

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of November 5, 2015**

Public Hearing To Consider And Act On An Ordinance To **Amend The Zoning Of PD-63 For The (LR-2) Local Retail District To Allow Additional Outdoor Display**; Amending Accordingly The Official Zoning Map. The Approximately 10.9-Acre Is Located At The Southeast Corner Of Old Denton Road and Frankford Road And Is Currently Zoned PD-63 For The (LR-2) Local Retail District. **Case No. 11-15Z4 Ace Hardware Outdoor Display**. Case Coordinator: Christopher Barton.

Barton presented the case. Ace Hardware Store wants to move into the vacant space next to the Aldi Grocery Store on Frankford Road and Old Denton with outdoor display. He advised that the hardware store was allowed by right but the outdoor display was not. He advised that the applicant has requested the case be continued to allow additional time to provide revised drawings and documents to staff. Staff recommended the Commission open the public hearing, hear any speakers and continue the case to the December 3, 2015 meeting.

Chair McAninch opened the public hearing and invited speakers to the podium; there were no speakers.

- * *Chadwick moved to continue Case No. 11-15Z4 Ace Hardware Outdoor Display to the December 3, 2015 meeting; second by Nesbit and the motion was approved with a unanimous 8-0 vote (Romo absent).*

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of December 3, 2015**

Public Hearing To Consider And Act On An Ordinance To **Amend The Zoning Of PD-63 For The (LR-2) Local Retail District To Allow Additional Outdoor Display**; Amending Accordingly The Official Zoning Map. The Approximately 10.9-Acre Is Located At The Southeast Corner Of Old Denton Road and Frankford Road And Is Currently Zoned PD-63 For The (LR-2) Local Retail District. **Case No. 11-15Z4 Ace Hardware Outdoor Display**. Case Coordinator: Christopher Barton.

Barton advised that on November 23, 2015, the applicant requested that the case be tabled or continued to the January 7, 2016 meeting to allow additional time. He advised that the item was placed on the agenda because public notice had already been made and recommended the Commission accept the request to table and continue the item to January 7, 2016.

Chair McAninch noted that the public hearing opened during the November 5, 2015 meeting remained open and invited speakers to provide comments. There being no speakers, she opened the floor for discussion or a motion.

- * ***Averett moved to accept the applicant's request to continue Case No. 11-15Z4 Ace Hardware Outdoor Display to the January 7, 2016 Planning & Zoning Commission meeting keeping the public hearing open; second by Sundaran and the motion was approved with a unanimous 8-0 vote (Kiser absent).***

**Excerpt from Draft Minutes
Planning & Zoning Commission
Meeting of January 7, 2016**

Public Hearing To Consider And Act On An Ordinance To Amend The Zoning On An Approximately 10.9-Acre Site Located At The Southeast Corner Of Old Denton Road and Frankford Road To Amend Planned Development 63 For The (LR-2) Local Retail District To Allow Additional Outdoor Display, Amending The Official Zoning Map Accordingly. **Case No. 11-15Z4 Ace Hardware Outdoor Display.** Case Coordinator: Christopher Barton.

Barton presented the case noting that staff recommended approval with stipulations listed in the case report. He advised that staff had not received any opposition to the request.

Caleb Hill, 7725 West Reno Avenue, Oklahoma City, Oklahoma, noted challenges with the lease with Aldi and stated they had been working with Ace Hardware for two years. In the last year, they were able to convince them that the location was a great intersection. He stated that Westlake Ace Hardware is the operator which is the largest Ace operating entity and is actually owned by Ace Hardware as well. He stated they would take 15,000 sq ft contingent upon approval for the outdoor sales display area which would be approximately 4,000 sq ft. He stated it took a lot of time and effort and requested approval of the outdoor display area. He stated he has read and understands the staff stipulations.

Nesbit referred to the stipulation that talks about ornamental steel fence with masonry columns and asked if it was still acceptable to all parties. Mr. Hill replied that it was not; that it was considered a “no permanent structure” zone by Aldi’s lease and a brick column would be considered more permanent. He referred to a metal fence that could be removed in the event that Ace Hardware no longer needed the display area or vacated the premises at some point. Nesbit asked if he would be in agreement except for the masonry columns noted in Stipulation 4 and Mr. Hill stated they agree with all of staff comments but were asking to not do the masonry columns.

Chair McAninch asked if there would be a staff member with a register. Mr. Hill stated Ace wanted the area closer to the building but they were not able to achieve that desire however electricity and water would be made available to the area so Ace has plans to have a point of sale presence in the area. He stated there would not be a structure.

Kiser asked about shade and Mr. Hill agreed and stated the proposed fencing was the best option that could be agreed upon and restated that there could not be a structure.

Chair McAninch stated the hearing was open from the December 3, 2015 meeting and invited speakers to the podium. There being no speakers she offered the applicant to make closing comments. Mr. Hill stated they would greatly appreciate approval of the request. Chair McAninch closed the public hearing.

- *Nesbit moved approval of Case No. 11-15Z4 Ace Hardware Outdoor Display Northcrest Village with staff stipulations, with the alteration that on No. 4 we remove the portion that says the masonry columns and permit the fencing shown in their presentation; second by Averett and the motion was approved with a unanimous 8-0 vote.*