennis court buildings, located on an approximately 26.99-acres of land, being Tract 3D and 3D01 out of the Daniel Bancroft Survey, Abstract No. 141, located on the west side of Keller Smithfield Road, approximately 400 feet north of Johnson Road, at 660 and 680 Keller Smithfield Road, and zoned PD-SF-36 (Planned Development-Single Family Residential-36,000 square-foot minimum). D.R. Newton, owner. Jennifer Dent, applicant. Adams Engineering, engineer. (Z-17-0007)

Trina Zais, Director of Public Services, came forward to give staff's presentation and recommendation for Item F-3.

Chairperson Ponder opened the public hearing for Item F-3.

Matt Shaltry, 1323 Johnson Rd. Keller, TX, came forward in opposition.

Celeste David, 1207 Johnson Rd. Keller, TX, came forward in opposition.

Joan Boyle, 1262 Oak Hill Rd. Keller, TX came forward in support.

Jeff Davis, 1207 Johnson Rd. Keller, TX came forward in opposition.

Brian Campbell, 1201 Johnson Rd. Keller, TX, came forward in opposition.

Bill Thoma, 633 Keller Smithfield Rd. Keller, TX, came forward in support.

Joe Kinlen, 645 Keller Smithfield Rd. Keller, TX, came forward in opposition.

Commissioner Stansell moved to close the public hearing for Item F-3.

Commissioner Page seconded and the motion carried unanimously (7-0).

Additional discussion was held in regards to the building design, clarification on the use for earlier start time, burying of the powerlines, building locations, and phase timelines.

Commissioner Bigbee moved to approve Item F-3 with the following conditions:

1. The Northeast structure facing Keller Smithfield to have masonry up to the bottom of the eve of the roof.
2. Update and correct the number of courts approved with Phase I on Exhibit A.
3. Operational hours between 6:30AM and 7:30AM are limited to indoor activities only.

Commissioner McCrea seconded and the motion approved (6-1).

Yay: Ponder, Bigbee, Stansell, Sagar, McCrea, Page

Nay: Reid

4. PUBLIC HEARING: Consider a recommendation of Planned Development Zoning Change from SF-8.4 (Single Family Residential-8,400 square-foot minimum) and SF-36 (Single Family Residential-36,000 square-foot minimum) to PD-SF-8.4 (Planned Development-Single Family Residential-8,400 square-foot minimum) and PD-SF-15 (Planned Development-Single Family Residential –15,000 square foot minimum) for Westbury Estates, a proposed residential subdivision consisting of twenty-four (24) residential lots and two (2) open space lots, located on an approximately 9.57-acre tract of land, being Lots 1-R-1, 1-R-2, and 2-R, Block A, Delamora Addition, located on the southeast corner of Rapp Road and Whitley Road, at 1319 and 1325 Whitley Road and 210 Rapp Road. Sylvia De Lamora, owner. John Shehata, Elite Development and Construction, applicant, Jim Dewey, JDJR Engineers and Consultants, surveyor/engineer. (Z-17-0003)

Daniel Turner, Planner I, came forward to give staff's presentation and recommendation for Item F-4.

Chairperson Ponder opened the public hearing for Item F-4.

David Meyers, 1328 Shady Lane S. Keller, TX came forward in opposition.

Ken Ryon, 1416 Whitley Rd. Keller, TX, came forward in opposition.

Tom Dare, 1421 Whitley Rd. Keller, TX, came forward in opposition.

Betty Stallings, 1316 Whitley Rd. Keller, TX, came forward in opposition.

Marie Howard, 1620 Whitley Rd. Keller, TX, came forward in opposition.

Donnie Boone, 1309 Shady Lane S. Keller, TX, came forward in opposition.

Larry Butler, 1308 Shady Lane S. Keller, TX, came forward in opposition.

Commissioner Page moved to close the public hearing for Item F-4.

Commissioner Stansell seconded and the motion carried unanimously (7-0).

Additional discussion was held in regards to drainage, traffic, future development along Whitley, and lot sizes for the SF-36 zoned portion of the property.

Commissioner Reid moved to deny Item F-4.

Commissioner Page seconded and the motion was denied (4-3).

Yay: Ponder, Reid, Page, Sagar

Nay: Stansell, Bigbee, McCrea

5. PUBLIC HEARING: Consider a recommendation of a Planned Development Amendment for an undeveloped portion of Highland Oaks Crossing, for a proposed 11,900 square-foot non-residential development, located on a 1.894-acre tract of land out of the John Edmonds Survey, Abstract No. 457, Tract 3H, on the north side of North Tarrant Parkway, approximately 980 feet north of Rufe Snow Drive, at 1801 Rufe Snow Drive, and zoned PD-NS (Planned Development-Neighborhood Service). Frank Roszell, owner. Michael J. Wright, M. J. Wright & Associates, Inc., applicant/developer. (Z-17-0004)

Trina Zais, Director of Public Services, came forward to give staff's presentation and recommendation for Item F-5.

Chairperson Ponder opened the public hearing for Item F-5.

Eric Butcher, 700 Waters Edge Keller, TX, came forward in opposition.

Thomas Diver, 701 Waters Edge Keller, TX, came forward in opposition.

Commissioner Stansell moved to close the public hearing for Item F-5.

Commissioner Sagar seconded and the motion carried unanimously (7-0).

Additional discussion was held regarding the gas easement, screening wall, function of the garage, and requested variances to the dumpster enclosure.

Commissioner Page moved to table Item F-5.

Commissioner Stansell seconded and the motion carried unanimously (7-0).

The meeting adjourned at 11:00 p.m.