



City of Keller City Council Agenda

Keller Town Hall
1100 Bear Creek Parkway
Keller, TX 76248
817-743-4000
www.cityofkeller.com

Tuesday, July 18, 2017

PRE-COUNCIL MEETING 4:00 P.M.

A. CALL TO ORDER - Mayor Pat McGrail

B. DISCUSS AND REVIEW AGENDA ITEMS

C. EXECUTIVE SESSION

1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.

(1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.

- a. The Birch Racquet and Lawn Club.

2. Adjourn into Open Meeting.
3. Action on Executive Session Item 1 if necessary.

D. WORK SESSION

1. [Discuss election of a Mayor Pro Tem.](#)
2. [Discuss appointing City Council Member\(s\) to serve on various Boards and Committees.](#)
3. [Discuss Senior Center contract with Lagniappe Productions.](#)
4. [Discuss Code Compliance issues.](#)
5. [Strategic Planning Budget Work Session - Development and Park Fee Adjustments/Capital Improvements.](#)

E. ADJOURN

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Mayor Pat McGrail

B. INVOCATION**C. PLEDGE OF ALLEGIANCE**

1. Pledge to the United States Flag
2. Pledge to the Texas Flag - "Honor the Texas Flag: I pledge allegiance to Thee, Texas, one State under God, one and indivisible."

D. PROCLAMATIONS & PRESENTATIONS

1. [Recognize Council Member Rick Barnes for his years of service on the Keller City Council.](#)
2. [Recognize Mayor Mark Mathews for his years of service on the Keller City Council.](#)

E. PERSONS TO BE HEARD

This is a time for the public to address the City Council on any subject. However, the Texas Open Meetings Act prohibits the City Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to City Staff for research and possible future action.

F. CONSENT

1. [Consider approval of the Minutes of the Regular City Council Meeting on Tuesday, June 20, 2017.](#)

Attachments: [062017 Minutes](#)

2. [Consider a resolution of the City of Keller, Texas finding that Oncor Electric Delivery Company LLC's \("Oncor" or "Company"\) application to change rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.](#)

Attachments: [071817 Oncor Draft Resolution](#)

3. [Consider a resolution that delegates authority to the City Manager or his designee, and establishing the limits of that authority as allowed by Texas Government Code Chapter 2269, Subchapter F, to implement the Construction Manager-At-Risk Method for the Alta Vista Pump Station and the Competitive Sealed Proposals Method for the Alta Vista Transmission Main projects.](#)

Attachments: [071817 AV PS Delegate Authority ProposedResolution](#)

G. OLD BUSINESS - None**H. NEW BUSINESS**

1. [Elect a Mayor Pro Tem.](#)

2. [PUBLIC HEARING: Consider a resolution approving the Fiscal Year 2017-2018 City of Keller Crime Control and Prevention District Budget.](#)

Attachments: [17.18 KCCPD Budget Resolution](#)

3. [PUBLIC HEARING: Consider an ordinance approving a Zoning Change from SF-15 \(Single Family Residential-15,000 square foot minimums\) to SF-36 \(Single Family Residential-36,000 square foot minimums\), for a single-family acreage lot, being Lot 4, Block A, Frank Lane Estates, located on the south side of Frank Lane, approximately 1,000 feet east of Whitley Road, at 128 Frank Lane. Kimberly and Carl Urbanski, owners/applicants. \(Z-17-0010\)](#)

Attachments: [071817 FrankLane DraftOrdinance](#)
[071817 FrankLane PZMinutes06262017](#)
[071817 FrankLane ExhibitA Application](#)
[071817 FrankLane ExhibitA Plat](#)
[071817 FrankLane StaffAttachment OrdinanceNo1343](#)
[071817 FrankLane StaffAttachment PermitNo.MISC14-0392](#)
[071817 FrankLane StaffAttachment SF-15ZoningRegulations](#)
[071817 FrankLane StaffAttachment SF-36ZoningRegulations](#)
[071817 FrankLane StaffAttachment Section8.06-BuildingDesign&Developer](#)
[071817 FrankLane StaffAttachment Section8.10-AccessoryBuildingandUses](#)
[071817 FrankLane StaffAttachment UseTableComparison](#)
[071817 FrankLane StaffAttachment AreaTableComparisons](#)
[071817 FrankLane StaffAttachment SitePhotos](#)
[071817 FrankLane Maps](#)

