

ORDINANCE NO. 2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING AN ORDINANCE FOR A PLANNED DEVELOPMENT ZONING CHANGE FROM SINGLE-FAMILY 36,000 SQUARE-FOOT MINIMUM LOTS (SF-36) AND COMMERCIAL (C) TO PLANNED DEVELOPMENT - SINGLE-FAMILY 20,000 SQUARE-FOOT MINIMUM LOTS FOR GREENWAY PARK THAT CONSISTS OF 37 RESIDENTIAL LOTS AND AN APPROXIMATELY 4.43-ACRES OF OPEN SPACE ON AN APPROXIMATELY 28.502-ACRES OF LAND, LEGALLY DESCRIBED AS A PORTION OF TRACT 4 (ACCOUNT #: 05685591), THE ENTIRE TRACT 7 (ACCOUNT #: 05685540), AND A PORTION OF TRACT 7A, 8B, 8B2 AND 9C (ACCOUNT #: 5226317), ABSTRACT 29 OUT OF ALLEN, RICHARD F SURVEY AND ADDRESSED AS 1108, 1100, AND 1130 NORTH MAIN STREET, AND LOCATED ON THE EAST SIDE OF NORTH MAIN STREET (HWY 377) IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, PBS Family Limited Partnership, Owner; Richard Gibson, Owner; and Mark Weatherford, Applicant/Developer, have submitted an application to the City of Keller to request a zoning change from SF-36,000 and Commercial to Planned Development – Single-Family 20,000 square-foot minimum lots (PD-SF-20)(Z-21-0003); and

WHEREAS, the Greenway Park Planned Development – Single-Family 20,000 square-foot minimum lots - meets the 2021 Future Land Use Plan (FLUP); and

WHEREAS, the Planned Development is approximately 28 acres consisting of 37 residential lots ranging from 20,125 to 32,956 square feet and an approximately 4.43-acres of open space with an amenity area that includes a playground, large pond, fishing pier, connection to the City trail system, and other natural amenities; and

WHEREAS, upon entrance into the subdivision, a six-foot tubular fence with evergreen shrubs located in front of a 50-foot deep naturally treed area will screen the subdivision from the commercial component of the development; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission was sent to property owners within three hundred feet (300') of the property herein described at least ten (10) days before such hearing; and

WHEREAS, at the April 27, 2021, Planning and Zoning Commission virtual meeting, the Commission recommended approval by a vote of 7 - 0; and

WHEREAS, notice of a public hearing before the City Council was published on May 2, 2021, in the Fort Worth Star-Telegram newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

WHEREAS, a public hearing was held before the City Council on May 18, 2021, to receive public input; and

WHEREAS, the City Council finds that the Planned Development furthers the purpose of zoning as set forth in the Unified Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS:

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, in accordance with the Unified Development Code, the City Council of the City of Keller, Texas hereby authorizes approving an ordinance for a Planned Development zoning change from Single-Family 36,000 square-foot minimum lots (SF-36) and Commercial (C) to Planned Development - Single-Family 20,000 square-foot minimum lots for Greenway Park that consists of 37 residential lots and an approximately 4.43-acres of open space on an approximately 28.502-acres of land, legally described as a portion of Tract 4 (account #: 05685591), the entire Tract 7 (account #: 05685540), and a portion of Tract 7A, 8B, 8B2 and 9C (account #: 5226317), Abstract 29 out of Allen, Richard F Survey and addressed as 1108, 1100, and 1130 North Main Street, and located on the east side of North Main Street (HWY 377) in the City of Keller, Tarrant County, Texas, with the proposal attached hereto as Exhibit "A", and incorporated herein, as if fully set forth.

Section 3: THAT, any person, firm, or corporation violating any of the provisions of this Ordinance, as read together with the Unified Development Code and accompanying map thereto, shall be guilty of a misdemeanor and upon final conviction therefore shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such hereunder.

Section 4: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 7 to 0 on this the 18th day of May 2020.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
Armin R. Mizani, Mayor

ATTEST:

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Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney