



City of Keller

Planning & Zoning Commission

Meeting Minutes

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

Tuesday, May 12, 2020

REGULAR MEETING 7:00 P.M.

A. CALL TO ORDER – Chairperson Gary Ponder

Chairperson Gary Ponder called the meeting to order at 7:00 P.M.

The following Commissioners were present virtually:

Ralph Osgood, Vice-Chairperson

Leslie Sagar

Tom Thompson

Paul Alvarado

Bob Stevens

Bob Apke

James Dawson, Alternate (Non-voting)

Phillip Maxwell, Alternate (Non-voting)

Staff present included Amy Botcher, Planning Technician; Matthew Cyr, Planner I; Julie Smith, Community Development Director (CDD); Sean Vreeland, Information Technology Director.

B. PERSONS TO BE HEARD

No one came forward.

C. OLD BUSINESS

- [1. Consider a recommendation by the Planning and Zoning Commission for a Site Plan with two variances requested by the property owners related to Complete Trailers' \(Tenant's\) use of the](#)

1.073-acre tract of land including a 5,840 square-foot building, on the east side of South Main Street, approximately 400 feet northeast of the South Main Street and Calverly Place intersection, being Lots 1 and 2, A.W. Crisp Jr Subdivision, addressed as 1425 South Main Street, and zoned Commercial (C). Woodall Properties, owner/applicant. (SP-20-0013).

Planner Cyr gave a brief presentation on Item C-1. He stated that City Council approved an SUP (for outdoor storage) by a vote of 7-0 on August 6, 2019, for a new tenant, Complete Trailers. However, at that time, the owners had not yet addressed the outstanding (seven) Code violations related to the site. On April 14, 2020, this application was tabled by the Planning and Zoning Commission with direction to the property owner and the tenant to address the majority of the variances and bring the site up to Code.

He also stated that the property owner and tenant have worked together with their team (landscape architect and engineer) to address five of the seven code violations. Planner Cyr also mentioned that this application did not require a Public Hearing, so no Letters of Notification were sent.

Planner Cyr stated that the first variance request was to reduce the landscape buffer from thirty-feet to twenty-feet. He also stated that staff supported this variance, because the retaining wall on the east side presumably helped maintain the structural integrity of the parking lot and should not be removed.

Planner Cyr also stated that the second variance request was to incorporate irrigated pots and planters in lieu of the foundation planting requirement on the front and sides of the existing building. He also stated that staff supported this variance request, because this was similar to other requests made by other applicants in similar zoning districts.

Commissioner Thompson made a motion to take Item C-1 from the table, seconded by Commissioner Apke. The motion carried unanimously.

The Commission had no questions, but commended Staff as well as the Owner and the Applicant for their hard work on this project to bring it to a positive resolution.

Commissioner Osgood made a motion to approve Item C-1 as presented, seconded by Commissioner Thompson. The motion carried unanimously.

D. NEW BUSINESS

1. PUBLIC HEARING: Consider a request for a Specific Use Permit (SUP) for Snowballs to operate a temporary vendor business (snow cones), located on an approximately 0.65-acre tract, on the west side of North Main Street (U.S. Hwy. 377), approximately 1,050 feet northwest of the intersection of North Main Street and West Keller Parkway, being Tract 1A3 out of the Samuel Needham Survey, Abstract No. 1171, at 301 North Main Street, and zoned Old Town Keller (OTK). Christ's Haven for Children, owner. Jodi Lane, applicant. (SUP-20-0006)

Planner Cyr gave a brief presentation on Item D-1 and explained that Snowballs proposed to operate a snow cone stand at 301 North Main Street. He also stated that they applied earlier this year but, due to COVID-19 and the need to postpone/combine prior Planning and Zoning Commission and City Council meetings, the City permitted them to open while awaiting consideration for their SUP request.

Planner Cyr stated that in 2013, this business was granted an SUP by a vote of 5-2 and renewed again by a vote of 7-0 in 2016.

Commissioner Ponder asked if the applicant had any questions or comments.

The Applicant, Jodi Lane, had nothing to add to the presentation, but wanted to thank the Commission for their time.

Chairperson Ponder opened the Public Hearing.

No one came forward.

Commissioner Apke made a motion to close the Public Hearing for Item D-1, seconded by Commissioner Stevens. The motion carried unanimously.

Commissioner Thompson asked how long they had operated in this location.

Planner Cyr responded that Snowballs has been open for approximately 40 years- the oldest snow cone business in Keller.

Jodi Lane confirmed that this business had been operating for the last 40 years prior to her ownership of the business.

Commissioner Osgood asked Staff why an SUP was required for snow cone stands.

CDD Smith responded that there is not a zoning district that allowed a snow cone stand to come in by right. She stated that given the low impact of the proposed use, staff recommended the SUP to be valid for 5 years, due to the long standing history, and to eliminate the need to revisit this every three years.

The Commission had no additional comments or questions.

Commissioner Sagar made a motion to approve Item D-1 as presented, seconded by Commissioner Alvarado. The motion carried unanimously.

[2. PUBLIC HEARING: Consider a request for a Specific Use Permit \(SUP\) for Nostalgic Nerd to operate a used goods and merchandise retail business \(retro video game store\) located in an approximately 2,413 square-foot building on an approximately 0.25-acre tract, on the north side of West Pecan Street, approximately 250 feet southwest of the intersection of South Main Street and West Olive Street, being KELLER, CITY ADDITION Block 8 Lot 9 & 2A at 121 Olive Street, and zoned Old Town Keller \(OTK\). Kopiu Bay Properties, owner. Patrick Gonzales, applicant. \(SUP-20-0011\)](#)

Planner Cyr gave a brief presentation on Item D-2. He stated that Nostalgic Nerd was proposing to sub-lease a 350 square-foot room within the 2,413 square-foot commercial building that now houses Bakeology. He also stated that Nostalgic Nerd planned to sell refurbished electronic goods, which included retro video games and consoles.

Planner Cyr stated that the City sent out 24 Letters of Notification for a Public Hearing and had received responses from 30 existing businesses in the Old Town Keller Zoning District. He stated that of these 30 existing businesses, eight were inside the three-hundred-foot buffer.

Chairperson Ponder opened the Public Hearing.

No one came forward.

Commissioner Apke made a motion to close the Public Hearing for Item D-2, seconded by Commissioner Sagar. The motion carried unanimously.

Chairperson Ponder asked the applicant how he started his business.

Patrick Gonzales responded that he started collecting retro video games in 2014 and as his collection grew and with encouragement from his wife, he decided to share his passion with the community and turn it into a small business.

Chairperson Ponder thanked the applicant for his time and wished him well in the future.

Commissioner Apke made a motion to approve Item D-2 as presented, seconded by Commissioner Thompson. The motion carried unanimously.

Commissioner Osgood asked CDD Smith about the Capital Improvement Advisory Committee report.

CDD Smith responded that she would speak with PWD Linan and report back at the next meeting.

Commissioner Osgood also asked about the status of the report once it was approved by the CIAC.

CDD Smith explained that although the City Council sees the report, it would not be formally considered by the Council.

Commissioner Sagar stated that a letter is supposed to be submitted annually to the State regarding compliance with the bi-annual reporting (of the expenditures of the Impact Fee capital improvements).

F. ADJOURN

Chairperson Gary Ponder adjourned the meeting at 7:37 P.M.

Chairperson

Staff Liaison