4. [PUBLIC HEARING: Consider an ordinance approving 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. \(UDC-17-0008\)](#)

Attachments: [071817_LotCoverage_DraftOrdinance](#)
[071817_LotCoverage_PZMinutes04242017](#)
[071817_LotCoverage_PZMinutes06122017](#)
[071817_LotCoverage_ExhibitA_StrikeoutUnderline](#)
[071817_LotCoverage_StaffAttachment_KellerSwimmingPoolPermitApplication](#)
[071817_LotCoverage_StaffAttachment_CommunicationonLotCoverage](#)
[071817_LotCoverage_StaffAttachment_PublicResponses](#)
[071817_LotCoverage_StaffAttachment_Q&ACommisionerStansell](#)
[071817_LotCoverage_StaffAttachment_Section5.24ofUDCResidentialGradinga](#)
[071817_LotCoverage_StaffAttachment_TexasWaterRuleSummary](#)
[071817_LotCoverage_StaffAttachment_Article3Definitions](#)
[071817_LotCoverage_StaffAttachment_Article8Zoning](#)
[071817_LotCoverage_ZBACases_SummaryTable](#)
[071817_LotCoverage_StaffAttachment_CodeComparison](#)

5. [PUBLIC HEARING: Consider an ordinance approving 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. \(Z-17-0004\)](#)

Attachments: [071817_HighlandOaks_DraftOrdinance](#)
[071817_HighlandOaks_PZMinutes05082017](#)
[071817_HighlandOaks_PZMinutes06122017](#)
[071817_HighlandOaks_ExhibitA_NarrativeLetter](#)
[071817_HighlandOaks_ExhibitA_ConceptPlan](#)
[071817_HighlandOaks_ExhibitA_Aerial](#)
[071817_HighlandOaks_ExhibitA_VarianceLetterforDumpsterEnclosure](#)
[071817_HighlandOaks_ExhibitA_DumpsterPhotos](#)
[071817_HighlandOaks_ExhibitA_2012CityofKellerTrafficCountLocationsMap](#)
[071817_HighlandOaks_ExhibitA_TripGenerationForm](#)
[071817_HighlandOaks_ExhibitA_AtmosEnergy](#)
[071817_HighlandOaks_ExhibitA_CertifiedLetterstoNeighbors](#)
[071817_HighlandOaks_ExhibitA_EmailwithResidents5-11-17](#)
[071817_HighlandOaks_ExhibitA_EmailwithResidents5-13-17](#)
[071817_HighlandOaks_ExhibitA_EmailwithCommissionerStansell](#)
[071817_HighlandOaks_ExhibitA_FencingPhotos](#)
[071817_HighlandOaks_ExhibitA_TreePhotos](#)
[071817_HighlandOaks_ExhibitA_TreeArboristReport](#)
[071817_HighlandOaks_StaffAttachment_PublicResponses](#)
[071817_HighlandOaks_StaffAttachment_OrdinanceNo.868](#)
[071817_HighlandOaks_StaffAttachment_1997HighlandOaksCrossingConceptP](#)
[071817_HighlandOaks_StaffAttachment_OrdinanceNo 1066](#)
[071817_HighlandOaks_StaffAttachment_HighlandOaksCrossingApprovedPDC](#)
[071817_HighlandOaks_StaffAttachment_NSZoningDistrict](#)
[071817_HighlandOaks_Maps](#)

6. [Consider a resolution approving a Site Plan with variances for a proposed 6,124 square-foot retail and restaurant building, located on a 0.517-acre tract of land, being Lots 1-3, 16 and the west half of 15, Block 9, Original Town of Keller, located on the southeast corner of the South Main Street \(U.S. Hwy 377\) and Vine Street intersection at 251 South Main Street, 112 East Vine Street and 120 East Vine Street, and zoned OTK \(Old Town Keller\). James Mason, owner. Structured Building Group, applicant/developer. Lambdin Architects, Architect \(SP-16-0024 and UDC-17-0012\)](#)

