

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, FOR A FUTURE LAND USE PLAN AMENDMENT FROM LOW DENSITY SINGLE FAMILY (LD-SF) TO RETAIL/COMMERCIAL (RTC FOR APPROXIMATELY 3.52 ACRES, LEGALLY DESCRIBED AS TRACT 1D01B OF THE JOHN MARTIN SURVEY, ABSTRACT 1153 (ACCOUNT # 42818999), AND A PORTION OF LOT 7, BLOCK 1, PEARSON CROSSING, AND ADDRESSED AS 1816 JOHNSON ROAD AND 1908 PEARSON CROSSING IN THE CITY OF KELLER, TARRANT COUNTY, TEXAS; PROVIDING A PENALTY; AND AUTHORIZING PUBLICATION.

WHEREAS, Ed Ruibal, Landscape Systems, Applicant/Owner and Don Dinger, Owner, have requested a Future Land Use Plan amendment for approximately 3.52 acres from Low Density Single Family (LD-SF) to Retail/Commercial (RTC) in order to allow Landscape Systems to expand their business (LUP-22-0001); and

WHEREAS, the City's Planning and Zoning Commission and the City Council, in accordance with the Charter and Ordinances of the City of Keller and State Law, have given the required notices and have held the required public hearings regarding the Future Land Use Plan Amendment described in this resolution; and

WHEREAS, the Planning and Zoning Commission held a public hearing on June 28, 2022, unanimously recommended approval of the proposed 2021 FLUP amendment; and

WHEREAS, the City Council is of the opinion that the purpose of the application as set forth in the Unified Development Code is met and voted to approve the Future Land Use Plan amendment.

NOW, THEREFORE, BE IT RESOLVED 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 Future Land Use Plan Amendment from Low Density Single Family (LD-SF) to Retail/Commercial (RTC), for approximately 3.52 acres, legally described as Tract 1D01B of the John Martin Survey, Abstract 1153 (account # 42818999), and a portion of Lot 7, Block 1, Pearson Crossing, and addressed as 1816 Johnson Road and 1908 Pearson Crossing in the City of Keller, Tarrant County, Texas, and incorporated herein.

Section 3: THAT, any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon final conviction therefor, shall be fined in a sum not to exceed two thousand dollars (\$2,000.00). Each and every day any 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 hereof as an alternative method of publication provided by law.

AND IT IS SO RESOLVED.

Passed and approved by a vote of \_\_\_ to \_\_\_ on this the 19th day of July 2022.

CITY OF KELLER, TEXAS

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

ATTEST:

\_\_\_\_\_  
Kelly Ballard, City Secretary

Approved as to Form and Legality:

\_\_\_\_\_  
L. Stanton Lowry, City Attorney