



City of Keller

City Council

Agenda

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

Tuesday, March 6, 2018

PRE-COUNCIL MEETING 5:00 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. Property located at 712, 720, 800, 816, 818, 820, 900, 904, and 934 North Main Street.

2. Section 551.071, Texas Government Code - Consultation with attorney to seek advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

a. Johnson Road Coalition, LLC vs. David Hawkins, Planning Manager and City of Keller.

b. Meadows at Bear Creek Homeowners' Association Inc. vs. David Hawkins, Planning Manager and City of Keller.

c. Deborah Thompson vs. City of Keller.

3. Adjourn into Open Meeting.

4. Action on Executive Session Items 1a, 2a, 2b, and 2c if necessary.

D. WORK SESSION

1. [FY 2017-18 Quarterly Financial Report through December.](#)

Attachments: [FY 18 Quarterly Update - 1st Qrt](#)

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. PRESENTATIONS

1. [Receive the Community Waste Disposal Annual Review.](#)

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 Tuesday, February 20, 2018 Regular City Council Meeting.](#)

Attachments: [022018 Minutes](#)

2. [Consider a resolution approving Bid Item No. 1 from Earthworks, Inc., of Alvarado, Texas, for grounds maintenance services relating to parks, facility grounds, medians, and parkways, for the Parks and Recreation Department, and authorizing the City Manager to execute all contract documents.](#)

Attachments: [2018 Resolution Parks, Facility Grounds, Medians and Parkways Landscape M](#)
[2018 Bid Tab Grounds Management Services Parks, Facility Grounds, Medians](#)

3. [Consider an ordinance approving a tariff authorizing an annual rate review mechanism \("RRM"\) as a substitution for the annual interim rate adjustment process defined by Section 104.301 of the Texas Utilities Code, and as negotiated between Atmos Energy Corp., Mid-Tex Division \("Atmos Mid-Tex" or "Company"\) and the Steering Committee of Cities served by Atmos; requiring the Company to reimburse cities' reasonable](#)

ratemaking expenses; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Open Meetings Act; declaring an effective date; and requiring delivery of this ordinance to the Company and legal counsel for the Steering Committee.

Attachments: 030618 AnnualRateReview MechanismAtmos Proposed Ordinance
030618 RateReviewMechanismAtmos ExhibitA.pdf

4. Consider a resolution receiving the Keller Quarterly Investment Report for period ending December 31, 2017, and providing an effective date.

Attachments: 030618 Investment Report Resolution
030618 Investment Report

G. OLD BUSINESS

H. NEW BUSINESS

1. PUBLIC HEARING: Consider an ordinance approving a Planned Development Amendment from PD-SF-15 (Planned Development - Single Family Residential - 15,000 square-foot minimum) to PD-SF-30 (Planned Development - Single Family Residential - 30,000 square-foot minimum), amending the Silverleaf Planned Development (Ordinance No. 1314), to allow a subdivision of one (1) lot into three (3) lots, on an approximately 2.291-acre property, being Lot 1, Block C, Silverleaf Addition, located on the southwest side of the Keller-Smithfield Road and Shady Grove Road intersection, addressed as 7240 Shady Grove Road. CBC Texas Holdings, LLC, owner/applicant. Jeremy Garcia-Glasscock, Dunaway Associates, engineer. (Z-18-0001)

Attachments: 030618 Silverleaf PD P&Z Minutes
030618 Silverleaf PD Draft Ordinance
030618 ExhibitA Silverleaf PD Narrative Letter
030618 ExhibitA Silverleaf PD Concept Plan
030618 Silverleaf PD Maps
030618 Silverleaf PD Staff Attachment Final Plat
030618 Silverleaf PD Staff Attachment Ordinance No 1314
030618 Silverleaf PD Staff Attachment Opposition Letter

2. PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to allow the use of a "professional office" for Guild Mortgage to occupy approximately 2,070 square-feet of lease space, located in the existing 7,609 square-foot Hudson Station multitenant retail building, 0.5-acres, located on the northeast corner of the North Main Street (US HWY 377) and Lorine Street intersection, at 310 North Main Street, being Lot 1, Block 1, Hudson Station Addition and zoned OTK (Old Town Keller). Hudson Station Property LP, owner. Bryan Andrews, Guild Mortgage, applicant. (SUP-18-0001)

Attachments: [03062018_Guild_Mortgage_SUP_DRAFT_Ordinance](#)
[03062018_Guild_Mortgage_SUP_02122018_P&Z_Meeting_Minutes](#)
[03062018_Guild_Mortgage_SUP_ExhibitA_Lease_Space_Layout](#)
[03062018_Guild_Mortgage_SUP_ExhibitA_Letter_to_P&Z_and_Council](#)
[03062018_Guild_Mortgage_SUP_Maps](#)
[03062018_Guild_Mortgage_SUP_StaffAttachment_Site_Photos](#)
[03062018_Guild_Mortgage_SUP_StaffAttachment_Petition_of_Support](#)

3. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) for Lidl, 35,962 square-foot, single-story grocery store, located on a 4.95-acre tract, on the north side of Keller Parkway \(FM 1709\) approximately 1,200 feet west of Keller Smithfield Road, being tract 2E and 3 in the Pamela Allen Survey, Abstract No. 28, at 1221 and 1301 Keller Parkway, and zoned TC \(Town Center\). Greenway-Keller, L.P., owner. Kimley-Horn and associates, applicant/engineer. \(SUP-17-0017\)](#)

Attachments: [03062018_Lidl_Grocery_DRAFT_Ordinance](#)
[03062018_Lidl_Grocery_ExhibitA_Concept_Plan_and_Elevations](#)
[03062018_Lidl_Grocery_Maps](#)
[03062018_Lidl_Grocery_StaffAttachment_Public_Opposition_Map](#)
[03062018_Lidl_Grocery_StaffAttachment_Public_Opposition_Letters](#)

4. [Consider a resolution approving a Site Plan with variances for Lidl, a 35,962 square-foot, single-story grocery store, located on a 4.95-acre tract, on the north side of Keller Parkway \(FM 1709\), approximately 1,200 feet west of Keller Smithfield Road, at 1221 and 1301 Keller Parkway, being tract 2E and 3 in the Pamela Allen Survey, Abstract No. 28, and zoned TC \(Town Center\). Greenway-Keller, L.P., owner. Kimley-Horn and associates, applicant/engineer. \(SP-17-0016 and UDC-17-0016\)](#)

Attachments: [03062018_Lidl_SitePlan_Draft_Resolution](#)
[03062018_Lidl_SitePlan_P&Z_Minutes](#)
[03062018_Lidl_SitePlan_ExhibitA_Landscape_Plan](#)
[03062018_Lidl_SitePlan_ExhibitA_Photometrics_Plan](#)
[03062018_Lidl_SitePlan_Maps](#)
[03062018_Lidl_SitePlan_ExhibitA_Siteplan_and_Elevations](#)

5. [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 Wanda Hollinsworth Estate, owner of 10.83 acres of land, located at 900, 904, and 934 N. US Hwy 377; and J. E. McCombs Real Estate, LTD, owner of 21.8 acres of land, located at 712, 720, 800, 810, 816, and 820 N. US Hwy 377; in the City of Keller, Texas; and authorizing the City Manager to execute said documents on behalf of the City of Keller.](#)

Attachments: [030618 Hollinsworth-McCombs 380 Agreement Resolution](#)
[030618 Hollinsworth-McCombs 380 Agreement Exhibit A](#)
[030618 Hollinsworth-McCombs 380 Agreement Resolution No. 3460](#)
[030618 Hollinsworth-McCombs 380 Agreement Freach Design](#)

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. Property located at 712, 720, 800, 816, 818, 820, 900, 904, and 934 North Main Street.

2. Section 551.071, Texas Government Code - Consultation with attorney to seek advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

a. Johnson Road Coalition, LLC vs. David Hawkins, Planning Manager and City of Keller.

b. Meadows at Bear Creek Homeowners' Association Inc. vs. David Hawkins, Planning Manager and City of Keller.

c. Deborah Thompson vs. City of Keller.

3. Adjourn into Open Meeting.

4. Action on Executive Session Items 1a, 2a, 2b, and 2c 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 Friday, March 2, 2018 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.