Attachments: [071817 PZMinutes06262017](#)
 [071817 MasonRetail ProposedResolution](#)
 [071817 MasonRetail ExhibitA SitePlanwithAerial](#)
 [071817 MasonRetail ExhibitA SitePlan](#)
 [071817 MasonRetail ExhibitA SitePlanEnlarged](#)
 [071817 MasonRetail ExhibitA ColorElevations](#)
 [071817 MasonRetail ExhibitA Elevations](#)
 [071817 MasonRetail ExhibitA PreliminaryGrading](#)
 [071817 MasonRetail ExhibitA PreliminaryDrainage](#)
 [071817 MasonRetail ExhibitA PreliminaryUtilities](#)
 [071817 MasonRetail ExhibitA TreePreservation](#)
 [071817 MasonRetail ExhibitA LandscapingandTreePreservationPlans](#)
 [071817 MasonRetail ExhibitA Landscaping](#)
 [071817 MasonRetail ExhibitA PhotometricPlan](#)
 [071817 MasonRetail StaffAttachment](#)
 [071817 MasonRetail Maps](#)

7. [Consider a resolution approving a Preliminary Site Evaluation, with variances, for Liberty Hills Farms Estates, a proposed residential subdivision, with variances, consisting of seven \(7\) residential lots, located on a 7.06-acre tract of land, being Lots 1, 2R, and 3, Block 1, Hungry Heights Addition and Tract 2AE and 2E of the Daniel Bancroft Survey, Abstract No. 141, located on the north and northeast side of Mount Gilead Road, approximately 1,270 feet north of the Mount Gilead Road and Bancroft Road intersection, at 1301, 1305, and 1307 Mount Gilead Road, and zoned SF-36 \(Single Family Residential-36,000 square foot minimum\). Ross Brensinger, Deborah Wolfe, and Briar Pointe LP, owners/applicants. Thomas Hoover Engineering, LLC engineer. \(PSE-17-0003\)](#)

Attachments: [071817 Liberty Hills Preliminary Site Evaluation P&Z Minutes 071017](#)
 [071817 Liberty Hills Farms Estates Draft Resolution](#)
 [071817 Exhibit A Liberty Hills Preliminary Site Evaluation](#)
 [071817 Staff Attachment Hungry Heights Final Plat](#)
 [071817 Liberty Hills Farm Estates Maps](#)

8. [Consider a resolution approving a variance to the Unified Development Code, Section 8.11, Fencing Requirements in Residential Zoning Districts to allow a six-foot \(6'\) wrought iron fence to encroach into the side yard building setback of a single-family residential property, located on 0.136-acres, on the southeast corner of Bear Creek Parkway, and Laurel Lane, being Lot 1, Block B, Creekview Phase II, at 8845 Laurel Lane, and zoned PD-PH \(Planned Development - Patio Home\). Zhangyi He, owner/applicant. \(UDC-17-0011\).](#)

Attachments: [071817 8845 Laurel Lane UDC Fence Variance P & Z Meeting Minutes](#) |
[071817 8845 Laurel Lane UDC Fence Variance Draft Resolution](#)
[071817 8845 Laurel Lane UDC Fence Variance Exhibit A Application and](#)
[071817 8845 Laurel Lane UDC Fence Variance Exhibit A Pictures of Fer](#)
[071817 8845 Laurel Lane UDC Fence Variance Staff Attachment Creekvie](#)
[071817 8845 Laurel Lane UDC Fence Variance Staff Attachment Ordinanc](#)
[071817 8845 Laurel Lane UDC Fence Variance Maps](#)

9. [Consider a resolution approving a variance to the Unified Development Code, Section 8.11, Fencing Requirements in Residential Zoning Districts to allow a six-foot \(6'\) wrought iron fence to encroach into the side yard building setback of a single-family residential property, located on 0.268-acres, on the northwest corner of Sagebrush Trail and Rawhide Path, being Lot 9, Block E, Newton Ranch Phase 2A, at 1529 Sagebrush Trail, and zoned PD-SF-8.4 \(Planned Development - Single Family Residential - 8,400 square-foot lot size minimum\). Peggy and Charles Rouh, owners/applicants. \(UDC-17-0013\)](#)

