

MINUTES OF THE REGULAR MEETING
PLANNING AND ZONING COMMISSION

June 12, 2017

REGULAR MEETING 7:12 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
Amanda Bigbee
Dave Reid
Carey Page
Bill McCrea
Vernon Stansell

Staff present included, David Hawkins, Planning Manager; Alonzo Liñán, Director of Public Works, Ryan Studdard, Building Official, Payne Randel, Senior Plans Examiner, Michele Berry, Senior Planner, Daniel Turner, Planner I; Chad Bartee, City Engineer; and Tommy Simmons, Police Captain.

B. PLEDGE OF ALLEGIANCE

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

C. PERSONS TO BE HEARD

Laurie Whitt, also representing Eric Butcher, 700 Waters Edge, Keller, TX 76248 spoke in opposition to Item E-1.

James Gore, 702 Waters Edge, Keller, TX 76248 spoke in opposition to Item E-1.

D. CONSENT

1. Consider approval of the minutes for the meeting of May 22, 2017.

Commissioner Page made a motion to approve the consent agenda. Commissioner Reid seconded and the motion carried unanimously (7-0).

Chairperson Ponder asked to take the new business before the old business.

F. NEW BUSINESS

1. Consider a recommendation for a variance to the City of Keller Unified Development Code, Article 8, Zoning/Development Standards, Tree Preservation, Section 8.07, Off-Street Parking and Loading Requirements, for the total garage door exposure of a detached building facing the street to exceed one hundred forty-four (144) square feet, located on an approximately 1.46-acre tract of land on the north side of Florence Road approximately 1210 feet west of the intersection of Florence Road and North Pearson Lane, being Lot 1, Block 1, Greer Place, at 1847 Florence Road, and zoned SF-36 (Single-Family – 36,000 square foot minimum). John Heresz, owner/applicant. (UDC-17-0010)

Daniel Tuner, Planner I, gave staff's presentation and recommendation. The applicant, John Heresz, was present for questions.

Additional discussion was held regarding the proactive notification to neighbors.

Commissioner Reid made a motion to approve Item F-1 with the following condition:

1. A variance for the combined square footage of garage doors facing the street on a detached accessory building to exceed one hundred forty-four (144) square-feet, up to two hundred (200) square feet shall be allowed.

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

E OLD BUSINESS

1. 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)

David Hawkins, Planning Manager, gave staff's presentation and recommendation. The applicant, Frank Roszell, gave a presentation.

The public hearing on this item was closed at the May 8, 2017 meeting. Those wishing to speak on the item had the opportunity to do so at “Persons to be Heard”.

Additional discussion was held regarding the garage doors and enclosure; reducing the size of the building would make the project economically unfeasible; communication with residents; the possibility of putting landscaping in the City-owned floodplain but not floodway to the south; the possibility of two (2) 6,000 square-foot buildings versus the proposed single larger building; the landscape buffer for the day care to the south; the applicant’s presentation; and the maximum height limit of twenty-five feet within 100 feet of residential development applying to this development.

Commissioner Reid made a motion to deny Item E-1. Commissioner Sagar seconded and the motion failed with a vote of 3-4.

Yays:	Nays:
Reid	Ponder
Sagar	Stansell
Bigbee	Page
	McCrea

Commissioner Page made a motion to approve Item E-1 with the following conditions:

1. The variance request to allow the building to exceed the maximum threshold of six thousand (6,000) square feet specific to this zoning district shall be allowed.
2. The variance request to allow the twenty-five foot (25') landscape buffer along Rufe Snow Drive shall be allowed.
3. The variance request to waive the buffer trees within the east landscape buffer shall be allowed.
4. The variance request to waive the ten-foot (10') landscape buffer and buffer tree requirements along the south property line shall be allowed. The applicant will work with the City to plant the landscape buffer trees on City property to the south if not located within the floodway. Any landscaping planted in this area shall be maintained by the applicant.
5. The variance request to waive the six-foot (6') screening wall along the east property line shall be allowed.

6. The variance request to allow the garage doors to face a street shall be allowed.
7. The variance to allow more than twelve (12) consecutive parking spaces without a landscaped island along the west and south property line shall be allowed.
8. The variance request to waive the required solid masonry wall for the dumpster enclosure and to allow the dumpster doors to face the street shall be allowed.

Commissioner Ponder seconded and the motion passed with a vote of 4-3.

Yays:	Nays:
Ponder	Reid
Stansell	Sagar
Page	Bigbee
McCrea	

2. Consider a recommendation of amendments to the City of Keller Unified Development Code, adopted by Ordinance No 1746, dated July 7, 2015 by amending Article 3 – Definitions; Article 5 - Subdivision Design Improvement Requirements and Design & Technical Construction Standards; Article 8 - Zoning Districts, Development Standards, Tree Preservation, to consider amendments to impervious lot coverage requirements for single-family residential properties; providing a conflicting ordinance clause; authorizing publication; and establishing an effective date. City of Keller, applicant. (UDC-17-0008)

David Hawkins, Planning Manager, gave staff's presentation and recommendation. Alonzo Liñán, Director of Public Works and Ryan Studdard, Building Official where also present to answer questions.

The public hearing on this item was closed at the April 24, 2017 meeting. Those wishing to speak on the item had the opportunity to do so at "Persons to be Heard".

Additional discussion was held regarding removing the language of "any impervious surface" in respect to the lot area coverage; the water retention of a pool; City policy regarding permits and policy not governed by the UDC; availability of City policies on City's website; reason for introducing pools and impervious surfaces restrictions to the 2015 UDC Update; concerns of City Council at April 4, 2017 Work Session; permit history; approval rates of permit; when impervious calculations are made; engineering

requirements for permits; effects of impervious coverage in Marshall Ridge; amending UDC with a 5' setback for pools; amending the ratio of maximum lot area coverage; issues stemming from the installation of the pool and post pool installation improvements; and City policy regarding the permit requirements for flatwork.

Commissioner Page made a motion to approve Item E-1 with the following conditions:

1. Remove “pools” from the maximum lot area calculation but not “any impervious surfaces”.
2. Amend the SF-15 zoning district from 55% maximum lot area coverage to 50% maximum lot area coverage.
3. Add requirement that all residential flatwork shall have a five foot (5') setback from the property lines if not located within an easement.

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

The meeting adjourned at 9:49 p.m.

Gary Ponder – Chairperson