

ORDINANCE NO. 1856

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING A PLANNED DEVELOPMENT AMENDMENT FOR AN UNDEVELOPED PORTION OF HIGHLAND OAKS CROSSING, FOR A PROPOSED 11,900 SQUARE-FOOT NON-RESIDENTIAL DEVELOPMENT, LOCATED ON A 1.894-ACRE TRACT OF LAND OUT OF THE JOHN EDMONDS SURVEY, ABSTRACT NO. 457, TRACT 3H, ON THE NORTH SIDE OF NORTH TARRANT PARKWAY, APPROXIMATELY 980 FEET NORTH OF RUFÉ SNOW DRIVE, AT 1801 RUFÉ SNOW DRIVE, AND ZONED PD-NS (PLANNED DEVELOPMENT-NEIGHBORHOOD SERVICE), IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, D. Frank Roszell, owner; and Michael J. Wright, M. J. Wright & Associates, Inc., applicant/developer; have submitted an application to the City of Keller to request a Planned Development Amendment (Z-17-0004), which has been reviewed by the City Staff; and

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

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

WHEREAS, public hearings to issue a zoning change on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation to approve the zoning change request; and

WHEREAS, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Unified Development Code and is in the best interest of the citizens of the City of Keller.

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 approval of a Planned Development Amendment for an undeveloped portion of Highland Oaks Crossing, for a proposed 11,900 square-foot non-residential development, located on a 1.894-acre tract of land out of the John Edmonds Survey, Abstract No. 457, Tract 3H, on the north side of North Tarrant Parkway, approximately 980 feet north of Rufe Snow Drive, at 1801 Rufe Snow Drive, and zoned PD-NS (Planned Development-Neighborhood Service), in the City of Keller, Tarrant County, Texas, with the proposal attached hereto as Exhibit "A", and incorporated herein, with the following conditions:

1. The variance request to allow the building to exceed the maximum threshold of six thousand (6,000) square feet specific to this zoning district shall be allowed.
2. The variance request to allow the twenty-five foot (25') landscape buffer along Rufe Snow Drive shall be allowed.
3. The variance request to waive the buffer trees within the east landscape buffer shall be allowed.
4. The variance request to waive the ten-foot (10') landscape buffer and buffer tree requirements along the south property line shall be allowed.
5. The variance request to waive the six-foot (6') screening wall along the east property line shall be allowed.

6. Additional landscaping shall be required along the east side of the development outside of the gas line easement.

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 15th day of August, 2017.

CITY OF KELLER, TEXAS

BY: _____
P.H. McGrail, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney