



City of Keller City Council Agenda

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

Tuesday, March 20, 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.

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 Item 1, 2a, 2b, and 2c if necessary.

D. WORK SESSION

1. [Discussion relating to a possible flashing light behind Hidden Lakes Elementary School.](#)

2. [Receive an introduction to the FY 2018-19 Budget.](#)

Attachments: [FY 19 Budget Calendar](#)

3. [Discuss repaving portions of Mt Gilead Manor \(Manor Way, Jericho Court, and Galilee Drive\) and Bellechase Drive.](#)

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

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, March 6, 2018 Regular City Council Meeting.](#)

Attachments: [030618 Draft Minutes](#)

2. [Consider a resolution approving an Interlocal Agreement with Tarrant County for the rehabilitation of portions of Pearson Lane, Rapp Road, and Rufe Snow Drive, for the Public Works Department; and further authorizing the City Manager to execute said Agreement on behalf of the City of Keller, Texas.](#)

Attachments: [032018 Road Rehabilitation Resolution](#)
 [032018 Road Rehabilitation Exhibit A](#)
 [032018 Road Rehabilitation Map](#)

3. [Consider a resolution of the City Council of the City of Keller, Texas, amending the By-laws of the Keller Development Corporation, a non-profit corporation, organized and governed by Article 5190.6, Section 4b, Texas Development Corporation Act, by amending Article 2, Section 2.2.](#)

Attachments: [032018 Amend KDC Bylaws Resolution](#)

[032018 KDC By-laws Draft](#)

4. [Consider an ordinance of the City Council of the City of Keller, Texas, amending the City of Keller Code of Ordinances, by amending Chapter 2, Administration, Article V, Planning and Zoning Commission, by deleting Section 2-500, Creation; composition; appointment of members; appointment of chairperson, in its entirety and adding a new Section 2-500; and by amending Article VI, Zoning Board of Adjustment, by deleting Section 2-610, Terms of office; appointment of members; appointment of chairperson, in its entirety and adding a new Section 2-610; and by amending Article X, Library Board, by deleting Section 2-1000, Creation; composition; appointment of members; appointment of chairperson, in its entirety and adding a new Section 2-1000; and by amending Article XI, Public Arts Board, by deleting Section 2-1100, Creation; composition; appointment of members; appointment of chairperson, in its entirety and adding a new Section 2-1100; and by amending Article XV, Economic Development Board, by deleting Section 2-1500, Creation; composition; appointment of members; appointment of chairperson, in its entirety and adding a new Section 2-1500; and by amending Chapter 12, Parks and Recreation, Article III, Board of Parks and Recreation, by deleting Section 12-300, Creation; composition; appointment of members; appointment of chairperson, in its entirety and by adding a new Section 12-300; authorizing publication; and establishing an effective date.](#)

Attachments: [032018 Proposed Ordinance Extending Board Terms](#)

G. OLD BUSINESS

1. [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 StaffAttachment Public Opposition Map](#)

[03062018 Lidl Grocery StaffAttachment Public Opposition Letters](#)

[03062018 Lidl Grocery Maps](#)

[032018 Lidl Withdrawl Letter](#)

2. [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_ExhibitA_Siteplan_and_Elevations](#)
[03062018_Lidl_Grocery_Maps](#)
[032018_Lidl_Withdrawal_Letter](#)

H. NEW BUSINESS

1. [Consider a resolution approving a variance to the City of Keller Unified Development Code, Article 8, Zoning/Development Standards, Section 8.11 Fencing Requirements in Residential Zoning Districts, for 520 Bennington Lane, a 0.23-acre single-family lot, located on the southwest corner of the Bennington Lane and Bristol Hill intersection, being Lot 8, Block D, Woodford Phase II Addition, and zoned SF-8.4 \(Single Family Residential -8,400 square foot minimum\). Dewayne Gray, applicant, Drees Custom Homes, owner. \(UDC-18-0004\)](#)

Attachments: [03202018_520_BenningtonUDCVariance_Draft_Resolution](#)
[03202018_520_BenningtonUDCVariance_Exhibit A - Fence Permit](#)
[03202018_520_BenningtonUDCVariance_Exhibit A - Narrative Letter and Site Le](#)
[03202018_520_BenningtonUDCVariance_Maps](#)
[03202018_520_BenningtonUDCVariance_Staff Attachment - Site Photos](#)
[03202018_520_BenningtonUDCVariance_Staff Attachment - Woodford Addition](#)
[03202018_520_BenningtonUDCVariance_Staff Attachment LettersfromNieghbc](#)
[520_Bennington_Lane- Variance Addendum](#)

2. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to use an existing 2,274 square-foot accessory building as a temporary accessory dwelling unit while constructing a new home on a 7.758-acre lot on the east side of Keller-Smithfield Road South, approximately 1,000 feet north of Village Trail, at 945 Keller-Smithfield Road South, being Lot 1, Block 1, Bryson Addition, and zoned SF-36 \(Single Family Residential - 36,000 square foot minimum\). Craig Corato, owner/applicant. \(SUP-18-0003\).](#)

Attachments: [032018_Corato_SUP_ProposedOrd](#)
[032018_Corato_SUP_022618_P&Z_Meeting_Minutes](#)
[032018_Corato_SUP_Photos](#)
[032018_Corato_SUP_Exhibit A Proposed House Plans](#)
[032018_Corato_SUP_Support_Letters](#)
[032018_Corato_SUP_Survey](#)
[032018_Corato_SUP_Existing_Accessory_Structure](#)
[032018_Corato_SUP_Applicant_Letter](#)
[032018_Corato_SUP_Maps](#)
[032018_Corato_SUP_StaffAttachment_Bryson_Addition_Plat](#)

3. [PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit \(SUP\) to allow for Bronzed Beauty Airbrush Studio, to operate a stand-alone beauty shop, at 245 South Main Street \(HWY 377\), located on a 0.23-acre tract of land, being Lot 1, Block 7, Keller City Addition, on the southeast corner of the Olive Street and South Main Street \(HWY 377\) intersection, approximately 1,500 feet south of Keller Parkway \(FM 1709\), and zoned OTK \(Old Town Keller\), Ronald and Lori Cimonetti, owners. Desire Ziegler \(Golan\), applicant. \(SUP-18-0002\)](#)

Attachments: [032018_BronzedBeautySUP_Ordinance](#)
 [032018_BronzedBeautySUP_P&ZMinutes](#)
 [032018_BronzedBeautySUP_Narrative Letter](#)
 [032018_BronzedBeautySUP_Support Letters](#)
 [032018_BronzedBeautySUP_Maps](#)
 [032018_BronzedBeautySUP_Staff Attachment Site Plan](#)

4. [Consider a resolution for a Site Plan for a single story 1,581 square-foot drive-through restaurant without variances, located on a 1.14-acre lot, on the north side of Keller Parkway, approximately 260 feet east of Pate Orr Road North and Keller Parkway intersection, being Lot 3R-1R5, Block 8, Bluebonnet Trails Addition, at 951 Keller Parkway, and zoned TC \(Town Center\). Keller Square, LLC, owner; Andy's Frozen Custard, applicant; Dunaway Associates, L.P, engineer. \(SP-18-0002\)](#)

Attachments: [032018_Andy'sDraftresolution 2018](#)
 [032018_Andy's_Minutes](#)
 [032018_Andy's_ Exhibit A_ Building Elevation](#)
 [032018_Andy's_ Exhibit A - Grading & Drainage](#)
 [032018_Andy's_ Exhibit A_ Landscape](#)
 [032018_Andy's Exhibit A_ Photometrics](#)
 [032018_Andy's_ Exhibit A_ Site Plan](#)
 [032018_Andy's Exhibit A_ Utilities](#)
 [032018_Andy's_Maps](#)
 [032018_Andy's_StaffAttachments_OrdinanceNo1856](#)

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.

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 Item 1, 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 16, 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.