Attachments: [071817 1529 Sagebrush Trail Fence Variance P&Z Minutes 071017](#)
[071817 1529 Sagebrush Trail Fence Variance Draft Resolution](#)
[071817 1529 Sagebrush Trail Fence Variance Exhibit A Narrative Letter](#)
[071817 1529 Sagebrush Trail Fence Variance StaffAttachment 2011 Fenc](#)
[071817 1529 Sagebrush Trail Fence Variance StaffAttachment Notice of \](#)
[071817 1529 Sagebrush Trail Fence Variance Maps](#)
[071817 1529 Sagebrush Staff Attachment Survey From Contractor](#)

10. [Consider a resolution approving a Chapter 380 Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code, and pursuant to the City's Economic Development Policy, with Ruben Reynoso, owner of property located at 159 S. Main Street, Keller, Texas, for an Old Town Keller Façade Improvement Matching Grant; and further authorizes the City Manager to execute said documents on behalf of the City of Keller, Texas.](#)

Attachments: [159 S Main FIG Application Updated 7.10.17](#)
[El Wine Chateau Resolution](#)

11. [Consider a resolution approving a Chapter 380 Economic Development Program Agreement, pursuant to Chapter 380 of the Texas Local Government Code, and pursuant to the City's Economic Development Policy, with The Station Grill and Ice House, LLC, on behalf of Panther Real Estate, owner of property located at 111 West Vine Street, Keller, Texas, for an Old Town Keller Façade Improvement Matching Grant, and authorizing the City Manager to execute said documents on behalf of the City of Keller, Texas.](#)

Attachments: [The Station Grill and Ice House Renderings and SiteFloor Plans](#)
[111 W. Vine FIG Application Complete](#)
[The Station Grill and Ice House Resolution](#)

12. [Consider adoption of an ordinance authorizing the issuance and sale of General](#)

Obligation Refunding Bonds, Series 2017, to refund outstanding obligations issued for various public improvements and to pay costs of issuance; levying an annual ad valorem tax and providing for the security for and payment of said bonds; approving the official statement; providing an effective date; and enacting other provisions relating to the subject.

Attachments: [071817_Proposed Ordinance_General Obligation](#)

13. Consider adoption of an ordinance authorizing the issuance and sale of Combination Tax and Revenue Certificates of Obligation, Series 2017, to provide funds for water and sewer system improvements, street improvements, fire station improvements, and related issuance costs; levying an annual ad valorem tax for the payment of said certificates; approving an official statement; providing an effective date; and enacting other provisions relating to the subject.

Attachments: [Keller 2017 CO revised 070517](#)

[071817_Proposed Ordinance_Certificate of Obligation](#)

14. Consider an ordinance authorizing redemption of a portion of City Of Keller, Texas General Obligation Refunding Bonds, Series 2010.

Attachments: [Redemption Ordinance](#)

[Keller TIRZ payoff 070517](#)

15. PUBLIC HEARING: Fiscal Year 2017-2018 Keller Development Corporation Budget.

Attachments: [071817_KDC Budget FY18_Memo](#)

[071817_PARKS AND RECREATION_5-YEAR C.I.P. SCHEDULE](#)

[071817_KDC Budget Summary](#)

I. DISCUSSION – None

J. EXECUTIVE SESSION

1. Section 551.087, Texas Government Code - Deliberation Regarding Economic Development Negotiations.

(1) To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

(2) To deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.

a. The Birch Racquet and Lawn Club.

2. Adjourn into Open Meeting.
3. Action on Executive Session Item 1 if necessary.

K. ADJOURN**CITY OF KELLER
MISSION STATEMENT**

Our mission is to support a vibrant community of high quality neighborhoods, thriving businesses and natural beauty by setting the standard for excellence in municipal efficiency, service and innovation.

CERTIFICATE

I hereby certify that the above notice is posted, per the Open Meetings Law, Texas Government Code, Chapter 551, on the official bulletin board at Keller Town Hall, 1100 Bear Creek Parkway, on Thursday, July 13, 2017 at 5:00 P.M.

Kelly Ballard, City Secretary

Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the ADA Coordinator 48 hours in advance, at 817-743-4041, and reasonable accommodations will be made for assistance.